

STATE OF NORTH DAKOTA

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**Journal of the House**  
of the  
**Twenty-eighth Session**  
of the  
**Legislative Assembly**

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Begun and held in the Capitol Building at Bismarck,  
January 5th to March 5th, 1943, Inclusive

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RALPH G. BEEDE,  
Elgin, North Dakota  
Speaker of the House

W. M. SMART  
Minot, North Dakota  
Chief Clerk



BISMARCK TRIBUNE

53984

# OFFICERS AND EMPLOYEES

of the  
HOUSE OF REPRESENTATIVES OF NORTH DAKOTA  
for the  
TWENTY-EIGHTH LEGISLATIVE ASSEMBLY

1943

Name	Home Address	Duties
W. M. Smart.....	Minot.....	Chief Clerk
Kenneth L. Morgan.....	Walcott.....	Assistant Chief Clerk
Marie Tunell.....	Bismarck.....	Desk Reporter
Thelma Vantine.....	Bismarck.....	Assistant Desk Clerk
Fred B. Ingstad.....	Fargo.....	Sergeant-at-Arms
Sigrid A. Scannell.....	Bismarck.....	Chief Stenographer
Ann Allen.....	Donnybrook.....	Stenographer
Mildred Becker.....	Center.....	Stenographer
Mrs. Audrey M. Fish.....	Mandan.....	Stenographer
Earl McInnes.....	Kelso.....	Postmaster
Miles Nelson.....	Erie.....	Mailing Clerk
E. W. Chapman.....	Morristown, S. D.....	Mailing Clerk
Peter Oberst.....	Van Hook.....	Mailing Clerk
Oswald Kruisk.....	Rock Lake.....	Doorkeeper-East
Alex Beilage.....	Glen Ullin.....	Doorkeeper-East
S. F. Inman.....	Hurdsfield.....	Doorkeeper-West
M. H. Mortenson.....	Courtenay.....	Doorkeeper
E. O. Hougen.....	Wheelock.....	Calendar Clerk
Bertha Ovri.....	Center.....	Bill Clerk
Albert Homelvig.....	Amidon.....	Bill Room Clerk
Mrs. Louise Finke.....	Bismarck.....	Clerk, Appropriations Com.
E. M. Bong.....	Valley City.....	Enrolling-Engrossing
Theodore G. Buchholz.....	Durbin.....	Enrolling-Engrossing
David Welch.....	Bismarck.....	Page
Colwell Crockett.....	Wales.....	Page
Emil F. Braun.....	Turtle Lake.....	Page
Earl Dawson.....	Almont.....	Page
Lorraine Anderson.....	Crystal.....	Telephone Attendant
Effie Mae Stewart.....	Bismarck.....	Telephone Attendant
Lucille Collette.....	Grafton.....	Committee Clerk
Jacob Hegland.....	Oberon.....	Committee Clerk
Clara Thon.....	Crosby.....	Committee Clerk
V. E. Haskins.....	Ellendale.....	Proofreader
Clara Rishling.....	Sherwood.....	Proofreader
Ed Koenig.....	Fredonia.....	Night Watchman

## HOUSE MEMBERS

Dist.	County	Name	Address
1.	Pembina	Harry Carlson	Concrete
		Alex Dalzell	Walhalla
		John Halcrow	Bowesmont
2.	Pt. Ward	Emanuel Mortenson	Kenmare
		Palmer Levin	Park River
3.	Pt. Walsh	M. T. Lillehaugen	Brocket
		Wilfred Collette	Grafton
4.	Pt. Grand Forks	K. L. Boulden	Larimore
6.	Pt. Grand Forks	Geo. Saumur	Grand Forks
7.	Pt. Grand Forks	A. M. Allen	Thompson
8.	Traill	Edwin L. Bagge	Cummings
		H. W. McInnes	Kelso
		Alva Wambheim	Hatton
9.	Pt. Cass	A. R. Bergesen	Fargo
		K. A. Fitch	Fargo
		Arthur C. Johnson	Fargo
		W. H. Shure	Fargo
		L. L. Twichell	Fargo
10.	Pt. Cass	Manfred R. Ohnstad	West Fargo
		Kenneth K. Pyle	West Fargo
11.	Pt. Cass	Wesley L. Bolmeier	Erie
		Joe Runck	Cassilton
12.	Pt. Richland	Vernon M. Johnson	Wahpeton
		H. C. Mittag	Hankinson
13.	Sargent	Mal Gainor	DeLamere
		Brown D. Williams	Lidgerwood
14.	Ransom	J. T. Peterson	Englevale
		H. G. Severson	Kathryn
15.	Pt. Barnes	Curtis Olson	Valley City
16.	Griggs-Steele	Thomas V. Devlin	Hope
		Bjorn Fuglestad	Cooperstown
		Harry Kolpin	Sutton
17.	Nelson	Olaf Hildre	Dahlen
		P. K. Holm	Pekin
18.	Cavalier	L. E. Callahan	Munich
		W. M. Crockett	Wales
		Peter Moe	Osnabrock
19.	Rolette	John Coghlan	Rolla
		Oscar M. Johnson	Mylo
20.	Benson	C. H. Hofstrand	Leeds
		I. B. Rohrer	Churchs Ferry
21.	Ramsey	Louis Leet	Webster
		E. A. Lunde	Lawton
		Harry Stormon	Devils Lake
22.	Towner	D. S. Blair	Maza
		E. J. Langley	Rock Lake
23.	Stutsman	C. F. Arndt	Streeter
		H. M. Ekren	Kensal
		P. G. Westby	Jamestown
24.	LaMoure	Henry Williams	Jamestown
		M. W. Gackle	Kulm
25.	Dickey	A. J. Sandness	LaMoure
		Cornelius Bymers	Ellendale
26.	Emmons	F. J. Graham	Ellendale
		John J. Baumgartner	Strasburg
		Joseph Welk	Hague

Dist.	County	Name	Address
27.	Burleigh	Wm. B. Falconer.....	Bismarck
		John R. Fleck.....	Bismarck
		Walter E. Sellens.....	Bismarck
28.	Bottineau	Peter Peterson.....	Antler
		Arlan Stair.....	Newburg
		Duncan Fraser.....	Omemee
29.	Pt. Ward	A. W. Benno.....	Minot
		Brynhild Haugland.....	Minot
		Dave Hovey.....	Minot
		Roy Larson.....	Minot
30.	Morton	W. M. Nelson.....	Mandan
		Tony Starck.....	Judson
		Richard E. Wolf.....	New Salem
31.	Stark	A. H. Schmalenberger.....	Hebron
		Ray Schnell.....	Dickinson
		Leo Sticka.....	New England
32.	Eddy-Foster	A. H. Nystrom.....	Shenoyenne
		A. I. Sharpe.....	Glenfield
33.	Wells	Morris Larson.....	Heimdal
		Leonas Myers.....	Bowdon
34.	McHenry	L. W. (Roy) Belzer.....	Balfour
		Andrew Halvorson.....	Upham
		Theodore Monson.....	Bergen
35.	Kidder-Sheridan	G. M. Iszler.....	Streeter
		Harold T. Morrison.....	Robinson
36.	McIntosh-Logan	Ed Haag.....	Fredonia
		S. N. Welder.....	Napoleon
		Ben J. Wolf.....	Zeeland
37.	Pt. Richland	Maurice S. Aker.....	Hankinson
		H. C. Williams.....	Lidgerwood
38.	Pt. Barnes	Carl Manstrom.....	Litchville
39.	Billings, Bowman, Golden Valley and Slope	M. B. Hogoboom.....	Alpha
		L. K. Morland.....	Scranton
		C. T. Olson.....	Bowman
		Harold Burau.....	Larson
40.	Burke-Divide	J. H. Heckman.....	Alkabo
		E. J. Marks.....	Flaxton
		Bernt Anderson.....	Charlson
41.	McKenzie	Iver Drovdal.....	Arnegard
		George Allen.....	Pleasant Lake
42.	Pierce	Wm. H. Tuff.....	Barton
		Olaf Ostgulen.....	Donnybrook
43.	Renville	J. N. Mollet.....	Powers Lake
		T. O. Rohde.....	Van Hook
44.	Mountrail	Asle Bjella.....	Epping
		P. I. Dahlen.....	Williston
		S. A. Forseth.....	Williston
45.	Williams	Donnell Haugen.....	Roseglen
		J. W. Jennings.....	Washburn
		Fred Braun.....	Turtle Lake
46.	Grant-Sioux	Ralph G. Beede.....	Elgin
		Wm. Bauer.....	Thunder Hawk, S. D.
47.	Mercer, Oliver and Dunn	Walter Bubel.....	Center
		Wm. H. Rettke.....	Beulah
		Edwin G. Sailer.....	Stanton
48.	Adams-Hettinger	Elmer Hegge.....	New England
		George Schwartz.....	Mott

## SENATE MEMBERS

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

## MEMBERS OF HOUSE, 1943

Dist.	NAME	HOME ADDRESS	OCCUPATION	MARRIED or SINGLE	WHERE BORN	WHEN BORN	MEMBER DURING SESSION OF
37	Aker, Maurice S.	Hankinson	Lawyer	Married	North Dakota	1898	1941, '43
7	Allen, A. M.	Thompson	Farmer	Married	Michigan	1896	1943
42	Allen, George	Pleasant Lake	Farmer	Married	Missouri	1871	1939, '41, '43
41	Anderson, Bernt	Charlson	Farmer	Married	Norway	1886	1937, '39, '41, '43
23	Arndt, Carl F.	Streeter	Lumberman	Married	Wisconsin	1892	1941, '43
8	Bagge, Edwin L.	Cummings	Farmer	Married	Illinois	1894	1943
47	Bauer, William	Thunder Hawk, S. D.	Farmer and Rancher	Married	Illinois	1877	1920, '21, '43
26	Baumgartner, John J.	Strasburg	Farmer	Married	Russia	1877	1943
47	Beede, Ralph G.	Elgin	Newspaperman, Lawyer	Married	South Dakota	1895	1939, '41, '43
34	Belzer, L. W. (Roy)	Balfour	Farmer	Married	Iowa	1894	1939, '41, '43
29	Benno, A. W.	Minot	Farmer	Married	Minnesota	1888	1937, '39, '41, '43
9	Bergesen, A. R.	Fargo	Lawyer	Married	Illinois	1890	1939, '41, '43
45	Bjella, Asle	Epping	Blacksmith	Married	Norway	1877	1941, '43
22	Blair, D. S.	Maza	Farmer	Married	Ontario	1881	1937, '39, '41, '43
11	Bolmeier, Wesley L.	Erie	Merchant	Married	North Dakota	1902	1939, '41, '43
5	Boulden, K. L.	Larimore	Farmer	Married	Wisconsin	1879	1939, '41, '43
46	Braun, Fred	Turtle Lake	Farmer	Married	Russia	1882	1939, '41, '43
48	Bubel, Walter	Center	Farmer	Married	North Dakota	1903	1941, '43
40	Bureau, Harold	Larson	Farmer	Single	North Dakota	1911	1943
25	Bymers, C. H.	Ellendale	Farmer	Married	Wisconsin	1890	1941, '43
18	Callahan, L. E.	Munich	Banker	Married	North Dakota	1890	1943
1	Carlson, Harry	Concrete	Farmer	Married	Illinois	1896	1941, '43
19	Coghlan, John	Rolla	Contractor	Married	North Dakota	1884	1941, '43
4	Collette, Wilfred	Grafton	Farmer	Married	North Dakota	1895	1941, '43
18	Crockett, Wm.	Wales	Farmer	Married	North Dakota	1894	1931, '33, '35, '39, '41, '43

## MEMBERS OF HOUSE, 1943—(Continued)

Dist.	NAME	HOME ADDRESS	OCCUPATION	MARRIED. or SINGLE	WHERE BORN	WHEN BORN	MEMBER DURING SESSION OF
45	Dahlen, P. I.	Williston	Hardware Dealer	Married	North Dakota	1881	1943
1	Dalzell, Alex	Walhalla	Farmer	Married	North Dakota	1894	1935, '37, '39, '41, '43
16	Devlin, T. V.	Finley	Farmer-Merchant	Married	North Dakota	-----	1929, '41, '43
41	Drovdal, Iver	Arnegard	Farmer	Single	Norway	1880	1941, '43
23	Ekren, H. M.	Kensal	Farmer	Married	Norway	1897	1943
27	Falconer, Wm. B.	Bismarck	Farmer	Married	North Dakota	1889	1933, '41, '43
9	Fitch, K. A.	Fargo	Insurance Broker	Married	North Dakota	1899	1931, '33, '37, '39, '41, '43
27	Fleck, John R.	Bismarck	Automobiles	Married	North Dakota	1900	1941, '43
45	Forseth, S. A.	Williston	Farmer	Married	Minnesota	1907	1943
28	Fraser, Duncan	Omeme	Farmer	Married	North Dakota	1890	1939, '41, '43
16	Fuglestad, Bjorn	Cooperstown	Farmer	Single	North Dakota	1894	1933, '39, '41, '43
24	Gackle, M. W.	Kulm	Hardware Dealer	Married	North Dakota	1894	1941, '43
13	Gainor, Mal	DeLamere	Farmer	Married	Minnesota	1875	1939, '41, '43
25	Graham, F. J.	Ellendale	Lawyer	Married	Michigan	1881	1943
36	Haag, Ed	Fredonia	Farmer	Single	North Dakota	1901	1939, '41, '43
1	Halerow, John	Bowesmont	Farmer	Married	Shetland Isles	1872	1921, '23, '25, '27, '29, '31, '43
34	Halvorson, Andrew	Upham	Farmer	Married	North Dakota	1903	1939, '41, '43
46	Haugen, Donnell	Roseglen	Farmer	Married	North Dakota	1907	1941, '43
29	Haugland, Brynhild	Minot	Farmer	Single	North Dakota	1905	1939, '41, '43
40	Heckman, J. H.	Alkabo	Farmer	Married	Canada	1879	1939, '41, '43
49	Hegge, Elmer	New England	Farmer	Married	North Dakota	1897	1943
17	Hildre, Olaf	Dahlen	Retired Merchant	Married	Norway	1876	1943
20	Hofstrand, C. H.	Churchs Ferry	Veterinary	Married	North Dakota	1890	1937, '39, '41, '43
39	Hogoboom, M. B.	Alpha	Farmer	Single	Minnesota	1870	1941, '43

## MEMBERS OF HOUSE, 1943—(Continued)

Dist.	NAME	HOME ADDRESS	OCCUPATION	MARRIED or SINGLE	WHERE BORN	WHEN BORN	MEMBER DURING SESSION OF
17	Holm, P. K.	Pekin	Farmer	Married	Norway	1875	1937, '39, '41, '43
29	Hovey, Dave	Minot	Supt. of Parks	Married	North Dakota	1905	1943
35	Iszler, G. M.	Streeter	Farmer and Insurance	Married	North Dakota	1899	1943
46	Jennings, J. W.	Washburn	Stock Farmer	Married	Iowa	1884	1941, '43
9	Johnson, Arthur C.	Fargo	Contractor	Married	North Dakota	1891	1933, '37, '39, '41, '43
19	Johnson, Oscar M.	Mylo	Farmer	Married	North Dakota	1903	1943
12	Johnson, Vernon M.	Wahpeton	Lawyer	Married	North Dakota	1910	1941, '43
16	Kolpin, Harry	Sutton	Farmer and Auctioneer	Married	Iowa	1892	1943
22	Langley, E. J.	Rock Lake	Implement Dealer	Married	Minnesota	1884	1941, '43
33	Larson, Morris	Heimdal	Farmer	Married	North Dakota	1895	1941, '43
29	Larson, Roy	Minot	Farmer-Stock Raiser	Single	North Dakota	1891	1943
21	Leet, Louis	Webster	Farmer	Married	North Dakota	1890	1943
3	Levin, Palmer	Park River	Farmer	Married	North Dakota	1893	1935, '37, '39, '41, '43
3	Lillehaugen, M. T.	Brocket	Farmer	Married	Norway	1881	1927, '29, '33, '41, '43
21	Lunde, E. A.	Lawton	Hardware Merchant	Married	Minnesota	1873	1931, '39, '41, '43
8	McInnes, H. W.	Kelso	Farmer	Single	North Dakota	1885	1933 to 1943
38	Manstrom, Carl	Litchville	Farmer	Married	North Dakota	1887	1943
40	Marks, E. J.	Flaxton	Farmer	Married	Minnesota	1875	1935, '43
12	Mittag, H. C.	Hankinson	Farmer	Married	North Dakota	1885	1939, '43
18	Moe, Peter	Osnabrock	Farmer	Married	Norway	1871	1939, '41, '43
44	Mollet, J. N.	Powers Lake	Farmer	Married	Missouri	1884	1939, '41, '43
34	Monson, Theodore	Bergen	Farmer	Married	North Dakota	1905	1943
39	Morland, L. K.	Scranton	Farmer	Married	Norway	1887	1937, '39, '41, '43
35	Morrison, Harold T.	Robinson	Farmer	Single	North Dakota	1917	1941, '43
2	Mortenson, Emanuel	Kenmare	Farmer	Married	North Dakota	1904	1943



## MEMBERS OF HOUSE, 1943—(Continued)

Dist.	NAME	HOME ADDRESS	OCCUPATION	MARRIED or SINGLE	WHERE BORN	WHEN BORN	MEMBER DURING SESSION OF
33	Myers, Leonas	Bowdon	Farmer	Married	Kansas	1887	1935 to 1943
30	Nelson, W. M.	Mandan	Railroad Machinist	Married	North Dakota	1898	1941, '43
32	Nystrom, A. H.	Sheyenne	Farmer	Married	North Dakota	-----	1939, '41, '43
10	Ohnstad, Manfred	West Fargo	Lawyer	Single	North Dakota	1908	1941, '43
39	Olson, C. T.	Bowman	Farmer	Married	Wisconsin	1884	1933, '37, '41, '43
15	Olson, Curtis	Valley City	Service Station	Married	North Dakota	1908	1941, '43
43	Ostgulen, Olaf	Donnybrook	Farmer	Married	Norway	1879	1939, '43
14	Peterson, J. T.	Englevale	Merchant	Married	Iowa	1871	1939, '41, '43
28	Peterson, Peter	Antler	Farmer	Married	Minnesota	1878	1933 to 1943
10	Pyle, Kenneth K.	West Fargo	Farmer	Married	North Dakota	1899	1943
48	Rettke, Wm. H.	Beulah	Farmer	Married	Germany	1878	1943
44	Rohde, T. O.	Van Hook	Farmer	Married	Wisconsin	1896	1939, '41, '43
20	Rohrer, I. B.	Churchs Ferry	Farmer	Married	Pennsylvania	1886	1943
11	Runk, Joe	Casselton	Farmer	Married	Minnesota	1875	1943
48	Sailer, Edwin G.	Stanton	Gas, Oil & Farming	Married	North Dakota	1901	1943
24	Sandness, A. J.	LaMoure	Farmer	Married	North Dakota	1894	1941, '43
6	Saumur, George H.	Grand Forks	Farmer	Married	North Dakota	1892	1935 to 1943
31	Schmalenberger, A. H.	Hebron	Farmer	Married	North Dakota	1899	1943
31	Schnell, Ray	Dickinson	Farmer	Married	North Dakota	1893	1935, '43
49	Schwartz, George	Mott	Farmer	Married	South Dakota	1894	1939, '41, '43
27	Sellens, W. E.	Bismarck	Farmer	Married	Missouri	1876	1939, '41, '43
14	Severson, H. G.	Ft. Ransom	Farmer	Married	Rhode Island	1896	1937 to 1943
32	Sharpe, A. I.	Glenfield	Grain and Lumber	Married	Norway	1886	1939, '41, '43
9	Shure, W. H.	Fargo	Lawyer	Married	Illinois	1886	1937 to 1943
28	Stair, Arlan	Newburg	Farmer	Married	North Dakota	1900	1943

## MEMBERS OF HOUSE, 1943—(Continued)

Dist.	NAME	HOME ADDRESS	OCCUPATION	MARRIED or SINGLE	WHERE BORN	WHEN BORN	MEMBER DURING SESSION OF
30	Starck, Tony	Judson	Farmer	Married	North Dakota	1893	1941, '43
31	Sticka, Leo	New England	Farmer	Married	North Dakota	1910	1943
21	Stormon, Harry	Devils Lake	Farmer	Married	North Dakota	1892	1939, '41, '43
42	Tuff, William H.	Barton	Farmer	Married	Canada	1880	1935 to 1943
9	Twichell, L. L.	Fargo	Lawyer	Single	Minnesota	1872	1913 to 1943
8	Wambheim, Alva	Hatton	Farmer	Single	North Dakota	1898	1939, '41, '43
36	Welder, S. N.	Napoleon	Teacher	Married	North Dakota	1908	1941, '43
26	Welk, Joseph	Hague	Farmer	Married	Russia	1893	1943
23	Westby, P. G.	Jamestown	Railroad Conductor	Married	Norway	1889	1939, '41, '43
13	Williams, Brown D.	Lidgerwood	Farmer	Married	North Dakota	1887	1943
37	Williams, H. C.	Lidgerwood	Farmer	Married	Minnesota	1876	1935 to 1943
23	Williams, Henry	Jamestown	Farmer	Married	North Dakota	1864	1941, '43
36	Wolf, Ben J.	Zeeland	Service Station	Married	North Dakota	1907	1941, '43
30	Wolf, Richard E.	New Salem	Farmer	Married	Germany	1885	1939, '41, '43

## ERRATA

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Page 222, in line 23 change "28" to "27".

Page 274, line 28, change "267" to "260".

Page 648, after line 10, add, "Mr. Speaker: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bill:

House Bill No. 49.

And find the same correctly enrolled.

REP. MORLAND, Chairman."

Page 832, after line 24, insert "House Bill No. 126".

Page 889, after line 34, add "Senate Bill No. 13".

Page 893, change "passed" to "indefinitely postponed".

Page 927, eliminate Senate Bill No. 174 and title.

Page 941, line 36, in "Consideration of Messages from the House" change "House" to "Senate".

Page 958, line 33, after "Second Reading of" change "House" to "Senate".

Page 1060, in line 29, strike out words "it now being after four o'clock".

Page 1075, in line 9, change "Q" to "O".

Page 1075, eliminate House Concurrent Resolution "Q" in line 9.

Page 1077, in line 11 change word "adopted" to "lost".

Buy "Dakota Maid" Flour

# Journal of the House



Twenty-eighth Legislative Assembly

## FIRST DAY, FIRST DAY AFTER RECESS AND SECOND DAY

Bismarck, January 5, 1943.

At the hour of twelve o'clock, Meridian, the fifth day of January, 1943, being the day and hour designated by law for the convening of the Legislative Assembly of the State of North Dakota, the members-elect of the House of Representatives assembled in the House Chamber in the State Capitol Building at Bismarck, North Dakota, and were called to order by C. R. Verry, Chief Clerk of the House of Representatives of the Twenty-seventh Legislative Assembly of the State of North Dakota.

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

### DEPARTMENT OF STATE

Bismarck, January 5, 1943.

Clerk of the House of Representatives  
Twenty-eighth 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 elected as members of the House of Representatives of the Twenty-eighth Legislative Assembly of the State of North Dakota:

Dist.	County	Name	Address
1.	Pembina	Harry Carlson.....	Concrete
		Alex Dalzell.....	Walhalla
		John Halcrow.....	Bowesmont
2.	Pt. Ward	Emanuel Mortenson.....	Kenmare
		Palmer Levin.....	Park River
3.	Pt. Walsh	M. T. Lillehaugen.....	Brocket
		Wilfred Collette.....	Grafton
5.	Pt. Grand Forks	K. L. Boulden.....	Larimore
6.	Pt. Grand Forks	Geo. Saumur.....	Grand Forks
7.	Pt. Grand Forks	A. M. Allen.....	Thompson
		Edwin L. Bagge.....	Cummings
8.	Traill	H. W. McInnes.....	Kelso
		Alva Wambheim.....	Hatton
		A. R. Bergesen.....	Fargo
		K. A. Fitch.....	Fargo
9.	Pt. Cass	Arthur C. Johnson.....	Fargo
		W. H. Shure.....	Fargo
		L. L. Twichell.....	Fargo
		Manfred R. Ohnstad.....	West Fargo
10.	Pt. Cass	Kenneth K. Pyle.....	West Fargo

## JOURNAL OF THE HOUSE

Dist.	County	Name	Address
11. Pt. Cass		Wesley L. Bolmeier	Erie
		Joe Runck	Casselton
12. Pt. Richland		Vernon M. Johnson	Wahpeton
		H. C. Mittag	Hankinson
13. Sargent		Mail Gainer	DeLamere
		Brown D. Williams	Lidgerwood
14. Ransom		J. T. Peterson	Englevalle
		H. G. Severson	Kathryn
15. Pt. Barnes		Curtis Olson	Valley City
16. Griggs-Steele		Thomas V. Devlin	Hope
		Bjorn Fuglestad	Cooperstown
17. Nelson		Harry Kolpin	Sutton
		A. O. Arneson( Deceased)	McVile
		P. K. Holm	Pekin
18. Cavalier		L. E. Callahan	Munich
		W. M. Crockett	Wales
		Peter Moe	Osnabrock
19. Rolette		John Coghlan	Rolla
		Oscar M. Johnson	Mylo
20. Benson		C. H. Hofstrand	Leeds
		I. B. Rohrer	Churchs Ferry
21. Ramsey		Louis Leet	Webster
		E. A. Lunde	Lawton
		Harry Stormon	Devils Lake
22. Towner		D. S. Blair	Maza
		E. J. Langley	Rock Lake
23. Stutsman		C. F. Arndt	Streeter
		H. M. Ekren	Kensal
		P. G. Westby	Jamestown
		Henry Williams	Jamestown
24. LaMoure		M. W. Gackle	Kulm
		A. J. Sandness	LaMoure
25. Dickey		Cornelius Bymers	Ellendale
		F. J. Graham	Ellendale
26. Emmons		John J. Baumgartner	Strasburg
		Joseph Welk	Hague
27. Burleigh		Wm. B. Falconer	Bismarck
		John R. Fleck	Bismarck
		Walter E. Sellens	Bismarck
28. Bottineau		Peter Peterson	Antler
		Arlan Stair	Newburg
		Duncan Fraser	Omeme
29. Pt. Ward		A. W. Benno	Minot
		Brynhild Haugland	Minot
		Dave Hovey	Minot
		Roy Larson	Minot
30. Morton		W. M. Nelson	Mandan
		Tony Starck	Judson
		Richard E. Wolf	New Salem
31. Stark		A. H. Schmalenberger	Hebron
		Ray Schnell	Dickinson
		Leo Sticka	New England
32. Eddy-Foster		A. H. Nystrom	Sheyenne
		A. I. Sharpe	Glenfield
33. Wells		Morris Larson	Heimdal
		Leonas Myers	Bowdon
34. McHenry		L. W. (Roy) Belzer	Balfour
		Andrew Halvorson	Upham
		Theodore Monson	Bergen

Dist.	County	Name	Address
35.	Kidder-Sheridan	G. M. Iszler.....	Streeter
		Harold T. Morrison.....	Robinson
36.	McIntosh-Logan	Ed Haag.....	Fredonia
		S. N. Welder.....	Napoleon
		Ben J. Wolf.....	Zeeland
37.	Pt. Richland	Maurice S. Aker.....	Hankinson
		H. C. Williams.....	Lidgerwood
38.	Pt. Barnes	Carl Manstrom.....	Litchville
39.	Billings, Bowman, Golden Valley and Slope	M. B. Hogoboom.....	Alpha
		L. K. Morland.....	Scranton
		C. T. Olson.....	Bowman
40.	Burke-Divide	Harold Burau.....	Larson
		J. H. Heckman.....	Alkabo
		E. J. Marks.....	Flaxton
41.	McKenzie	Bernt Anderson.....	Charlson
		Iver Drovdal.....	Arnegard
42.	Pierce	George Allen.....	Pleasant Lake
		Wm. H. Tuff.....	Barton
43.	Renville	Olaf Ostgulen.....	Donnybrook
44.	Mountrail	J. N. Mollet.....	Powers Lake
		T. O. Rohde.....	Van Hook
45.	Williams	Asle Bjella.....	Epping
		P. I. Dahlen.....	Williston
		S. A. Forseth.....	Williston
46.	McLean	Donnell Haugen.....	Roseglen
		J. W. Jennings.....	Washburg
		Fred Braun.....	Turtle Lake
47.	Grant-Sioux	Ralph G. Beede.....	Elgin
		Wm. Bauer.....	Thunder Hawk, S. D.
48.	Mercer, Oliver and Dunn	Walter Bubel.....	Center
		Wm. H. Rettke.....	Beulah
		Edwin G. Sailer.....	Stanton
49.	Adams-Hettinger	Elmer Hegge.....	New England
		George Schwartz.....	Mott

These members should qualify by executing an oath of the attached form and such oath should be filed in the office of the Secretary of State as soon as possible. Similar oaths should also be executed and filed by all Legislative Officials and employees.

I further certify that the Hon. A. O. Arneson, McVile, North Dakota, who was elected from the 17th Legislative District has died and a special election is being held in this District January 14, 1943, for the purpose of electing his successor.

In Witness Whereof, I have hereunto set my hand and affixed the Great Seal of the State of North Dakota, this 5th day of January, A. D. 1943.

THOMAS HALL, Secretary of State.

The roll was called and there were 112 members present and one absent, so a quorum was declared present.

Representative Fitch moved that the Chief Clerk appoint a committee of three to escort the Chief Justice of the Supreme Court to the rostrum, which motion prevailed.

The Chief Clerk appointed Representatives Fitch, Drovdal and Langley to escort Chief Justice Morris to the rostrum.

Chief Clerk: It gives me pleasure to present to you Honorable James Morris, Chief Justice of the Supreme Court of this State who will now administer the oath of office to the members-elect.

Judge Morris: May I say just a word before I present this oath to you. You have come here as the chosen representatives of your district and of the people of North Dakota for the purpose of carrying out the legislative program which in your very best judgment will be for the best interests of this State. As you know, here in America this is a government of laws and not of men. But, of course, laws must be made and you are the men who will make the laws and so in presenting to you this oath which will be your final qualification to take up the duties of your office, I present it to you realizing your responsibilities and I am sure that you too realize the responsibilities particularly of serving in a legislative body under these present times of stress and so with a prayer in my heart for your success not only individually but as lawmakers of the State of North Dakota, may I ask you to take your oath of office.

The oath of office was administered to the members of the House of Representatives.

Father Feehan of Bismarck offered prayer.

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

Rep. Bergesen of Cass County, in presenting the name of H. W. McInnes, Representative from Traill County, spoke as follows:

"Members of the House, for the next sixty days we shall be working here together participating in one of the important functions of the democratic form of government. Such an institution as we are carrying on here could never exist under present conditions in Germany, Italy or Japan and we realize today better than we ever did before the blessings of democracy. And, it is important that we carry on regardless of our differences and regardless of the outcome, in harmony and in the spirit of cooperation.

Now that we have been duly qualified as members of the House, the first step that we take is the election of a leader to guide and direct us throughout the session. That leader should have certain definite qualifications. He should understand the problems of the people. He should be experienced in the affairs of government. He should deal fairly and justly with all persons and factions. He should be honest, capable, having the full confidence of his fellowmen. The man whom I am about to name and whose name I am about to place in nomination possesses these qualifications to a very marked degree. He understands the problems of the people because, as a farmer, as a tiller of the soil, he has wrestled with those problems himself and in addition to his duties as a farmer he has actively associated himself with various farmers groups organized for the purpose of the betterment of the farmers in his community and the benefit of the people throughout the State. Year after year he has served as a director and as an officer, very often as president of such cooperative farm organizations, and successful ones too, such as oil stations, grain elevators, creameries and the like. He

is also an experienced legislator—this I think, being his fifth term in this House. In addition to that he knows the problems which confront the townships and school districts for, for a period of over thirty years he has served in their offices and on their boards and it is our townships and our school districts and our counties that form the very basis and the foundation of our State government.

Everybody concedes his ability and integrity. As our Speaker he will deal with all members regardless of faith or faction, fairly and impartially. Mr. Chief Clerk and Members of the House, I take great pleasure in placing for nomination for Speaker for this Twenty-eighth Legislative Assembly the name of Honorable H. W. McInnes of Trill County.

Representative Schnell of Stark: I feel it an honor and a privilege to present to this assembly a great man for Speaker of this House. One whose past performance of ability as a legislator in the past two sessions will be hard to match—as you members who served with him know. The comments of appreciation of the people at home, west of the river and all over the State, for his untiring efforts to champion the cause of the common man, especially among the farmers and ranchers are the best I have ever heard of any member of the Legislature. In these critical times, at the home-front our farmers and ranchers are asked to increase production. Their boys are in the army fighting for equality and justice and we the representatives of this very important body can render no greater encouragement to them than to elect a Speaker of their choice. The man I have the pleasure of presenting the nomination for is Ralph Beede from Grant County and I would like to ask you in all fairness to support this fine man.

Rep. Bymers: I wish to take this opportunity to second the nomination of Ralph Beede for Speaker of the House. Although the acquaintance I have had with Mr. Beede has not been long, but from all of his work here in the session two years ago, I think he won the admiration of the entire legislative assembly because of his manner in handling his work. I am very much pleased to note how the people at home watched the work of Mr. Beede and the questions they asked about him on my return. 'What is he, a young man or an old man and what kind of a man is he?' I think we cannot go wrong in selecting such a man as Ralph Beede.

Rep. Morland: I rise for the purpose of seconding the nomination of Mr. McInnes. I think Mr. McInnes is well and favorably known here and all over the State. I think his qualifications are well known to everyone. Personally, I have served here for three sessions, I have seen him in action; I have seen him under fire; he is cool and capable and would make a good official in the chair, there is no question about it. We want a man of mature years, of mature judgment, a man who knows the problems of the State and I think Mr. McInnes has all those qualifications. He will give all factions square treatment. He is a natural tiller of the soil and what is more proper for a farming State than to put a farmer in the place of the Speaker of this House. This is an agricultural State and I think it should be remembered in our selection of officials. I do not think you will make any mistake in supporting Mr. McInnes for Speaker. He is free from any control, remote or otherwise.



Rep. Levin: I wish to second the nomination of Mr. Beede. I have served with Mr. Beede two or three sessions and at all times found him fair and honest. He has the respect of all the people all over the State, from the reports that went out from here during the last two sessions. So, it gives me great pleasure to second the nomination of Mr. Beede.

Rep. Heckman: It gives me great pleasure to, at this time, second the nomination of Ralph Beede as being fit for the office of Speaker of this House. I spent some two previous sessions with him and had the opportunity to study the different men of this House and I find there are many members of this House who would have the ability to carry on but I think the outstanding one of them all would be Mr. Ralph Beede of Grand County and so I second the nomination for his election as Speaker of the House.

Rep. Falconer: I wish to second the nomination of Mr. Beede. Practically all of the members here have seen Mr. Beede's actions. You people from all opposing political factions, I think will agree that Mr. Beede, during the entire session in a very trying position as minority leader, conducted himself in a way that demonstrates an outstanding fairness and equality, something that is absolutely necessary in the Speakership.

Now, I am sure you can all agree with me that Mr. Beede has the natural qualifications and if there is any such thing as a Speaker having 'absolute fairness,' I am sure that those qualifications will be found in Mr. Beede. I think he is a man who will do a great good to the greatest number of our people in the State of North Dakota in the position as Speaker of this House and I think that you of the opposition should support him.

Rep. Fitch: I am sure that Mr. Beede and Mr. McInnes have heard enough praise at this time so I move that the nominations be closed.

Rep. Crockett seconded the motion, which motion prevailed.

#### ROLL CALL

The roll was called and the Chief Clerk announced that there were 55 votes for Rep. McInnes and 55 votes for Rep. Beede, and the two candidates passing.

Those voting for Rep. McInnes were:

Aker	Fleck	Nystrom
Allen, Grand Forks	Fuglestad	Olson, Barnes
Allen, Pierce	Gackle	Olson, Bowman
Arndt	Gainor	Peterson, Ransom
Bagge	Halcrow	Pyle
Benno	Haugland	Runck
Bergesen	Hogoboom	Sailer
Bjella	Holm	Sandness
Blair	Hovey	Saumur
Bolmeier	Johnson, Cass	Sellens
Boulden	Johnson, Richland	Severson
Callahan	Johnson, Rolette	Sharpe
Carlson	Langley	Shure
Coghlan	Leet	Stormon
Collette	Lunde	Twichell
Dahlen	Manstrom	Wambheim
Dalzell	Moe	Westby

Ekren	Morland	Williams, Stutsm'n
Fitch		
Those voting for Rep. Beede were:		
Anderson	Hegge	Ostgulen
Bauer	Hofstrand	Peterson, Bottin'au
Baumgartner	Iszler	Rettke
Belzer	Jennings	Rohde
Braun	Kolpin	Rohrer
Bubel	Larson, Ward	Schmalenberger
Bureau	Larson, Wells	Schnell
Bymers	Levin	Schwartz
Crockett	Lillehaugen	Stair
Devlin	Marks	Starck
Drovdal	Mittag	Sticka
Falconer	Mollet	Tuff
Forseth	Monson	Welder
Fraser	Morrison	Welk
Graham	Mortenson	Williams, Richland
Haag	Myers	Williams, Sargent
Halvorson	Nelson	Wolf, McIntosh
Haugen	Ohnstad	Wolf, Morton
Heckman		

Passed:

Beede                      McInnes

Rep. Graham moved that another roll call be taken.

Rep. Fitch moved as a substitute motion that we have a verification of the roll call, which motion prevailed.

The Chief Clerk announced the roll call as revealing 55 votes for Mr. McInnes, 55 votes for Mr. Beede, one absent and two passed.

Rep. Graham moved that another ballot be taken.

Rep. Aker seconded the motion, which motion prevailed.

Rep. Bergesen moved that the rules be suspended and that the two gentlemen first nominated be considered as candidates on this second ballot, which motion prevailed.

Chief Clerk: Nominations are in order for Speaker, if any, in addition to Mr. Beede and Mr. McInnes who have already been placed in nomination. If there are no further nominations, I declare again that the nominations are closed and we will proceed to vote on the nomination of Mr. Beede and Mr. McInnes for Speaker of this House during the Twenty-eighth Legislative Assembly.

#### ROLL CALL

The roll was called and the Chief Clerk announced 55 votes for Mr. Beede, 55 votes for Mr. McInnes and two passing. The two passing being candidates.

Those voting for Rep. McInnes were:

Aker	Fleck	Nystrom
Allen, Grand Forks	Fuglestad	Olson, Barnes
Allen, Pierce	Gackle	Olson, Bowman
Arndt	Gainor	Peterson, Ransom
Bagge	Halcrow	Pyle
Benno	Haugland	Runck
Bergesen	Hogoboom	Sailer
Bjella	Holm	Sandness
Blair	Hovey	Saumur
Bolmeier	Johnson, Cass	Sellens

Boulden	Johnson, Richland	Severson
Callahan	Johnson, Rolette	Sharpe
Carlson	Langley	Shure
Coghlan	Leet	Stormon
Collette	Lunde	Twichell
Dahlen	Manstrom	Wambheim
Dalzell	Moe	Westby
Ekren	Morland	Williams, Stutsm'n
Fitch		

Those voting for Rep. Beede were:

Anderson	Hegge	Ostgulen
Bauer	Hofstrand	Peterson, Bottin'au
Baumgartner	Iszler	Rettke
Belzer	Jennings	Rohde
Braun	Kolpin	Rohrer
Bubel	Larson, Ward	Schmalenberger
Burau	Larson, Wells	Schnell
Bymers	Levin	Schwartz
Crockett	Lillehaugen	Stair
Devlin	Marks	Starck
Drovdal	Mittag	Sticka
Falconer	Mollet	Tuff
Forseth	Monson	Welder
Fraser	Morrison	Welk
Graham	Mortenson	Williams, Richland
Haag	Myers	Williams, Sargent
Halvorson	Nelson	Wolf, McIntosh
Haugen	Ohnstad	Wolf, Morton
Heckman		
Passed:		
Beede	McInnes	

Rep. Fitch demanded a verification. The roll call was verified and stood as before announced.

Rep. Twichell requested a call of the house, which request was granted and 112 members were present.

Rep. Blair moved that the call of the house be dispensed with, which motion prevailed.

Rep. Crockett moved that the House proceed with another roll call for Speaker, which motion prevailed.

#### ROLL CALL

The roll was called and again revealed 55 votes for Mr. Beede, 55 votes for Mr. McInnes and two passing. The two passing being the candidates.

Those voting for Rep. McInnes were:

Aker	Fleck	Nystrom
Allen, Grand Forks	Fuglestad	Olson, Barnes
Allen, Pierce	Gackle	Olson, Bowman
Arndt	Gainor	Peterson, Ransom
Bagge	Halcrow	Pyle
Benno	Haugland	Runck
Bergesen	Hogoboom	Sailer
Bjella	Holm	Sandness
Blair	Hovey	Saumur
Bolmeier	Johnson, Cass	Sellens
Boulden	Johnson, Richland	Severson
Callahan	Johnson, Rolette	Sharpe
Carlson	Langley	Shure
Coghlan	Leet	Stormon

Collette	Lunde	Twichell
Dahlen	Manstrom	Wambheim
Dalzell	Moe	Westby
Ekren	Morland	Williams, Stutsm'n
Fitch		

Those voting for Rep. Beede were:

Anderson	Hegge	Ostgulen
Bauer	Hofstrand	Peterson, Bottin'au
Baumgartner	Iszler	Rettke
Belzer	Jennings	Rohde
Braun	Kolpin	Rohrer
Bubel	Larson, Ward	Schmalenberger
Bureau	Larson, Wells	Schnell
Bymers	Levin	Schwartz
Crockett	Lillehaugen	Stair
Devlin	Marks	Starck
Drovdal	Mittag	Sticka
Falconer	Mollet	Tuff
Forseth	Monson	Welder
Fraser	Morrison	Welk
Graham	Mortenson	Williams, Richland
Haag	Myers	Williams, Sargent
Halvorson	Nelson	Wolf, McIntosh
Haugen	Ohnstad	Wolf, Morton
Heckman		
Passed:		
Beede	McInnes	

Rep. Crockett moved that the rules be suspended and that the members proceed to select their seats and that we return immediately to the previous order of business, which motion prevailed.

Selection of seats was made in the usual manner.

#### ROLL CALL

The roll was called and the Chief Clerk announced there were 55 votes for Mr. Beede, 55 votes for Mr. McInnes and two passing. The two passing being the candidates.

Those voting for Rep. McInnes were:

Aker	Fleck	Nystrom
Allen, Grand Forks	Fuglestad	Olson, Barnes
Allen, Pierce	Gackle	Olson, Bowman
Arndt	Gainor	Peterson, Ransom
Bagge	Halcrow	Pyle
Benno	Haugland	Runk
Bergesen	Hogoboom	Sailer
Bjella	Holm	Sandness
Blair	Hovey	Saumur
Bolmeier	Johnson, Cass	Sellens
Boulden	Johnson, Richland	Severson
Callahan	Johnson, Rolette	Sharpe
Carlson	Langley	Shure
Coghlan	Leet	Stormon
Collette	Lunde	Twichell
Dahlen	Manstrom	Wambheim
Dalzell	Moe	Westby
Ekren	Morland	Williams, Stutsm'n
Fitch		

Those voting for Rep. Beede were:

Anderson	Hegge	Ostgulen
Bauer	Hofstrand	Peterson, Bottin'au

Baumgartner	Iszler	Rettke
Belzer	Jennings	Rohde
Braun	Kolpin	Rohrer
Bubel	Larson, Ward	Schmalenberger
Burau	Larson, Wells	Schnell
Bymers	Levin	Schwartz
Crockett	Lillehaugen	Stair
Devlin	Marks	Starck
Drovdal	Mittag	Sticka
Falconer	Mollet	Tuff
Forseth	Monson	Welder
Fraser	Morrison	Welk
Graham	Mortenson	Williams, Richland
Haag	Myers	Williams, Sargent
Halvorson	Nelson	Wolf, McIntosh
Haugen	Ohnstad	Wolf, Morton
Heckman		
Passed:		
Beede	McInnes	

Rep. Twichell moved that we recess until 10:00 a. m. tomorrow, which motion prevailed.

The House was called to order by the Chief Clerk at 10:00 o'clock a. m. pursuant to recess taken.

Rep. Crockett moved that the rules be suspended for the purpose of having the Chief Clerk appoint a temporary committee of five to serve as a Committee for the Revision and Correction of the Journal.

Rep. Twichell offered an amendment to this motion to also include the appointment by the Chief Clerk of a committee of three to serve on the Mileage and Per Diem Committee, which motion prevailed.

The Chief Clerk announced the appointment of the following members to serve on the temporary committee on Revision and Correction of the Journal: Representatives Aker, Chairman, Bjella, Johnson of Richland, Ohnstad and Schmalenberger.

The Chief Clerk announced the appointment of Representatives Dalzell, Chairman, Graham and Coghlan as the Committee on Mileage and Per Diem.

Rep. Graham presented a Resolution.

Rep. Twichell moved that the rules be suspended and the Resolution presented by Rep. Graham be printed in the Journal, which motion prevailed.

Mr. Chief Clerk:

Members of the House of Representatives, Yesterday we all were sworn to support the Constitution of the United States and the Constitution of the State of North Dakota. We also swore that we would fulfill the duties of our positions as Representatives of the State of North Dakota. We, members of the Nonpartisan League, desire to fulfill that pledge. We believe that you, the members of the Democratic-Republican Coalition, desire equally to perform your duties as Representatives.

It appears from the four ballots which were taken yesterday for the office of Speaker, that we have reached a deadlock which can be broken only by some member of either side switching his allegiance. This we do not believe will be done by any member of either side. We can if we wish proceed to

ballot day after day until some member of either side is worn out and goes over to the other side; but if this is done, it will be days before a Speaker is elected, and in the meantime the duties which we came down here to perform will have suffered by the delay.

We do not wish this to happen. We, therefore, submit to you for your consideration the following statement of the position of the Nonpartisan League members of this House:

We have selected a committee of five members, consisting of F. J. Graham, Palmer Levin, Donnell Haugen, C. H. Hofstrand, Bernt Anderson, and have authorized them to meet with a like committee of members from the Coalition group when and if such committee is selected, to arrange for a speedy ending of this deadlock, so that the House may be immediately organized and begin its work at once.

Rep. Twichell moved that the rules be suspended for the sole purpose of electing Kenneth Morgan as temporary Assistant Chief Clerk.

Rep. Graham offered as a substitute motion that the Chief Clerk appoint a temporary Sergeant-at-Arms and desk reporter, which motion prevailed.

Rep. Twichell moved that a roll call be taken on the appointment of Kenneth Morgan as temporary Assistant Chief Clerk.

#### ROLL CALL

The question being on the election of Kenneth Morgan as Assistant Chief Clerk the roll was called and there were ayes, 112; nays, 0; absent and not voting, 0.

Those voting in the affirmative were:

Aker	Graham	Nystrom
Allen, Grand Forks	Haag	Ohnstad
Allen, Pierce	Halcrow	Olson, Barnes
Anderson	Halvorson	Olson, Bowman
Arndt	Haugen	Ostgulen
Bagge	Haugland	Peterson, Bottin'au
Bauer	Heckman	Peterson, Ransom
Baumgartner	Hegge	Pyle
Beede	Hofstrand	Rettke
Belzer	Hogoboom	Rohde
Benno	Holm	Rohrer
Bergesen	Hovey	Runk
Bjella	Iszler	Sailer
Blair	Jennings	Sandness
Bolmeier	Johnson, Cass	Saumur
Boulden	Johnson, Richland	Schmalenberger
Braun	Johnson, Rolette	Schnell
Bubel	Kolpin	Schwartz
Bureau	Langley	Sellens
Bymers	Larson, Ward	Severson
Callahan	Larson, Wells	Sharpe
Carlson	Leet	Shure
Coghlan	Levin	Stair
Collette	Lillehaugen	Starck
Crockett	Lunde	Sticka
Dahlen	Manstrom	Stormon
Dalzell	Marks	Tuff
Devlin	McInnes	Twichell
Drovdal	Mittag	Wambheim
Ekren	Moe	Welder

Falconer	Mollet	Welk
Fitch	Monson	Westby
Fleck	Morland	Williams, Richland
Forseth	Morrison	Williams, Sargent
Fraser	Mortenson	Williams, Stutsm'n
Fuglestad	Myers	Wolf, McIntosh
Gackle	Nelson	Wolf, Morton
Gainor		

So Kenneth Morgan was duly elected temporary Assistant Chief Clerk.

Rep. Graham moved that the Chief Clerk be now authorized to make the appointment of a temporary desk reporter and Sergeant-at-Arms, which motion prevailed.

The Chief Clerk announced the appointment of Marie Tunell as temporary desk reporter and Mr. John Plath as temporary Sergeant-at-Arms.

Rep. Twichell moved that a roll call be taken on the temporary appointments as announced by the Chief Clerk.

#### ROLL CALL

The question being on the election of John Plath and Marie Tunell the roll was called and there were ayes, 112; nays, 0. absent and not voting, 1.

Those voting in the affirmative were:

Aker	Graham	Nystrom
Allen, Grand Forks	Haag	Ohnstad
Allen, Pierce	Halcrow	Olson, Barnes
Anderson	Halvorson	Olson, Bowman
Arndt	Haugen	Ostgulen
Bagge	Haugland	Peterson, Bottin'au
Bauer	Heckman	Peterson, Ransom
Baumgartner	Hegge	Pyle
Beede	Hofstrand	Rettke
Belzer	Hogoboom	Rohde
Benno	Holm	Rohrer
Bergesen	Hovey	Runk
Bjella	Iszler	Sailer
Blair	Jennings	Sandness
Bolmeier	Johnson, Cass	Saumur
Boulden	Johnson, Richland	Schmalenberger
Braun	Johnson, Rolette	Schnell
Bubel	Kolpin	Schwartz
Burau	Langley	Sellens
Bymers	Larson, Ward	Severson
Callahan	Larson, Wells	Sharpe
Carlson	Leet	Shure
Coghlan	Levin	Stair
Collette	Lillehaugen	Starck
Crockett	Lunde	Sticka
Dahlen	Manstrom	Stormon
Dalzell	Marks	Tuff
Devlin	McInnes	Twichell
Drovdal	Mittag	Wambheim
Ekren	Moe	Welder
Falconer	Mollet	Welk
Fitch	Monson	Westby
Fleck	Morland	Williams, Richland
Forseth	Morrison	Williams, Sargent
Fraser	Mortenson	Williams, Stutsm'n

Fuglestad  
Gackle  
Gainor

Myers  
Nelson

Wolf, McIntosh  
Wolf, Morton

So John Plath and Marie Tunell were declared duly elected.

Rep. Morland suggested that the oath of office be administered by the Chief Clerk to Kenneth Morgan, Marie Tunell and John Plath if present.

The oath was administered by C. R. Verry, Chief Clerk, to Kenneth Morgan and Marie Tunell.

Rep. Myers moved that the rules be suspended and the Chief Clerk appoint a committee of three to investigate the loud speaker equipment and the matter of securing an operator therefor, which motion prevailed.

The Chief Clerk appointed Representatives Myers, Johnson of Cass and Haugland.

Rep. Myers moved that the House adjourn, which motion prevailed.

C. R. VERRY, Chief Clerk.

SECOND DAY

Bismarck, January 6, 1943.

The House was called to order by the Chief Clerk at 2:00 o'clock p. m. pursuant to adjournment.

Prayer was offered by Reverend Father Feehan.

Roll call: All members present.

Rep. Fitch moved that the rules be suspended and that the Joint session be held day after tomorrow in the afternoon, which motion was seconded by Rep. Morland.

Rep. Johnson of Cass moved that the motion of Rep. Fitch be laid on the table, which motion prevailed.

Rep. Johnson of Cass requested the House to proceed with the roll call for the election of Speaker.

ROLL CALL

Those voting for Rep. McInnes were:

Aker	Fleck	Nystrom
Allen, Grand Forks	Fuglestad	Olson, Barnes
Allen, Pierce	Gackle	Olson, Bowman
Arndt	Gainor	Peterson, Ransom
Bagge	Halcrow	Pyle
Benno	Haugland	Runk
Bergesen	Hogoboom	Sailer
Bjella	Holm	Sandness
Blair	Hovey	Saumur
Bolmeier	Johnson, Cass	Sellens
Boulden	Johnson, Richland	Seversoñ
Callahan	Johnson, Rolette	Sharpe
Carlson	Langley	Shure
Coghlan	Leet	Stormon
Collette	Lunde	Twichell
Dahlen	Manstrom	Wambheim
Dalzell	Moe	Westby
Ekren	Morland	Williams, Stutsm'n
Fitch		

Those voting for Rep. Beede were:

Anderson	Hegge	Ostgulen
Bauer	Hofstrand	Peterson, Bottin'au
Baumgartner	Iszler	Rettke
Belzer	Jennings	Rohde



Braun	Kolpin	Rohrer
Bubel	Larson, Ward	Schmalenberger
Burau	Larson, Wells	Schnell
Bymers	Levin	Schwartz
Crockett	Lillehaugen	Stair
Devlin	Marks	Starck
Drovdal	Mittag	Sticka
Falconer	Mollet	Tuff
Forseth	Monson	Welder
Fraser	Morrison	Welk
Graham	Mortenson	Williams, Richland
Haag	Myers	Williams, Sargent
Halvorson	Nelson	Wolf, McIntosh
Haugen	Ohnstad	Wolf, Morton
Heckman		
Passed:		
Beede	McInnes	

The roll call revealed 55 votes for Mr. Beede, 55 votes for Mr. McInnes and the two candidates passing.

Rep. Johnson of Cass moved that we recess until 12:00 o'clock noon tomorrow, which motion prevailed.

C. R. VERRY, Chief Clerk.

## SECOND DAY AFTER RECESS AND THIRD DAY

Bismarck, January 7, 1943

The House re-convened at 12:00 o'clock noon subject to recess taken and was called to order by C. R. Verry, Chief Clerk.

Rep. Myers presented the report of the committee appointed to investigate the loud speaker system which report was read from the desk.

Rep. Myers moved that the report as read be printed in the Journal of the House, which motion prevailed.

Rep. Falconer moved that the rules be suspended, the report of the committee be accepted and the committee be authorized to enter into contract with the employees of KFJR for the necessary services.

Rep. Myers seconded the motion, which motion prevailed.

## RADIO STATION KFJR

Bismarck, January 7th, 1943

Mr. A. C. Johnson  
Bismarck, North Dakota

Dear Mr. Johnson:

Confirming our conversation, I believe we have worked out a plan whereby we can assist you in securing operators for the loud speaker system in the house chambers during the legislative session. Under ordinary circumstances, we would not favor having our men accept other positions, but under present conditions where men are scarce and each one is supposed to do more than his share, we will waive our rules and offer what assistance we can.

Therefore, we submit the following for the four individuals involved:

Ivar Nelson  
C. F. Dirlam  
John Henlein  
Harold Lason

Our chief engineer, Mr. Ivar Nelson, will check over the system and, barring his inability to secure replacement parts, will put the equipment in working condition. The rate he will charge for his work is \$2.00 per hour, plus \$1.30 per hour for an assistant. He feels confident that he will run into no serious difficulties in putting it in good condition.

For the regular operation of the loud speaker system, during the hours the house is convened, an operator will be on duty at the rate of \$1.30 per hour.

Because of our regular working shift, it will be necessary that you use, during the session, any one of the last three

above mentioned men, depending on who is off duty at the station when the session is convened. These men are experienced operators and will be able to handle the equipment in an expert manner.

It is understood that KFYZ assumes no responsibility in any arrangement made between the house, as an employer, and the above mentioned men, but is submitting this bid entirely as a courtesy to the house and the operators involved.

Payment for work performed will be made directly to the operators on the basis of hours worked.

Respectfully submitted,  
MEYER BROADCASTING CO.  
F. E. Fitzsimonds  
Station Manager

#### ROLL CALL

The question being on the adoption of the committee report, the roll was called and there were ayes, 112; nays, 0.

Those voting in the affirmative were:

Aker	Graham	Nystrom
Allen, Grand Forks	Haag	Ohnstad
Allen, Pierce	Halcrow	Olson, Barnes
Anderson	Halvorson	Olson, Bowman
Arndt	Haugen	Ostgulen
Bagge	Haugland	Peterson, Bottin'au
Bauer	Heckman	Peterson, Ransom
Baumgartner	Hegge	Pyle
Beede	Hofstrand	Rettke
Belzer	Hogoboom	Rohde
Benno	Holm	Rohrer
Bergesen	Hovey	Runk
Bjella	Iszler	Sailer
Blair	Jennings	Sandness
Bolmeier	Johnson, Cass	Saumur
Boulden	Johnson, Richland	Schmalenberger
Braun	Johnson, Rolette	Schnell
Bubel	Kolpin	Schwartz
Bureau	Langley	Sellens
Bymers	Larson, Ward	Severson
Callahan	Larson, Wells	Sharpe
Carlson	Leet	Shure
Coghlan	Levin	Stair
Collette	Lillehaugen	Starck
Crockett	Lunde	Sticka
Dahlen	Manstrom	Stormon
Dalzell	Marks	Tuff
Devlin	McInnes	Twichell
Drovdal	Mittag	Wambheim
Ekren	Moe	Welder
Falconer	Mollet	Welk
Fitch	Monson	Westby
Fleck	Morland	Williams, Richland
Forseth	Morrison	Williams, Sargent
Fraser	Mortenson	Williams, Stutsm'n
Fuglestad	Myers	Wolf, McIntosh
Gackle	Nelson	Wolf, Morton
Gainor		

So the report was adopted.

The Chief Clerk announced that John Plath, whom he had

appointed temporary Sergeant-at-Arms, would be unable to accept the appointment. He therefore appointed Fred Ingstad for the same position.

ROLL CALL

The question being on the appointment of Fred Ingstad as temporary Sergeant-at-Arms, the roll was called and there were ayes, 98; nays, 14.

Those voting in the affirmative were:

Aker	Fleck	Moe
Allen, Grand Forks	Fraser	Mollet
Allen, Pierce	Fuglestad	Monson
Anderson	Gackle	Morland
Arndt	Gainor	Mortenson
Bagge	Graham	Nystrom
Bauer	Haag	Ohnstad
Baumgartner	Halcrow	Olson, Barnes
Beede	Halvorson	Olson, Bowman
Belzer	Haugen	Peterson, Bottin'au
Benno	Haugland	Peterson, Ransom
Bergesen	Heckman	Pyle
Bjella	Hegge	Runck
Blair	Hofstrand	Sailer
Bolmeier	Hogoboom	Sandness
Boulden	Holm	Saumur
Braun	Hovey	Schmalenberger
Bubel	Iszler	Schnell
Burau	Jennings	Schwartz
Bymers	Johnson, Cass	Sellens
Callahan	Johnson, Richland	Severson
Carlson	Johnson, Rolette	Sharpe
Coghlan	Kolpin	Shure
Collette	Langley	Stair
Crockett	Larson, Ward	Starck
Dahlen	Larson, Wells	Sticka
Dalzell	Leet	Stormon
Devlin	Levin	Twichell
Drovdal	Lillehaugen	Wambheim
Ekren	Lunde	Westby
Falconer	Manstrom	Williams, Sargent
Fitch	McInnes	Williams, Stutsm'n
Forseth	Mittag	

Those voting in the negative were:

Marks	Rettke	Welk
Morrison	Rohde	Williams, Richland
Myers	Rohrer	Wolf, McIntosh
Nelson	Tuff	Wolf, Morton
Ostgulen	Welder	

So Fred Ingstad was declared duly elected

The Chief Clerk administered the oath of office to Fred Ingstad.

Rep. Graham moved that the House adjourn, which motion prevailed.

C. R. VERRY, Chief Clerk.

THIRD DAY

Bismarck, January 7, 1943

The House was called to order by the Chief Clerk at 2:00 o'clock p. m. pursuant to adjournment.

Prayer was offered by Father Feehan.

Roll call: All members present.

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

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

At the roll call at page 12, at line 21, strike out figures "12" and insert in lieu thereof the figures "112".

And when so corrected recommends that the same be approved.

M. S. AKER, Chairman.

Rep. Ohnstad moved that the report be adopted, which motion prevailed and the report was adopted.

Rep. Graham moved that the House recess until 12:00 o'clock noon tomorrow.

C. R. VERRY, Chief Clerk.

## THIRD DAY AFTER RECESS AND THE FOURTH DAY

Bismarck, January 8, 1943

The House re-convened at 12:00 o'clock noon subject to recess taken and was called to order by C. R. Verry, Chief Clerk.

Rep. Graham moved that the House adjourn, which motion prevailed.

C. R. VERRY, Chief Clerk.

## FOURTH DAY

Bismarck, January 8, 1943

The House was called to order by C. R. Verry, Chief Clerk, at 2:00 o'clock p. m. pursuant to adjournment.

Prayer was offered by Father Feehan.

Roll call: All members present.

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

Mr. Chief Clerk: Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the Second Day After Recess and Third Day and finds the same correct.

M. S. AKER, Chairman.

Rep. Johnson of Richland moved that the report be adopted, which motion prevailed and the report was adopted.

The report of the committee on the loud speaker system was read from the desk.

Bismarck, January 7, 1943

Radio Station KFYZ,  
Meyer Broadcasting Co.,  
Bismarck, North Dakota.

Gentlemen:

This is to advise you that the conditions in your letter of January 7, 1943, (a copy of which is hereto attached) addressed to A. C. Johnson, Member of the House of Representatives, State of North Dakota, was submitted to the House in session and same was approved and the undersigned appointed as a committee to advise you that the propositions made in your said letter are satisfactory and accepted. The understanding is, however, that the installation of the loud speaker system be installed and put in good repair at the earliest possible moment so as to be available for use in the House when the sessions convene.

LEONAS MYERS

A. C. JOHNSON

BRYNHILD HAUGLAND

Committee

Rep. Aker moved that the reply to KFYZ from the committee on the loud speaker system be printed in the Journal, which motion prevailed.

Rep. Myers moved that the committee on the loud speaker system be discharged, which motion prevailed.

Rep. Olson of Barnes moved that the rules be suspended and the House be on the sixth order of business, which motion prevailed.

Rep. Olson of Barnes moved that the report of Special Committees be read by the Chief Clerk and printed in the Journal

Rep. Graham seconded the motion and requested that the report be adopted by roll call.

#### AGREEMENT

We two special committees of five each, representing respectively the Coalition group in the House and the Non-Partisan group of the Republican party, are named by such respective groups for the purpose of considering and entering into an agreement to secure the prompt organization of the House and the election of a Speaker and other officers, and for making rules in connection therewith.

After meeting and considering the matter the following agreement was reached: That Ralph G. Beede be selected as Speaker without opposition and that W. M. Smart be selected as Chief Clerk without opposition, Kenneth Morgan as assistant chief clerk without opposition, Mrs. Fred Tunell as desk clerk without opposition and Fred Ingstad as sergeant-at-arms without opposition;

That the two respective groups name two members each of a committee which shall be the Employment Committee, such committee to be continued as a permanent committee, to name the balance of the help, which shall not exceed 32, which help shall be divided equally between the two factions;

That the two groups shall each appoint two members of a Committee on Committees, who shall have the naming and selection of committee chairmen and the membership of committees, the group having the chairman of a committee to also have the naming of the next committee member. The group having the committee chairman shall have a majority of one and one only. There shall be given to the Coalition Group the chairmanship and control of the Committees on Appropriations, State Affairs, and Tax and Tax Laws. Other standing committees are to be divided equally, with the Non-Partisan group to have the naming of what they consider to be the next most desirable committee, thereafter, choice of committees to be had in rotation and in the event of a tie vote, the matter in dispute shall be referred to the House for final determination, this committee to be continued as a permanent committee;

That there shall be named by each faction two members of a Committee on Reference of Bills, who upon the filing of bills shall name the committee to which the bills and measures shall be referred, originating either in the House or in the Senate, and in the case of a tie vote, the matter shall be referred to the House for final determination, which committee shall be a permanent committee;

That no member of the Committee on Reference of Bills

shall be appointed as chairman of any standing committee during the existence of the Committee on Reference of Bills;

This agreement further covers the enactment of rules necessary to the matters covered herein;

This agreement shall govern during the session.

We the undersigned members of these committees hereto have adopted and approved the above on behalf of the members of the various groups.

Dated this eighth day of January, 1943.

For the Non-Partisan League

F. J. GRAHAM  
C. H. HOFSTRAND  
BERNT ANDERSON  
PALMER LEVIN  
DONNELL HAUGEN

For the Coalition

CURTIS OLSON  
L. L. TWICHELL  
BRYNHILD HAUGLAND  
GEO. H. SAUMUR  
A. J. SANDNESS

The roll call on the adoption of the Special Committee's Report disclosed 112 ayes and no nays.

Rep. Beede explained his vote as follows: "I really was not voting on that part of the resolution in which I am interested but I voted 'aye' to show my agreement with the resolution and make it 100 per cent."

Rep. McInnes: "We have been here now three full days. We are starting in today on our fourth day. We have been in deadlock. Both factions had the same number of votes. Both factions have stood behind the man they selected to represent them as Speaker of the House. Both Mr. Beede and myself were presented to this group the first day. I do not think it is necessary that we have any further nominating speeches. Through the efforts of the two committees which have been appointed by these factions, they have been able to bring together the different factions with the results that have been demonstrated on this roll call.

I think the committee's working together as they have, in harmony, is going to be one of the greatest things that could happen in the early days of a Session. I think it has blended together the two factions more closely than anything else could do and when a House is as closely divided as this one is at this time, I think this is a much better way of doing it than to just have it go through with the old fashioned system of organization and probably not have more than one vote to go on.

I worked with Mr. Beede in the last session of the Legislature. I found Mr. Beede to be very fair minded. I am satisfied he will make a good presiding officer, and I think we can work with Mr. Beede very nicely through this session of the Legislature. It gives me great pleasure to nominate Mr. Ralph Beede at this time for Speaker of the House of Representatives.

#### ROLL CALL

The question being on the election of Speaker, the roll was called and there were ayes, 111; passed, 1.



Those voting in the affirmative were:

Aker	Graham	Nystrom
Allen, Grand Forks	Haag	Ohnstad
Allen, Pierce	Halcrow	Olson, Barnes
Anderson	Halvorson	Olson, Bowman
Arndt	Haugen	Ostgulen
Bagge	Haugland	Peterson, Bottin'au
Bauer	Heckman	Peterson, Ransom
Baumgartner	Hegge	Pyle
Belzer	Hofstrand	Rettke
Benno	Hogoboom	Rohde
Bergesen	Holm	Rohrer
Bjella	Hovey	Runk
Blair	Iszler	Sailer
Bolmeier	Jennings	Sandness
Boulden	Johnson, Cass	Saumur
Braun	Johnson, Richland	Schmalenberger
Bubel	Johnson, Rolette	Schnell
Bureau	Kolpin	Schwartz
Bymers	Langley	Sellens
Callahan	Larson, Ward	Severson
Carlson	Larson, Wells	Sharpe
Coghlan	Leet	Shure
Collette	Levin	Stair
Crockett	Lillehaugen	Starck
Dahlen	Lunde	Sticka
Dalzell	Manstrom	Stormon
Devlin	Marks	Tuff
Drovdal	McInnes	Twichell
Ekren	Mittag	Wambheim
Falconer	Moe	Welder
Fitch	Mollet	Welk
Fleck	Monson	Westby
Forseth	Morland	Williams, Richland
Frasef	Morrison	Williams, Sargent
Fuglestad	Mortenson	Williams, Stutsm'n
Gackle	Myers	Wolf, McIntosh
Gainor	Nelson	Wolf, Morton
Passed:		
Beede		

So Rep. Ralph Beede was declared elected Speaker.

Rep. Fitch moved that a committee of three be appointed to escort the Speaker-elect to the rostrum, which motion prevailed.

The Chief Clerk appointed Representatives Fitch, McInnes and Callahan.

Rep. Beede, Speaker-elect, was escorted to the rostrum and oath of office administered to him by C. R. Verry, Chief Clerk.

Rep. Beede: "Members of the Legislative Assembly, I certainly feel grateful for the action which has been taken, not so much personally, because personally I think that knowing Mr. McInnes as I do; knowing his integrity and sterling worth, personally I believe I would rather have seen him up here than myself. But, this action, coming as it does, insuring that we are going to have a session here of divided responsibility, where each and all of us will be working whole-heartedly for the best interest of the State, makes me, and I know it makes every one of you, grateful.

Personally, I feel like our former speaker, Earl Symington, felt when he was here two years ago, when he told us he felt humble. I certainly do, because I know full well that a lot better men than I am have acted as presiding officers to our assembly and further I know that better men than I am have been defeated as candidates for this position. As your presiding officer, let me say, that I will not ask for your cooperation because I know I am going to have it. I will say, however, that I am going to work with you and be as fair and do as well as I can to make this cooperative, you might say, assembly one of the best that has been held in the history of our State."

Rep. Graham: "I desire to place before this body as a nomination for the office of Chief Clerk, a man whom a great many of you are well acquainted with. He served in the Legislature with you two years ago. He operates a hotel in Minot and to show his spirit, he has two son, I am informed, who were so anxious to get into this world war, that when it started in 1939, they enlisted, one in the RCAF, and both are now in active service in the American air corps. I understand that this man also is President of the International Peace Gardens and that he is a former Mayor of the City of Minot and is known and respected everywhere. It gives me great pleasure to present the name of Mr. Wm. Smart of Minot."

Rep. Twichell seconded the motion and moved that we proceed to ballot on the nomination.

#### ROLL CALL

The question being on the election of Chief Clerk, the roll was called and there were ayes, 112; absent and not voting, 0.

Those voting in the affirmative were:

Aker	Haag	Ohnstad
Allen, Grand Forks	Halcrow	Olson, Barnes
Allen, Pierce	Halvorson	Olson, Bowman
Anderson	Haugen	Ostgulen
Arndt	Haugland	Peterson, Bottin'au
Bagge	Heckman	Peterson, Ransom
Bauer	Hegge	Pyle
Baumgartner	Hofstrand	Rettke
Belzer	Hogoboom	Rohde
Benno	Holm	Rohrer
Bergesen	Hovey	Runck
Bjella	Iszler	Sailer
Blair	Jennings	Sandness
Bolmeier	Johnson, Cass	Saumur
Boulden	Johnson, Richland	Schmalenberger
Braun	Johnson, Rolette	Schnell
Bubel	Kolpin	Schwartz
Burau	Langley	Sellens
Bymers	Larson, Ward	Severson
Callahan	Larson, Wells	Sharpe
Carlson	Leet	Shure
Coghlan	Levin	Stair
Collette	Lillehaugen	Starck
Crockett	Lunde	Sticka
Dahlen	Manstrom	Stormon
Dalzell	Marks	Tuff
Devlin	McInnes	Twichell

Drovdal	Mittag	Wambheim
Ekren	Moe	Welder
Falconer	Mollet	Welk
Fitch	Monson	Westby
Fleck	Morland	Williams, Richland
Forseth	Morrison	Williams, Sargent
Fraser	Mortenson	Williams, Stutsm'n
Fuglestad	Myers	Wolf, McIntosh
Gackle	Nelson	Wolf, Morton
Gainor	Nystrom	Mr. Speaker
Graham		

So W. M. Smart was declared elected.

The Speaker administered the oath of office to Mr. Wm. Smart.

Mr. Smart: "This is a new line of work for me. I know I am going to make a lot of mistakes. It will take a few days to get on the hang of things but I know that I have your good will and with the help of my associates here I do not see how I can fail. We are starting out under a wonderful omen—this spirit of unity. I think this spirit is a symbol of that same spirit of unity in the great task before America. I thank you."

Rep. Fitch placed in nomination the name of Marie Tunell as desk reporter, Kenneth Morgan as first assistant chief clerk and Fred Ingstad as sergeant-at-arms with the understanding that their pay should start from the time they were sworn in as temporary employees.

Rep. Olson of Barnes seconded the motion.

Rep. Bolmeier moved that the nominations be closed and that the House proceed with the roll call.

#### ROLL CALL

The question being on the election of Marie Tunell, Kenneth Morgan and Fred Ingstad, the roll was called and there were ayes, 112.

Those voting in the affirmative were:

Aker	Haag	Ohnstad
Allen, Grand Forks	Halcrow	Olson, Barnes
Allen, Pierce	Halvorson	Olson, Bowman
Anderson	Haugen	Ostgulen
Arndt	Haugland	Peterson, Bottin'au
Bagge	Heckman	Peterson, Ransom
Bauer	Hegge	Pyle
Baumgartner	Hofstrand	Rettke
Belzer	Hogoboom	Rohde
Benno	Holm	Rohrer
Bergesen	Hovey	Runck
Bjella	Iszler	Sailer
Blair	Jennings	Sandness
Bolmeier	Johnson, Cass	Saumur
Boulder	Johnson, Richland	Schmalenberger
Braun	Johnson, Rolette	Schnell
Bubel	Kolpin	Schwartz
Bureau	Langley	Sellens
Bymers	Larson, Ward	Severson
Callahan	Larson, Wells	Sharpe
Carlson	Leet	Shure
Coghlan	Levin	Stair
Collette	Lillehaugen	Starck

Crockett	Lunde	Sticka
Dahlen	Manstrom	Stormon
Dalzell	Marks	Tuff
Devlin	McInnes	Twichell
Drovdal	Mittag	Wambheim
Ekren	Moe	Welder
Falconer	Mollet	Welk
Fitch	Monson	Westby
Fleck	Morland	Williams, Richland
Forseth	Morrison	Williams, Sargent
Fraser	Mortenson	Williams, Stutsm'n
Fuglestad	Myers	Wolf, McIntosh
Gackle	Nelson	Wolf, Morton
Gainor	Nystrom	Mr. Speaker
Graham		

So Marie Tunell, Kenneth Morgan and Fred Ingstad were declared elected.

The Speaker administered the oath of office to Marie Tunell, Kenneth Morgan and Fred Ingstad.

Rep. Crockett moved that the Speaker appoint a committee of three to inform the Governor that we are organized and ready to do business, which motion prevailed.

The Speaker appointed as such committee Representatives Crockett, Twichell and Graham.

Rep. Twichell moved that we have a committee of three appointed by the Speaker to notify the Senate we are organized and ready for the transaction of business, which motion prevailed.

The Speaker appointed Representatives Fitch, Boulden and Myers.

Rep. Graham moved that the Board of Administration be authorized to furnish postage, supplies and material for the House, charging the same to legislative expense.

#### ROLL CALL

The question being on the motion of Rep. Graham, the roll was called and there were ayes, 109; absen and not voting, 3.

Those voting in the affirmative were:

Aker	Halcrow	Olson, Barnes
Allen, Grand Forks	Halvorson	Olson, Bowman
Allen, Pierce	Haugen	Ostgulen
Anderson	Haugland	Peterson, Bottin'au
Arndt	Heckman	Peterson, Ransom
Bagge	Hegge	Pyle
Bauer	Hofstrand	Rettke
Baumgartner	Hogoboom	Rohde
Belzer	Holm	Rohrer
Benno	Hovey	Runk
Bergesen	Iszler	Sailer
Bjella	Jennings	Sandness
Blair	Johnson, Cass	Saumur
Bolmeier	Johnson, Richland	Schmalenberger
Braun	Johnson, Rolette	Schnell
Bubel	Kolpin	Schwartz
Burau	Langley	Sellens
Bymers	Larson, Ward	Severson
Callahan	Larson, Wells	Sharpe
Carlson	Leet	Shure

Coghlan	Levin	Stair
Collette	Lillehaugen	Starek
Crockett	Lunde	Sticka
Dahlen	Manstrom	Stormon
Dalzell	Marks	Tuff
Devlin	McInnes	Twichell
Drovdal	Mittag	Wambheim
Ekren	Moe	Welder
Falconer	Mollet	Welk
Fleck	Monson	Westby
Forseth	Morland	Williams, Richland
Fraser	Morrison	Williams, Sargent
Fuglestad	Mortenson	Williams, Stutsm'n
Gackle	Nelson	Wolf, McIntosh
Gainor	Nystrom	Wolf, Morton
Graham	Ohnstad	Mr. Speaker
Haag		
Absent and not voting:		
Boulden	Fitch	Myers

So the motion was carried.

Rep. Graham moved that a committee of three be appointed by the Speaker to notify the Board of Administration that the House is organized and ready for business and that a resolution with regard to legislative supplies has been passed, which motion prevailed.

The Speaker appointed as such committee Representatives Marks, Haag and Aker.

A committee from the Senate reported to the House that they were duly organized and ready for the transaction of business.

Rep. Graham moved that the Speaker appoint a committee of three to meet with a like committee from the Senate to arrange for the inaugural program, which motion prevailed.

The Speaker appointed as such committee Representatives Johnson of Cass, Gackle and Lillehaugen.

Rep. Graham moved that the rules of the 27th Legislative Assembly be adopted as the temporary rules of the 28th Legislative Assembly, which motion prevailed.

Rep. Graham moved that the Speaker appointed a committee of three to arrange for telephone connections for the House, which motion prevailed.

The Speaker appointed as such committee Representatives Bolmeier, Morland and Schnell.

Rep. Graham moved that the Speaker appoint a temporary committee of three to meet with a like committee from the Senate to arrange for the printing and distribution of Bills and Journals, which motion prevailed.

The Speaker appointed Representatives Aker, Ohnstad and Bjella as such committee.

Rep. Fitch moved that Mr. C. R. Verry be allowed pay for seven days; that he also be allowed mileage and \$10.00 which amount he expended for postage for use of the House.

#### ROLL CALL

The question being on C. R. Verry's expense, salary, and money for stamps, the roll was called and there were ayes, 112.

Those voting in the affirmative were:

Aker	Haag	Ohnstad
Allen, Grand Forks	Halcrow	Olson, Barnes
Allen, Pierce	Halvorson	Olson, Bowman
Anderson	Haugen	Ostgulen
Arndt	Haugland	Peterson, Bottin'au
Bagge	Heckman	Peterson, Ransom
Bauer	Hegge	Pyle
Baumgartner	Hofstrand	Rettke
Belzer	Hogboom	Rohde
Benno	Holm	Rohrer
Bergesen	Hovey	Runck
Bjella	Iszler	Sailer
Blair	Jennings	Sandness
Bolmeier	Johnson, Cass	Saumur
Boulden	Johnson, Richland	Schmalenberger
Braun	Johnson, Rolette	Schnell
Bubel	Koplin	Schwartz
Burau	Langley	Sellens
Bymers	Larson, Ward	Severson
Callahan	Larson, Wells	Sharpe
Carlson	Leet	Shure
Coghlan	Levin	Stair
Collette	Lillehaugen	Starck
Crockett	Lunde	Sticka
Dahlen	Manstrom	Stormon
Dalzell	Marks	Tuff
Devlin	McInnes	Twichell
Drovdal	Mittag	Wambheim
Ekren	Moe	Welder
Falconer	Mollet	Welk
Fitch	Monson	Westby
Fleck	Morland	Williams, Richland
Forseth	Morrison	Williams, Sargent
Fraser	Mortenson	Williams, Stutsm'n
Fuglestad	Myers	Wolf, McIntosh
Gackle	Nelson	Wolf, Morton
Gainor	Nystrom	Mr. Speaker
Graham		

So the motion carried.

Rep. Myers moved that the Ministerial Association of Bismarck and Mandan be requested to furnish a Chaplain for each Legislative Day.

Rep. Falconer moved a substitute motion that the schedule as presented to the desk be adopted and that the pay shall begin as of the first day of the session.

#### ROLL CALL

The question being on the substitute motion of Rep. Falconer, the roll was called and there were ayes, 112.

Those voting in the affirmative were:

Aker	Haag	Ohnstad
Allen, Grand Forks	Halcrow	Olson, Barnes
Allen, Pierce	Halvorson	Olson, Bowman
Anderson	Haugen	Ostgulen
Arndt	Haugland	Peterson, Bottin'au
Bagge	Heckman	Peterson, Ransom
Bauer	Hegge	Pyle
Baumgartner	Hofstrand	Rettke

Belzer	Hogoboom	Rohde
Benno	Holm	Rohrer
Bergesen	Hovey	Runck
Bjella	Iszler	Sailer
Blair	Jennings	Sandness
Bolmeier	Johnson, Cass	Saumur
Boulden	Johnson, Richland	Schmalenberger
Braun	Johnson, Rolette	Schnell
Bubel	Kopin	Schwartz
Bureau	Langley	Sellens
Bymers	Larson, Ward	Severson
Callahan	Larson, Wells	Sharpe
Carlson	Leet	Shure
Coghlan	Levin	Stair
Collette	Lillehaugen	Starck
Crockett	Lunde	Sticka-
Dahlen	Manstrom	Stormon
Dalzell	Marks	Tuff
Devlin	McInnes	Twichell
Drovdal	Mittag	Wambheim
Ekren	Moe	Welder
Falconer	Mollet	Welk
Fitch	Monson	Westby
Fleck	Morland	Williams, Richland
Forseth	Morrison	Williams, Sargent
Fraser	Mortenson	Williams, Stutsm'n
Fuglestad	Myers	Wolf, McIntosh
Gackle	Nelson	Wolf, Morton
Gainor	Nystrom	Mr. Speaker
Graham		

So the motion was declared carried.

Rep. Dalzell moved that a committee of three be appointed by the Speaker to arrange for the official photographer for the House, which motion prevailed.

The Speaker appointed Representatives Dalzell, Carlson and Bymers.

Rep. Graham moved that the Speaker appoint a committee of four to arrange for committee rooms, which motion prevailed.

The Speaker appointed Representatives Bergesen, Shure, Haugen and Mollet.

Rep. Olson of Barnes moved that a committee on committees be appointed and recommended Representatives Johnson of Cass, Beede, Wambheim and Crockett.

Rep. Graham seconded the motion, which motion prevailed.

Rep. Olson of Barnes moved that a committee of four be appointed for employment and recommended Representatives Dalzell, Levin, Blair and Welder.

Rep. Graham seconded the motion, which motion prevailed.

Rep. Twichell asked for a few remarks from Mr. Verry.

Mr. Verry: Mr. Speaker, lady and gentlemen members of this assembly, I want to first of all thank each and every one of you for the courtesy shown me during the last three or four days and also for your many acts of kindness to those members who served here in the last session of 1941. I want to say this in all sincerity—to my mind you have elected as my successor one of the finest men in the State of North Dakota. He has for a number of years been a particular friend of mine and I hope that we may continue to be friends.

throughout the remainder of our lives. I say this in all sincerity, in place of Mr. Smart being chief clerk of this House he ought to be sitting in the Halls of Congress. That is the place he belongs.

I want to again thank you for all your consideration during the last three or four days. There was not a single member who attempted to put the Chief Clerk in a hole during these days.

I also want to say this that from the first morning, that was Monday morning, these three men came up to this desk and rendered me every assistance possible, doing it willingly and are still doing it although they are not on the payroll and I want to at this time mention the names of Earl McInnes, Miles Nelson and Oswald Krusick. These young men have acted and acted willingly and I hope that the Committee on Employment may see fit to put these three young men on the payroll during this session and I sincerely hope that they may receive pay from the first day of the session which I assure you they are entitled to.

To Mr. Beede, the Speaker, I want to extend my best wishes for this session. I feel sure he will make one of the finest Speakers who has ever presided over this House and I am sure, knowing many of you members as I do, that you will give to Mr. Beede your undivided cooperation as you will also to the desk force which has been elected.

I thank you very much.

House of Representatives,  
Bismarck, January 8, 1943.

Mr. Speaker: I have the honor to inform you that your temporary committee to inform the Board of Administration of the organization of the House and to arrange for supplies has given the Board such information and has arranged for supplies, save for printed stationery, which is to be secured from the State Printer.

ED HAAG  
E. J. MARKS  
M. S. AKER

Rep. Crockett moved that the report of the committee be adopted, which motion prevailed.

COMMITTEE REPORT

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

HOUSE OF REPRESENTATIVES

Mileage for House Members of the 28th Legislative Assembly, showing the number of miles actually traveled and the amount due each member at the rate of 10 cents per mile.

District	NAME AND ADDRESS	By Rail	Amount Due
1.	Harry Carlson, Concrete .....	790	\$79.00
	Alex Dalzell, Walhalla .....	768	76.80



District	NAME AND ADDRESS	By Rail	Amount Due
	John Halcrow, Bowesmont .....	768	76.80
2.	Emanuel Mortenson, Kenmare .....	516	51.60
3.	Palmer Levin, Park River .....	688	68.80
	M. T. Lillehaugen, Brocket .....	670	67.00
4.	Wilfred Collette, Grafton .....	632	63.20
5.	K. L. Boulden, Larimore .....	600	60.00
6.	Geo. Saumur, Grand Forks .....	564	56.40
7.	A. M. Allen, Thompson .....	520	52.00
8.	Edwin L. Bagge, Cummings .....	520	52.00
	H. W. McInnes, Kelso .....	488	48.80
	Alva Wambheim, Hatton .....	528	52.80
9.	A. R. Bergesen, Fargo .....	390	39.00
	K. A. Fitch, Fargo .....	390	39.00
	Arthur G. Johnson, Fargo .....	390	39.00
	W. H. Shure, Fargo .....	390	39.00
	L. L. Twichell, Fargo .....	390	39.00
10.	Manfred R. Ohnstad, West Fargo .....	388	38.80
	Kenneth K. Pyle, West Fargo .....	388	38.80
11.	Wesley L. Bolmeier, Erie .....	456	45.60
	Joe Runck, Casselton .....	368	36.80
12.	Vernon M. Johnson, Wahpeton .....	496	49.60
	H. C. Mittag, Hankinson .....	594	59.40
13.	Mal Gainor, DeLamere .....	560	56.00
	Brown D. Williams, Lidgerwood .....	500	50.00
14.	J. T. Peterson, Englevale .....	526	52.60
	H. G. Severson, Kathryn .....	508	50.80
15.	Curtis Olson, Valley City .....	280	28.00
16.	Thomas V. Devlin, Hope .....	559	55.90
	Bjorn Fuglestad, Cooperstown .....	364	36.40
	Harry Kolpin, Sutton .....	357	35.70
17.	P. K. Holm, Pekin .....	609	60.90
18.	L. E. Callahan, Munich .....	826	82.60
	W. M. Crockett, Wales .....	830	83.00
	Peter Moe, Osnabrock .....	732	73.30
19.	John Coghlan, Rolla .....	715	71.50
	Oscar M. Johnson, Mylo .....	749	74.90
20.	C. H. Hofstrand, Leeds .....	430	43.00
	I. B. Rohrer, Churchs Ferry .....	446	44.60
21.	Louis Leet, Webster .....	504	50.40
	E. A. Lunde, Lawton .....	524	52.40
	Harry Stormon, Devils Lake .....	500	50.00
22.	D. S. Blair, Maza .....	440	44.00
	E. J. Langley, Rock Lake .....	518	51.80
23.	C. F. Arndt, Streeter .....	301	30.10
	H. M. Ekren, Kensal .....	264	26.40
	P. G. Westby, Jamestown .....	204	20.40
	Henry Williams, Jamestown .....	204	20.40
24.	M. W. Gackle, Kulm .....	280	28.00
	A. J. Sandness, LaMoure .....	340	34.00
25.	Cornelius Bymers, Ellendale .....	386	38.60
	F. J. Graham, Ellendale .....	370	37.00
26.	John J. Baumgartner, Strasburg .....	160	16.00
	Joseph Welk, Hague .....	190	19.00
27.	Wm. B. Falconer, Bismarck .....	12	1.20

District	NAME AND ADDRESS	By Rail	Amount Due
	John R. Fleck, Bismarck .....	None	None
	Walter E. Sellens, Bismarck .....	20	2.00
28.	Peter Peterson, Antler .....	614	61.40
	Arlan Stair, Newburg .....	534	53.40
	Duncan Fraser, Omeme .....	560	56.00
29.	A. W. Benno, Minot .....	398	39.80
	Byrnhild Haugland, Minot .....	390	39.00
	Dave Hovey, Minot .....	380	38.00
	Roy Larson, Minot .....	402	40.20
30.	W. M. Nelson, Mandan .....	4	.40
	Tony Starck, Judson .....	84	8.40
	Richard E. Wolf, New Salem .....	70	7.00
31.	A. H. Schmalenberger, Hebron .....	180	18.00
	Ray Schnell, Dickinson .....	225	22.50
	Leo Sticka, New England .....	252	25.20
32.	A. H. Nystrom, Sheyenne .....	362	36.20
	A. I. Sharpe, Glenfield .....	382	38.20
33.	Morris Larson, Heimdal .....	530	53.00
	Leonas Myers, Bowdon .....	368	36.80
34.	L. W. (Roy) Belzer, Balfour .....	292	29.20
	Andrew Halvorson, Upham .....	386	38.60
	Theodore Monson, Bergen .....	325	32.50
35.	G. M. Iszler, Streeter .....	144	14.40
	Harold T. Morrison, Robinson .....	170	17.00
36.	Ed Haag, Fredonia .....	260	26.00
	S. N. Welder, Napoleon .....	160	16.00
	Ben J. Wolf, Zeeland .....	210	21.00
37.	Maurice S. Aker, Hankinson .....	560	56.00
	H. C. Williams, Lidgerwood .....	494	49.40
38.	Carl Manstrom, Litchville .....	306	30.60
39.	M. B. Hogoboom, Alpha .....	420	42.00
	L. K. Morland, Scranton .....	336	33.60
	C. T. Olson, Bowman .....	386	38.60
40.	Harold Burau, Larson .....	594	59.40
	J. H. Heckman, Alkabo .....	664	66.40
	E. J. Marks, Flaxton .....	496	49.60
41.	Bernt Anderson, Charlson .....	583	58.30
	Iver Drovdal, Arnegard .....	541	54.10
42.	George Allen, Pleasant Lake .....	514	51.40
	Wm. H. Tuff, Barton .....	512	51.20
43.	Olaf Ostgulen, Donnybrook .....	450	45.00
44.	J. N. Mollet, Powers Lake .....	510	51.00
	T. O. Rohde, Van Hook .....	356	35.60
45.	Asle Bjella, Epping .....	565	56.50
	P. I. Dahlen, Williston .....	609	60.90
	S. A. Forseth, Williston .....	609	60.90
46.	Donnell Haugen, Roseglen .....	220	22.00
	J. W. Jennings, Washburn .....	104	10.40
	Fred Braun, Turtle Lake .....	140	14.00
47.	Ralph G. Beede, Elgin .....	160	16.00
	Wm. Bauer, Thunder Hawk, S. D. ....	953	95.30
48.	Walter Bubel, Center .....	96	9.60
	Wm. H. Rettke, Beulah .....	179	17.90

District	NAME AND ADDRESS	By Rail	Amount Due
49.	Edwin G. Sailer, Stanton .....	130	13.00
	Elmer Hegge, New England .....	305	30.50
	George Schwartz, Mott .....	230	23.00

ALEX DALZELL  
F. J. GRAHAM  
JOHN COGHLAN.

Rep. Dalzell moved that the report be adopted, which motion prevailed.

#### ROLL CALL

The question being on the report of the Committee on Mileage and Per Diem, the roll was called and there were ayes, 112.

Those voting in the affirmative were:

Aker	Haag	Ohnstad
Allen, Grand Forks	Halcrow	Olson, Barnes
Allen, Pierce	Halvorsen	Olson, Bowman
Anderson	Haugen	Ostgulen
Arndt	Haugland	Peterson, Bottin'au
Bagge	Heckman	Peterson, Ransom
Bauer	Hegge	Pyle
Baumgartner	Hofstrand	Rettke
Belzer	Hogoboom	Rohde
Benno	Holm	Rohrer
Bergesen	Hovey	Runk
Bjella	Iszler	Sailer
Blair	Jennings	Sandness
Bolmeier	Johnson, Cass	Saumur
Boulden	Johnson, Richland	Schmalenberger
Braun	Johnson, Rolette	Schnell
Bubel	Kolvin	Schwartz
Bureau	Langley	Sellens
Bymers	Larson, Ward	Severson
Callahan	Larson, Wells	Sharpe
Carlson	Leet	Shure
Coghlan	Levin	Stair
Collette	Lillehaugen	Starck
Crockett	Lunde	Sticka
Dahlen	Manstrom	Stormon
Dalzell	Marks	Tuff
Devlin	McInnes	Twichell
Drovdal	Mittag	Wambheim
Ekren	Moe	Welder
Falconer	Mollet	Welk
Fitch	Monson	Westby
Fleck	Morland	Williams, Richland
Forseth	Morrison	Williams, Sargent
Fraser	Mortenson	Williams, Stutsm'n
Fuglestad	Myers	Wolf, McIntosh
Gackle	Nelson	Wolf, Morton
Gainor	Nystrom	Mr. Speaker
Graham		

So the report was adopted.

Rep. Twichell moved that the House adjourn to re-convene Monday at 1:45 p. m., which motion prevailed.

W. M. SMART, Chief Clerk.

## FOURTH DAY AFTER RECESS AND SEVENTH DAY

Bismarck, January 11, 1943.

The House was called to order at 1:45 o'clock p. m., pursuant to recess. Speaker Beede presiding.

The Speaker announced the House would be on the sixth order of business.

Representative Johnson of Cass requested that the report of the Select Committee on Committees be read from the desk.

Mr. Speaker:

Your Committee on Committees have selected the following representatives for members on the standing committees, as follows:

**AGRICULTURE:** Chairman, Olson of Bowman; Dalzell, Allen of Pierce, Fugelstad, Gainor, Hogoboom, Moe, Pyle, Stormon, Anderson, Bymers, Forseth, Haag, Halvorson, Hofstrand, Iszler, Schwartz.

**APPROPRIATIONS:** Chairman, Johnson of Cass; Stormon, Allen of Grand Forks, Bjella, Carlson, Collette, Gackle, Johnson of Richland, Olson of Barnes, Severson, Graham, Haag, Lillehaugen, Marks, Mittag, Stair, Sticka, Wolf of Morton, Burau.

**APPORTIONMENT:** Chairman, Lillehaugen; Crockett, Anderson, Baumgartner, Burau, Bymers, Devlin, Falconer, Forseth, Haag, Iszler, Jennings, Larson of Wells, Bauer, Mollet, Monson, Mortenson, Nelson, Hegge, Ostgulen, Rettke, Rohrer, Schmalenberger, Stair, Tuff, Carlson, Collette, Boulden, Saumur, Allen of Grand Forks, McInnes, Twichell, Pyle, Bolmeier, Johnson of Richland, Gainor, Peterson of Ransom, Olson of Barnes, Holm, Coghlan, Lunde, Blair, Westby, Sandness, Haugland, Aker, Manstrom, Morland, Nystrom.

**BANKS AND BANKING:** Chairman, Fleck; Callahan, Lunde, Olson of Barnes, Peterson of Ransom, Shure, Westby, Williams of Stutsman, Carlson, Crockett, Drovdal, Kolpin, Larson of Wells, Marks, Ohnstad, Tuff, Wolf of Morton.

**CITIES AND MUNICIPAL CORPORATIONS:** Chairman, Wolf of Morton; Marks, Drovdal, Heckman, Mittag, Devlin, Shure, Olson of Barnes, Hovey, Fleck, Aker.

**CORPORATIONS OTHER THAN MUNICIPAL:** Chairman, Myers; Braun, Kolpin, Ohnstad, Williams of Richland, Bergesen, Coghlan, Ekren, Fuglestad.

**COUNTIES:** Chairman, Rohde; Wolf of McIntosh-Logan, Bauer, Burau, Schmalenberger, Bagge, Coghlan, Holm, Hovey.

**DELAYED BILLS:** Chairman, Boulden; Saumur, Blair, Bubel, Schwartz.

**DRAINAGE AND IRRIGATION:** Chairman, Sandness; Bjella, Halcrow, Haugland, Nystrom, Sailer, Belzer, Crockett, Drovdal, Forseth, Nelson.

**EDUCATION:** Chairman, Hofstrand; Lillehaugen, Haugen, Heckman, Iszler, Monson, Ostgulen, Peterson of Bottineau, Welder, Aker, Bergesen, Gainor, Halcrow, Holm, Langley, Peterson of Ransom, Sharpe.

**ELECTION AND ELECTION PRIVILEGES:** Chairman, Levin; Wolf of McIntosh-Logan, Hegge, Monson, Nelson, Peterson of Bottineau, Rohde, Starck, Arndt, Collette, Hogoboom, Johnson of Rolette, McInnes, Morland, Nystrom.

**ENGROSSMENT AND ENROLLMENT:** Chairman, Morland; Johnson of Richland, Bjella, Ekren, Moe, Bubel, Bureau, Monson, Stair.

**FEDERAL RELATIONS:** Chairman, Shure; Wambheim, Olson of Bowman, Dahlen, Rohrer, Stair, Williams of Sargent.

**GAME AND FISH:** Chairman, Benno; Saumur, Arndt, Bolmeier, Severson, Bauer, Bymers, Starck, Williams of Sargent.

**HIGHWAYS AND BRIDGES:** Chairman, Crockett; Schnell, Braun, Forseth, Fraser, Haugen, Heckman, Larson of Ward, Schwartz, Allen of Pierce, Bagge, Boulden, Carlson, Fleck, Johnson of Cass, Sailer, Westby.

**INSURANCE:** Chairman, Peterson of Bottineau; Belzer, Mollet, Myers, Mortenson, Nelson, Rohde, Schnell, Wolf of Morton, Arndt, Blair, Callahan, Coghlan, Dahlen, Fitch, Runck, Sailer.

**JUDICIARY:** Chairman, Ohnstad; Graham, Anderson, Jennings, Kolpin, Mollet, Morrison, Rettke, Schmalenberger, Welder, Aker, Bergesen, Blair, Johnson of Richland, Leet, McInnes, Nystrom, Shure, Wambheim.

**LIVESTOCK:** Chairman, Halvorson; Schnell, Anderson, Devlin, Hofstrand, Jennings, Mortenson, Tuff, Welk, Blair, Ekren, Haugland, Manstrom, Runck, Sandness, Sellens, Williams of Stutsman.

**MILEAGE AND PER DIEM:** Chairman, Dalzell; Ekren, Sticka.

**MILITARY AFFAIRS:** Falconer, Chairman; Starck, Hegge, Rettke, Welk, Bjella, Dahlen, Fitch, Severson.

**MINES AND MINING:** Chairman, Morland; Fleck, Callahan, Halcrow, Leet, Hegge, Larson of Ward, Ostgulen, Rettke.

**PUBLIC DEBT:** Chairman, Tuff; Williams of Richland, Braun, Drovdal, Mittag, Rohrer, Callahan, Hogoboom, Johnson of Cass, Johnson of Rolette, Moe.

**PUBLIC HEALTH:** Chairman, Peterson of Ransom; Olson of Bowman, Sailer, Allen of Grand Forks, Bagge, Fraser, Ostgulen, Sticka, Tuff.

**PUBLIC PRINTING:** Chairman, Sellens; Morland, Leet, Runck, Sailer, Haugen, Larson of Ward, Larson of Wells, Sticka.

**PUBLIC SAFETY:** Chairman, Sharpe; Lunde, Haugland, Leet, Westby, Bymers, Fraser, Morrison, Starck.

**PUBLIC WELFARE:** Chairman, Haugland; Bjella, Allen of Pierce, Bagge, Bergesen, Bolmeier, Hogoboom, Langley,

Pyle, Bauer, Braun, Falconer, Haag, Lillehaugen, Morrison, Sticka, Williams of Sargent.

RAILROADS: Chairman, Heckman; Burau, Baumgartner, Jennings, Nelson, Schwartz, Welk, Fleck, Gainor, Manstrom, Peterson of Ransom, Wambheim, Westby.

REVISION AND CORRECTION OF JOURNAL: Chairman, Welder; Morrison, Bauer, Kolpin, Aker, Holm, Lunde.

RULES: Chairman, Shure; Bolmeier, Bergesen, Gainor, Hovey, Graham, Marks, Monson, Iszler.

SCHOOL AND PUBLIC LAND: Chairman, Anderson; Rohde, Belzer, Bubel, Stair, Benno, McInnes, Manstrom, Sellens.

STATE AFFAIRS: Chairman, Twichell; Wambheim, Haugland, Westby, Bolmeier, Dalzell, Nystrom, Sandness, Saumur, Sellens, Crockett, Falconer, Fraser, Halvorson, Haugen, Levin, Schwartz, Schnell, Welder.

TAX AND TAX LAWS: Chairman, McInnes; Shure, Arndt, Bagge, Callahan, Bergesen, Hovey, Langley, Sharpe, Bymers, Mollet, Morrison, Myers, Peterson of Bottineau, Welk, Williams of Richland, Wolf of McIntosh-Logan.

TEMPERANCE: Chairman, Williams of Richland; Belzer, Baumgartner, Crockett, Hegge, Schmalenberger, Williams of Sargent, Wolf of McIntosh-Logan, Allen of Pierce, Dahlen, Fitch, Fuglestad, Gackle, Halcrow, Moe.

WAREHOUSE AND GRAIN GRADING: Chairman, Blair; Sharpe, Dalzell, Hogoboom, Johnson of Rolette, Langley, Pyle, Stormon, Williams of Stutsman, Hegge, Kolpin, Larson of Ward, Larson of Wells, Marks, Mittag, Starck, Williams of Richland.

WAYS AND MEANS: Chairman, Fitch; Benno, Aker, Boulden, Gackle, Morland, Olson of Bowman, Pyle, Baumgartner, Bubel, Devlin, Fraser, Levin, Ostgulen, Rohrer.

JOINT COMMITTEE ON RULES: Chairman, Schwartz; Wolf of Morton, Welder, Wolf of McIntosh-Logan, Aker, Moe, Twichell.

JOINT COMMITTEE ON CHARITABLE INSTITUTIONS: Chairman, Fitch; Gackle, Morland, Benno, Fraser, Ronde, Starck.

JOINT COMMITTEE ON EDUCATIONAL INSTITUTIONS: Chairman, Braun; Peterson of Bottineau, Rettke, Rohrer, Olson of Barnes, Sandness, Arndt.

JOINT COMMITTEE ON PENAL INSTITUTIONS: Chairman, Bergesen, Sellens, Holm, Langley, Mollet, Mortenson, Myers.

JOINT COMMITTEE ON INSURANCE: Chairman, Marks; Heckman, Halvorson, Hofstrand, Jennings, Larson of Wells, Shure, Severson, Callahan, Bagge, Halcrow.

JOINT COMMITTEE ON LABOR: Chairman, Lunde; Allen of Grand Forks, Peterson of Ransom, Westby, Falconer, Haag, Nelson.

JOINT COMMITTEE ON PUBLIC BUILDINGS: Chairman, Belzer; Devlin, Drovdal, Bubel, Johnson of Cass, Saumur, Blair.

JOINT COMMITTEE ON STATE LIBRARY: Chairman,

McInnes, Johnson of Richland, Fuglestad, Hovey, Baumgartner, Kolpin, Williams of Richland.

COMMITTEE ON COMMITTEES

Johnson of Cass  
Wambheim  
Beede  
Crockett

The Speaker announced that in accordance with the recommendations of the Committee on Committees, each and every one of the committee members as recommended would be appointed to their respective committees.

Rep. Johnson of Cass moved that the report of the committee be adopted, which motion prevailed.

Rep. Crockett moved that all absent members be excused, which motion prevailed.

Rep. Crockett moved that the House do now adjourn, which motion prevailed.

SEVENTH DAY

Bismarck, January 11, 1943

The House convened at 2:00 o'clock p. m., pursuant to adjournment, Speaker Beede presiding.

Prayer was offered by Father Justine.

Roll call: All members present except Representatives Aker, Bergesen, Fitch, Fleck, Kolpin, Nystrom, Ohnstad, Peterson of Bottineau, Rettke, Rohde, Schnell and Shure.

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

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

REP. AKER, Chairman.

Rep. Ohnstad moved that the report be adopted, which motion prevailed and the report was adopted.

Rep. Gackle moved that a committee of three be appointed to report to the Senate that the House is now ready to receive them in joint session, which motion prevailed.

The Speaker appointed Representatives Gackle, Crockett and Bauer.

Mr. Speaker: Your Committee on Employment places in nomination the following names, for the following positions, and recommends that the group be given a collective roll call. And that the first four only of the following employees be paid from the first day of the session.

Miles Nelson, Erie, N. D.....	Mailing Clerk
Oswald Kruisk, Rock Lake, N. D.....	Doorkeeper
M. H. Mortenson, Courtenay, N. D.....	Doorkeeper
Earl McInnes, Kelso, N. D.....	Postmaster
David Welch, Bismarck, N. D.....	Page
Earl Dawson, Almont, N. D.....	Page
Calwell Crockett, Wales, N. D.....	Page
Emil F. Braun, Turtle Lake, N. D.....	Page

G. F. Inman, Hurdsfield, N. D.....Doorkeeper  
 Alex Beilage, Glen Ullin, N. D.....Doorkeeper  
 Ed Koenig, Fredonia, N. D.....Night Watchman  
 Lucille Collette, Grafton, N. D.....Committee Clerk  
 Jacob Hegland, Oberon, N. D.....Committee Clerk  
 Max Meyer, Dickinson, N. D.....Committee Clerk  
 Edgar Chapman, Sioux County.....Mailing Clerk  
 Lorraine Anderson, Crystal, N. D.....Telephone Attendant  
 A. B. Gaukler, Richland County..Enrolling & Engrossing Clerk  
 Ed Hugen, Wheelock, N. D.....Calendar Clerk  
 Peter Oberst, Van Hook, N. D.....Mailing Clerk  
 Mrs. Audrey Fish, Mandan, N. D.....Stenographer  
 Albert Homelvig, Amidon, N. D.....Bill Room Clerk

ALEX DALZELL  
 PALMER LEVIN

Rep. Haugen moved to amend the report of the Employment Committee so as to provide that pay shall start at the first day only for the first four employees named, which motion prevailed.

Rep. Dalzell moved that the report as amended be adopted, which motion prevailed.

ROLL CALL

The question being on adoption of the report of the Employment Committee, as amended, the roll was called and there were ayes, 99; nays, 1; absent and not voting, 12.

Those voting in the affirmative were:

Allen, Grand Forks	Halcrow	Nelson
Allen, Pierce	Halvorson	Olson, Barnes
Anderson	Haugen	Olson, Bowman
Arndt	Haugland	Ostgulen
Bagge	Heckman	Peterson, Ransom
Bauer	Hegge	Rettke
Baumgartner	Hofstrand	Rohrer
Benno	Hogoboom	Runk
Bjella	Holm	Sailer
Blair	Hovey	Sandness
Boulden	Iszler	Saumur
Braun	Jennings	Schmalenberger
Bubel	Johnson, Cass	Schwartz
Bureau	Johnson, Richland	Sellens
Bymers	Johnson, Rolette	Severson
Callahan	Kolpin	Sharpe
Carlson	Langley	Shure
Collette	Larson, Ward	Stair
Crockett	Larson, Wells	Starck
Dahlen	Leet	Sticka
Dalzell	Levin	Stormon
Devlin	Lillehaugen	Tuff
Drovdal	Lunde	Twichell
Ekren	Manstrom	Wambheim
Falconer	McInnes	Welder
Fitch	Mittag	Welk
Forseth	Moe	Westby
Fraser	Mollet	Williams, Richland
Fuglestad	Monson	Williams, Sargent
Gackle	Morland	Williams, Stutsm'n
Gainor	Morrison	Wolf, McIntosh



Graham	Mortenson	Wolf, Morton
Haag	Myers	Mr. Speaker

Those voting in the negative were:

Marks

Absent and not voting:

Aker	Coghlan	Peterson, Bottin'au
Belzer	Fleck	Pyle
Bergesen	Nystrom	Rohde
Bolmeier	Ohnstad	Schnell

So the employees were declared duly elected.

The oath of office was administered to newly elected employees by the Speaker.

Rep. Crockett moved that the House do now recess, subject to the call of the chair, which motion prevailed.

#### JOINT SESSION

Joint session was called to order by Lieutenant Governor Henry Holt.

Roll call of the Senate by the Secretary of the Senate disclosed a quorum present.

Roll call of the House by the Chief Clerk disclosed a quorum present.

Senator Stucke moved that the President of the Joint Assembly appoint a committee of three to escort the members of the Supreme Court to the rostrum, which motion prevailed and the President appointed Senator Stucke, Representative Gackle and Senator Brunsdale.

Rep. Johnson of Cass moved that the President of the Joint Assembly appoint a committee of three to escort the State Officials to the rostrum, which motion prevailed and the President appointed on that committee Representative Johnson of Cass, Senator Bridston and Representative Lillehaugen.

The members of the Supreme Court and State Officials were escorted to the rostrum by the committees delegated for such purpose.

One verse of America was sung by the audience.

The invocation was pronounced by Father Feehan.

Chief Justice James Morris administered the oath of office to the elected state officials.

Chief Justice James Morris administered the oath of office to the duly elected Speaker of the House of Representatives, Mr. Ralph Beede.

Chief Justice James Morris requested that members of the Supreme Court and the Attorney General be excused, which request was granted.

Solo—National Anthem.....Miss Edna Gunderson  
Accompanied by Mrs. Clarence Gunness

The Speaker of the House introduced the Honorable Henry Holt, Lieutenant Governor of the State of North Dakota, who read the Governor's Message to the Joint Assembly, the Governor being confined to his home due to illness.

#### MESSAGE OF GOVERNOR MOSES

#### LADIES AND GENTLEMEN OF THE TWENTY-EIGHTH LEGISLATIVE ASSEMBLY:

Under the constitution of this state, to which all of us swear allegiance when we take office, the governor is re-

quired to report on the financial condition of the state government and to make recommendations for legislation which he deems of benefit to the state.

I appear before you today in accordance with that mandate to give to you, as legislators, and to the people of North Dakota an account of my stewardship and to canvass with you—and with them—the things we can and should do to further the interests of North Dakota and of her people.

As we meet here today, a portion of our minds and hearts are necessarily far away; in the green jungles of the South Pacific where several score North Dakota men already have proved their devotion to our country by giving up their lives in its service, to the bleak shores of Alaska, facing as cruel and treacherous an enemy as civilization has ever known; on the equally bleak shores of Iceland, in Africa, in India, on the islands of the Caribbean; wherever the banner of freedom floats in the breeze.

The sons of North Dakota are there—your sons and mine—already 38,000 to 40,000 strong. And more are going every day.

This fact dominates your thinking and mine, for as these men fight to keep America free it is our duty to make constructive use of the freedom which we treasure. They lay a duty upon us which is as urgent as that of the constitution itself. It is a duty to think wisely, to act intelligently, to cast aside certain of the considerations which might influence us in normal times and to match the patriotism they are displaying so nobly on the battle front with an equal patriotism here on the home front.

This, I am confident, will be the keynote of this legislative session, for who among us will have the effrontery to place self-interest above the common good for which blood—precious to you and to me and to all our citizens—is being spilled

But even as sentiment compels us to remember the duty which is ours, the light of reason bids us to be practical, lest we fail to do those things which we can do to bring the war to a speedy and victorious conclusion; lest we fail to do now the things which we can and should do to improve economic conditions in our state so that when our men in service return home they will feel that we, too, have been conscious of our stewardship.

Sentiment has a place in the heart of each of us—but sentiment alone is not enough. It must be backed by action—and our actions here should be based upon intelligent appraisal of the problems which confront our state and a constructive approach to the solution of them. That is the call which comes to us from our own flesh and blood in the far places of the earth—we will be derelict in our duty if we fail to observe it.

We must do the things we can do to give intelligent and effective help to our nation and to our men in uniform. We must arrange our work, our lives and our activities in such a way as to contribute the last possible ounce of benefit to the winning of the war. We can do no more than this. And who among us—what citizen of North Dakota—would want to do less?

Already we have made a good start. North Dakota ranks high in the civilian war effort. Few states have done as well in the purchase of war bonds and stamps—\$65,000,000 up to the present. Few states have done as well in the collection of scrap—58,000 tons of metal. Every County in the State of North Dakota exceeded its quota.

On our farms, in our business places and offices, in our homes we are meeting the challenge which war has brought to us. We who are charged with responsibility for the legislative process—you as members of the legislature and I as the chief executive—cannot hope to surpass the record of patriotic devotion and attention to duty which has been made by the people of this state as a whole. We can expect to equal it. And this, with God's help, we shall do.

One of our chief obligations is that of maintaining our farms at the highest possible peak of production. It is our major economic contribution to the welfare and destiny of this nation; it is our way of proving to our men in service that we are close behind them with deeds rather than with mere words. It is the one thing we can best do to insure victory and bring them safe home to us.

Inevitably the war has taken many men from our farms. In my judgment it already has taken as many as can be spared, if not too many, without seriously threatening the national welfare by curtailing food production. Thus we face war conditions, not those of peace. We face a necessity, not a matter of convenience. Our efforts in this direction must be as herculean in their nature as the heroic devotion of the men on Guadalcanal who already have brought imperishable glory to our state.

You, as legislators, may find some way to assist in this great effort. We must do what we can. But all of us know that the real answer to this challenge lies in the heart of each individual farmer, working on the battle front of his home farm. Legislative fiat or executive edict can at best play only a small part in this emergency. We can only act as seems best to sustain the splendid spirit of our North Dakota farm people, a spirit in which all of us have cause for pride and in which all of us rejoice.

Happily, this war-time session of the North Dakota legislature finds the treasury of our state in the best condition it has enjoyed for many years. This fact will be of assistance to us in meeting some of the problems with which we will be faced.

Two factors joined to create this pleasant situation. First and most important, we have had a series of good to excellent farm production years and our crops have been sold at fair to good prices. Thus the income of the people of North Dakota has been greatly increased as compared with the hard, drouth years.

Secondly, your state government has conserved the hard-earned tax money of the people. It has been careful in its spending. It has seen, no reason why, just because we have had money on hand, it should be wastefully spent.

The important facts of the state's financial situation as reported to me by the State Auditor and State Treasurer are these:

## BONDED INDEBTEDNESS

	December 31, 1938	December 31, 1942
Obligations Outstanding:		
Real Estate Bonds .....	\$ 19,847,000.00	\$ 19,097,700.00
Mill and Elevator Construction Bonds .....	2,500,000.00	1,501,000.00
General Fund Certificates of Indebtedness .....	2,180,000.00	None
Capitol Building Certificates ....	401,000.00	140,000.00
Bank of North Dakota Capital Stock .....	150.00	150.00
<b>Total Funded Debt .....</b>	<b>\$ 24,928,150.00</b>	<b>\$ 20,738,850.00</b>
Sinking Fund Assets:		
Real Estate Bond Payment .....	\$ 1,223,330.05	\$ 5,018,530.84
Real Estate Bond Interest .....		216,560.43
Mill and Elevator Construction Bond Payment .....	62,586.98	115,839.45
Mill and Elevator Construction Bond Interest .....		48,107.85
Mill and Elevator Milling Bond Payment .....	126,237.27	15,705.63
Capitol Building Certificate Payment .....	2,441.62	48,795.11
Certificate of Indebtedness Re- tirement Fund .....	239,185.16	3,336.88
Bank of North Dakota Capital Stock Fund .....	1,725.49	1,725.49
<b>Total Sinking Fund Assets ....</b>	<b>\$ 1,403,032.03</b>	<b>\$ 5,468,601.68</b>
<b>Net Funded Debt .....</b>	<b>\$ 23,525,117.97</b>	<b>\$ 15,270,248.32</b>

## STATE OF GENERAL FUND

Balance in General Fund Dec. 31, 1942 .....		\$ 4,136,437.65
Less Earmarked Funds:		
Institutional Collections:		
University .....	\$ 101,272.97	
Agricultural College .....	6,541.09	
Experiment Station .....	52.79	
Valley City Normal .....	9,759.66	
Minot Normal .....	23,654.80	
Mayville Normal .....	8,809.64	
Dickinson Normal .....	24,727.78	
School of Forestry .....	17,308.17	
School of Science .....	6,279.62	
Normal and Industrial School .....	6,871.62	
School for the Deaf .....	5,410.69	
Tuberculosis Sanatorium ....	1,708.12	
Penitentiary .....	34,651.01	
Penitentiary Coffin Mfg. ....	2,889.23	
Penitentiary Misc. Earnings	49,410.40	
Grafton State School .....	3,779.32	
School for the Blind .....	2,135.12	
Hospital for the Insane ....	32,574.65	

Training School .....	1,261.08	
Total .....		\$ 339,097.76
Attorney General Licensing	113,644.61	
Attorney General, Amusement Devices .....	1,740.16	
Pub Service Commission, Livestock Dealers .....	4,758.43	
Pub. Service Commission, Scale Inspection .....	6,758.98	
Pub. Service Commission, Utility Valuation .....	42,178.94	
Land Department. Contingent .....	3,955.40	
Historical Society, St. Park Mtce. Fund .....	529.92	
Historical Society, Park Purchase Fund .....	2.35	
Veterinary Medical Examiners .....	307.75	
Water Conservation, Adm.	82,652.16	
Supply Department .....	11,948.97	
Livestock Sanitary Board Rendering Plant .....	104.10	
Public Welfare Fund .....	159,475.12	

767,154.65

Net Balance in General

Fund as of Dec. 31, 1942....

\$ 3,369,283.00

You have on your desks the report of the Budget Board, together with their recommendations for the various appropriations. You will recall that at the last Session of the Legislature we placed a maximum of fourteen and a half million dollars to be appropriated for the functions of our State government and the Legislature remained substantially within that maximum. This year you will notice that the Budget Board has allowed appropriations from all funds totaling \$17,914,495.09. This is a reduction of \$3,909,885.59 from the amount proposed by the various State departments. At the outset, in presenting this over-all proposed budget figure it is important that your attention be directed to the fact that the Budget Board's proposed figure of \$17,914,495.09 does not include a proposed budget for the Equalization Fund to provide State aid to schools.

In reviewing these figures and in appropriating the funds necessary for the ensuing biennium, it must be borne in mind that in all probability most State revenues will show a decline as a result of the war. In the daily changing conditions brought about by the war it is impossible to observe any definite revenue trends but the effect is already noticeable in certain of our revenues and the future is unpredictable. Because that is a fact it is imperative that appropriations be held to the minimum of necessity.

We would do well to remember the story of Joseph in Egypt, that fat years often are followed by lean ones, and that a balance in the treasury is an asset to the state, just as it is to an individual.

We should bear this same example in mind in our planning for the future, for history teaches us that conditions

in North Dakota are subject to wide variations and that good years may be followed by bad ones.

The taxing policy of your state government has calculated to promote the best interests of all the people. In 1939—and again in 1941—the assessed valuation of North Dakota real estate was substantially reduced. And at the same time that a substantial cut was made in real estate valuations, valuations on personal property, public utilities and similar property was increased. This has seemed to the members of your state board of equalization to be in the public interest.

In 1941 one of the highest levies in the history of this state was made, but I would respectfully point out to you that of the total of 7.92 mills, only 3.90 went to the general expenses of your state government whereas 4.02 went to pay interest on bonds and for debt retirement.

In 1942 a levy of 6.61 mills was made, of which 1.96 was for general purposes and 4.65 was for debt retirement.

The state of North Dakota contracted these debts—it issued these bonds—and they must be paid. And the only way to pay them is to raise the money through the levy of taxes.

During the last four years, there has been no diversion of funds for debt retirement. There has been no diversion of gasoline tax income, intended for roads; no diversion of money raised by beer taxes or other special levies.

**MILL AND ELEVATOR**

The experience of the last three years has demonstrated that the state mill and elevator need not be a liability but can be an asset. During those three years we have insisted that politics be barred from the Mill and that this institution be operated on a businesslike basis. The result is the best record in the long and variegated—sometimes painful—history of this institution.

According to figures furnished to me by the Chief Auditor of the State Board of Auditors the net earnings of the Mill and Elevator for the period of July 1, 1939 to June 30, 1942 was \$541,142.00. This profit is net after deducting depreciation in the amount of \$220,580.82, but does not include accrued interest on bonds. With reference to the improved financial condition at the Mill your attention is directed to the table showing the status of the State's bonded indebtedness hereinbefore mentioned.

**STATE MILL AND ELEVATOR  
OPERATING PERFORMANCE**

	1940	1941	1942
No. Barrels Manufactured .....	646,386	658,435	723,856
No. Barrels Sold .....	636,319	664,321	739,584
No. Tons Feed Manufactured ....	4,495	5,579	11,278
No. Tons Feed Sold .....	4,582	5,457	11,273
Operating Expense Per Barrel			
Milling Dept. Only .....	.840	.753	.733
Operating Expense Per Barrel			
Plant as a Whole .....	.968	.931	.924

In my judgment, the mill and elevator will continue to show operating profits, so long as it is competently managed and politics barred. Just so surely as political management is permitted to return to the Mill then just so surely it will again show consistent operating losses.

The Mill and Elevator performs a valuable service for the

people of North Dakota. In recent years its feed production has been a bulwark for the farmer, stockman and poultry raiser. It should continue to perform this service.

#### BANK OF NORTH DAKOTA

Improved conditions in the state as a whole have been reflected in the Bank of North Dakota and its Land Department

Land sales have been better and prices have been higher. This has enabled the state to make a better recovery upon its investments in land than was anticipated only a few years ago.

We have insisted that the land sales policy of the bank be on a constructive basis. Wherever possible the land has been returned to the ownership of farmer-operators and has gone back on the tax rolls. This has been reflected in the improved condition of our rural school districts, but much still remains to be done.

We earnestly direct your attention to the following pertinent data furnished me by the Bank of North Dakota.

#### Land Sales

Year	Units	Acres	Sale Price
1939 .....	245	57,291	\$ 586,213.00
1940 .....	830	199,348	1,799,453.00
1941 & 1942 .....	1,804	444,050	4,333,648.00
4 year period .....	2,879	700,689	\$6,719,314.00

On Hand December 31, 1942

	Number of Tracts
Real Estate .....	4,160
Contracts .....	1,818
Open Loans .....	686
Foreclosures .....	19

The average investment per acre on June 30, 1942 on Real Estate and Contracts on hand was \$8.57.

#### Collections and Disbursements

January 1, 1939

To December 31, 1942

Revenue from farms and loans for 4 year period .....	\$ 8,374,854.15
Less:	
Taxes and other advances ...\$	2,007,991.96
Administration Expense .....	667,283.89
Payment of Loan to Bank of North Dakota .....	900,000.00
Total Disbursements .....	\$ 3,575,275.85
Balance .....	\$ 4,779,578.30
Remitted to State Treasurer for period of 1-1-39 to 12-31-42 .....	\$ 4,350,887.24

Factors which we have cited as bearing on the land sales policy of the Bank of North Dakota have equal application to State Land Department operations.

## APPROPRIATIONS AND TAXES

You and I, together, have the duty of bringing appropriations for all state purposes within the income of the state. Approached in the spirit which I know you bring to it, this should not be unduly difficult, but it does require careful appraisal, not only of present conditions but of the future. Provision should be made at this session for current needs. Attention also should be given to those things which will develop our state and increase and stabilize its prosperity, not only for ourselves but for our men in service when they return home, for our children and for our children's children. It is time that we began to invest in the development of North Dakota in the only way as yet untried, through the scientific, factual, engineering approach to our problems.

We have tried various political theories without signal success. We must now try other methods unless we are willing to commit our state to a condition wherein it cannot hope to sustain more than our present population.

Census reports for the last 40 years tell an interesting story. In 1910, North Dakota had a population of 577,166; in 1920 it was 646,872. In other words we had just about made room for our normal increase as represented by the excess of births over deaths. In 1930, the figure was 680,845. We then had reached the point wherein children born in this state were forced to leave the state of their birth to find economic opportunity. And in 1940 our population was 641,935, nearly 5,000 below the mark of 1920.

During the decade from 1930 to 1940 we not only lost the normal increase in population as represented by the excess of births over deaths but thousands more besides. This can happen again and we should begin now to take steps which will cushion shocks such as those we sustained during the 30's.

Agriculture is and, within the foreseeable future, will continue to be the basic industry of North Dakota. But agriculture and all other phases of our economic life would be benefited if we dove-tailed with it such industries as we can sustain, preferable those which process the raw materials from our farms and ranches.

I am presenting to you recommendations covering several avenues of approach to greater agricultural, economic and financial stability for North Dakota.

As to the appropriations for our various state institutions and services, we must maintain them at the level which the people expect and are willing to pay for.

Certain purposes for which the state often has appropriated money need be given little consideration at this time. No provision should be made for new buildings for they cannot be constructed during the war while all our energies are devoted to the production of materials and facilities for our armed services. Repairs must, of course, be made. But major alterations and improvements also should be postponed until a later time. From the standpoints both of cost and of cooperation in the prosecution of the war, this is not the time to build.

## STATE HIGHWAY DEPARTMENT

The North Dakota highway system totals 7,242 miles. Of this mileage 1,920 miles are oil or pavement, 4,306 miles gravel or scoria surface, 381 miles graded and drained, and



635 miles unimproved. Seventy-six miles of the above listed gravel and scoria are under contract to be oiled, only part of which work has now been completed. When these contracts are completed the total mileage of oiled road will, therefore, be 1,996 miles and the gravel and scoria road will be reduced to 4,230 miles. The mileage of roads being put under dustless surface has been slowly increasing, as this mileage on January 1, 1939, was 1,516 miles, is now 1,920 miles, and will, when the present contracts are completed, be 1,996 miles. The North Dakota State Highway Department maintains 6,587 miles of this system.

Due to war conditions the amount of construction which the Highway Department has completed in the past year has been materially reduced. In 1941, \$3,436,286.00 in construction projects were completed, and in 1942 only \$1,992,982.00 in construction projects were completed. The carry-over of uncompleted projects on January 1, 1943, is \$1,566,720.00.

The income of the Highway Department, while not greatly reduced in 1942, will undoubtedly be very materially reduced in 1943. The income from the three main sources which are available to the Highway Department are as follows:

	Jan. 1, 1941 to Jan. 1, 1942	Jan. 1, 1942 to Jan. 1, 1943
Three Cent Motor Fuel Tax	\$ 1,733,865.16	\$ 1,592,000.00
One Cent Motor Fuel Tax....	888,139.41	815,489.93
Motor Vehicle Tax Revenue	818,375.13	856,673.64

The slight increase in the motor vehicle tax revenue is due to the raising of motor vehicle fees on trucks.

During 1943 it is anticipated that these revenues will be decreased by 30% to 50%.

The one cent gasoline tax was originally enacted by the 1939 Legislature and re-enacted by the 1941 Legislature. This fund furnishes practically the only construction money available for the Highway Department. This will be particularly true for the duration of the war, as the reduced revenues from the motor vehicle tax and the three cent tax will hardly be sufficient to carry on an adequate maintenance program. The Highway Department now has Federal Aid funds available to it amounting to \$6,708,854.65. A large part of these funds are now available to the Highway Department for construction work on strategic, or so-called military, highways on a basis of 75% being paid by the Federal Government and only 25% by the State. Furthermore, for the duration of the war it will not be possible to do any construction work on roads other than these strategic or military highways. These highways in North Dakota are: All of Highways Nos. 10 and 2, Highway No. 81 from Fargo to Manvel, Highway No. 44 from Manvel to the Canadian Line, Highway No. 83 from the South Dakota line to Minot, and Highway No. 52 from Minot to the Canadian line. While we would prefer to build roads in other places in the State and thus get the public out of the mud and onto modern hard surfaced roads we are unable to be choosers in this case, but can only build where we are authorized to do so by the Federal Government. It also may be pointed out that although a large part of the strategic network has already been hard

surfaced much of this surfacing is old and necessitates very heavy and costly maintenance in order to keep it up, and eventually it will have to be rebuilt. Therefore, it will be a money saving proposition to rebuild as much of it as we can on a 25%-75% basis, as outlined above. Also, if this construction work be done on this basis it will give the State an opportunity to use their future revenues for developing the rest of the highway system in the State. It is, therefore, imperative that the revenue from the one cent gasoline tax be retained in order that the Highway Department may have funds with which to carry on its construction program.

In addition to the anticipated shortage of funds, the Highway Department will also have to contend with a shortage of materials, some of which materials it will be impossible to get for the duration of the war. There will also be a shortage of labor, which will probably get progressively worse as the war goes on. The Highway Department has, over the past four years, reduced the number of its employees greatly. For instance, in October 1938 there were a total of 1,678 employees in the Highway Department, while during October, 1942, there were only 836 employees. In spite of this reduction of over 50% the Department will no doubt have difficulty in maintaining an adequate personnel during the war period.

The Department has made satisfactory progress not only in keeping down expense but has at the same time improved the road conditions. On January 1, 1939, 47% of the highways in the State were unsatisfactory from the viewpoint of the Public Roads Administration, and as of today there is only about 20% of the highway system which is unsatisfactory according to the Public Roads Administration standards. Also, the Highway Department has reduced the indebtedness of the Department which is evidenced by notes held by The Bank of North Dakota from \$600,000.00 to \$515,000.00, as well as having, during the past year, settled a number of old claims against the Department on a very favorable basis. Nevertheless, if the Department is to properly function during the coming two years it will be necessary to provide adequate funds for the carrying out of its program.

The problem of tax exempt gasoline still remains one of the major problems in raising highway funds. During the year 1942 over 50% of the total inshipments of gasoline were tax exempt. While it is true that a larger proportion of the gasoline used in 1942 than in previous years was used for agricultural purposes nevertheless the total amount of tax exempt fuel being used in North Dakota is appalling. The percentage of tax exempt fuel in this State, as compared with our sister State of South Dakota, is around 20%, or more, higher.

#### : EDUCATION

Because of improved economic conditions, the cause of education has benefited greatly in recent years. Nevertheless we face a very real school problem, one which challenges our intelligence, our ingenuity and our hope for the future, for education is as necessary to the rightful use of freedom as the will to fight is vital in maintaining it.

In recent years, state assistance to our common schools was greatly increased in order that all of our children might

be insured a public school education. This still is a vital necessity and it would be unwise to abandon it now. I know I speak the heart and conscience of the citizens of North Dakota when I say that public education is the most important of the manifold activities of our government and must be maintained and improved wherever possible. We must not handicap our children in the race for success which they must run with the children of other states.

At the present time, state assistance to our public schools is being financed through a part of the income from the state sales tax. A part of this money also goes to finance welfare and relief payments.

According to figures submitted to me by the Superintendent of Public Instruction, the State Equalization Fund, for the period of July 1, 1939 to June 30, 1941, distributed a total of \$3,854,223.68, and for the period of July 1, 1941 to December 31, 1942, distributed a total of \$1,911,570.79. It should be borne in mind that all of the money distributed through the Equalization Fund is derived from the sales tax and that the balance of the sales tax is used for welfare and relief purposes.

Before the present biennium closes the Works Progress Administration of the federal government will have ended its activity in North Dakota and the entire relief burden will fall upon the local communities and the state.

The sick, the poor and the aged we have always with us and we must care for them. They are deserving of our sympathetic consideration.

For these reasons I respectfully urge the re-enactment of the two per cent sales tax as the best available method of meeting our obligations to our schools and to our welfare program. I make special reference to those aged persons, many of them pioneers who have given a lifetime of service to our state, and to dependent children who will have a lifetime of service to give if we properly protect their interests now. There have been times in the history of the state when the weak and the needy were deluded with high promises and small performance. Let us not fall into that pitfall.

Most of us have never attempted to make a political shibboleth of so vital a matter as the welfare of children and of our aged people. That is all the more reason why we should deal generously with them now. The right and the ability to do this is one of the things for which we are fighting the war.

#### INSTITUTIONS OF HIGHER LEARNING

In the grim holocaust of war, our institutions of higher education are playing a magnificent part. On the campus of each of our colleges we are either training soldiers, sailors, marines, aviators and feminine auxiliaries or we are training young people to take part in occupations essential to victory. The academic tempo has quickened. Curricula have been revised to meet the modern need. The scholastic atmosphere has changed. The military note now is dominant. Professors, students—all concerned—are taking part. It is an achievement in which each citizen may take pride.

Gone from our academic halls—we hope forever—is the stigma of politics. It is well that this is so, for it enables

North Dakota to play her full part in world events with pride and not with shame.

#### INCREASED SALARIES FOR STATE WORKERS

You will find as you examine into the condition of our various state institutions, penal and charitable as well as educational, that they have been affected by developments with which all of us are familiar.

Living costs have risen sharply. Employment opportunities have broadened. Instead of men pleading for jobs, the jobs are crying for men.

This makes it imperative that wages be raised in public employment of all kinds if efficiency is to be maintained and able workers are to be kept in their present occupations.

Increased appropriations for all institutions will be necessary to meet this condition. At our schools of higher learning it may be possible to reduce the number of teachers because of possible decreases in enrollment. This will enable us to pay higher salaries to those who remain without increasing the total of salary payments.

#### PENAL AND CHARITABLE INSTITUTIONS

Our penal and charitable institutions have been carefully and ably managed. There have been no scandals concerning them. Patients and inmates are better cared for now than ever before in our history. This is an achievement of great benefit to the state and one in which all of us may take pride.

It is necessary to the continued well-being of these institutions and the persons in them that wages and salaries for the same kind of work be equalized as nearly as may be possible. Pay scales in some institutions are lower than in others. All must be raised if they are to get the help they must have to continue serving the state, but the task of equalizing pay rates should not longer be neglected.

It will be necessary, also, to increase the allowances for food and other necessities at our institutions.

#### PAY INCREASES FOR COUNTY AND STATE OFFICIALS

I earnestly direct your attention to the advisability of increasing the compensation paid to both county and state officials. Both groups are woefully underpaid in view of the importance of their positions and of the tasks assigned to them. In the average North Dakota county an elected public official makes no more in a month than a shipyard welder now earns in a week.

In state offices we have the spectacle of elected public officials receiving less in salary than do some persons employed by them. The pay of state officials is limited by law. That of employees is limited only to what they can get by jockeying one opportunity for employment against another.

Salaries of all elective officials were cut early in the depression. It is time now to restore them.

In considering this matter please remember that any changes made now will not apply to present office holders, since their rates of pay are irrevocably fixed for the terms to which they have been elected. Thus I am not speaking for those now in office. I am urging the principle that public servants are entitled, as a matter of right, to decent treat-

ment from the people whom they serve. The people will benefit if this is done.

#### DRIVERS LICENSE AND HIGHWAY PATROL

At the 1941 session, the legislature amended the drivers license law and the statute creating the highway patrol.

Increases in the number of patrolmen have resulted in improved service to the people of the state. In this connection your attention is directed to that portion of the report of the State Highway Department dealing with the activities of the Highway Patrol. This State Highway department report presents the splendid record of achievement of the Motor Vehicle Department.

#### WAR LEGISLATION

At the request of the President of the United States, the North Dakota State Defense Council was established by executive order on June 3, 1941, for the purpose of coordinating the State's participation in the war effort of the nation.

Through its Committee on War Legislation the Council will submit to this Assembly certain proposed legislation which it considers vital to the successful conduct of war activities in this state, and necessary for the public welfare and safety during the war emergency. I urge your most earnest and careful consideration of all such proposals.

#### GOVERNMENTAL SURVEY COMMISSION

At the session two years ago, provision was made for a governmental survey commission which was charged with presenting a plan for modernizing the government of our state.

That commission has finished its work and its detailed report will be presented to you.

I urge you to give it your serious attention and to view it without prejudice, political or otherwise. It has to do with the future of this commonwealth and is of the utmost importance.

It gives us the choice of continuing with the present archaic form of government, with emphasis on confusion and divided responsibility, or of adopting a modern form of government in which the people will be able to fix responsibility for every policy adopted and every public action taken.

The constitution places certain responsibilities upon the governor but the laws place the administration of the state's business in a multitude of boards and commissions, composed of elected officers serving ex-officio. The result, at best, is divided responsibility.

The proposals of the governmental survey commission would simplify the government by placing responsibility directly upon the chief executive. It recommends a re-grouping of certain state functions, the elimination of some offices and the consolidation of others in accordance with modern business practice.

To put some of the recommended changes into effect it is necessary only to amend existing laws. To make others effective we must have constitutional amendments, approved by the people.

In my judgment, the plan proposed is in the best interests of the people and should be adopted. It will eliminate government by boards and commissions. At present the gov-

ernor serves ex-officio on upwards of 20 boards and commissions, the attorney general on 14, and the commissioner of agriculture and labor, the secretary of state, the superintendent of public instruction, the auditor and the treasurer on from 5 to 10.

At the same time it makes the governor responsible for the executive branch of the state government. The report sets up a watchdog of the treasury, wholly independent of the governor and also responsible only to the people. It does this by creating an office of post-audits and by making the state auditor elective but on the no-party ballot, just as judges and school officials now are elected. This would serve as a check on any tendency toward excesses by the executive.

We now have more than 60 state departments, agencies, boards, bureaus, commissions, etc., many of them occupying closely related fields; sometimes even the same field. The governmental survey commission would reduce these to 19.

In approaching this important matter, it is vital that we view it only from the standpoint of what is best for the state and its people without reference to political parties or organizations or to personalities.

The political victor of today may be the loser of tomorrow. No one holds a vested right in any office. Who holds any office at a given time is much less important than that the people be able to ascertain what he does while holding that office and thus be in position to hold him responsible for his actions. What we seek is the best way of handling the state's business—the people's business.

I wish to make it clear that in recommending an enlargement of the powers and responsibilities of the chief executive I am not speaking for myself as Governor, but merely as an informed and interested citizen of the state.

Most of the changes recommended— if made—cannot legally become effective until after the present elective terms of office expire.

I am now entering upon my third term as Governor of our State. I have no intention of ever becoming a candidate for Governor of North Dakota again. Hence what I say on this subject is said on behalf of the people and whoever succeeds me in office. And who that man will be I have no better means of knowing than have any of you.

I wish to emphasize this declaration of personal intention in order that this whole matter may be freed from personal considerations insofar as it is possible for me to achieve that end. The plan should be considered wholly on its merits. I urge upon you that it is your patriotic duty to approach it in that spirit.

#### OTHER RECOMMENDATIONS

After four years as governor, during which time I have had an opportunity to become acquainted with all activities of your government. I wish to urge upon you certain recommendations which, I am convinced, will be of value to our people, and which will improve the service and reduce the cost of government.

There are many reasons for each of these recommendations but I will not take your time to list them in detail now.

Permit me to say only that I shall be glad to appear before you for that purpose at any time which is mutually convenient.

The changes in government for which I ask your approval are these:

1. Civil service for state employees.
2. Reduction in the membership of the legislature and a redistricting of the state so that each legislator is chosen by the citizens of a separate election district.
3. Election of all state and county officers for four-year terms.
4. Election of all state officers, including members of the legislature, upon a no-party ballot.
5. Elimination of the posts of township, village and school district treasurers and placing their duties upon county treasurers.
6. I again recommend that 10 per cent of the funds allocated to any institution or department be placed in a special fund which could be used to meet contingencies and emergencies in any fund for which an appropriation was made; money from this fund to be spent only after approval by the state emergency commission.
7. In view of the uncertainty of all matters relating to the state government, I recommend an increase in the emergency fund which biennially is appropriated to meet unforeseen conditions.

#### THE FUTURE OF OUR STATE

And now, in conclusion, I wish to return again to the matter which lies closest to my heart and to yours. I wish to discuss with you the future of our state and to consider with you what the condition will be when our boys come home.

Our population has, at best, been static. We have not grown as we should. What can we do to improve that condition?

These are questions which need to be asked now. If they are to be answered effectively they must be answered now—at this session of the North Dakota legislature.

Will we be able to offer our returning heroes opportunity here in North Dakota or must they go elsewhere to achieve success?

That is for you and for me—joint participants in the legislative process—to answer as best we may. I know you join with me in the prayerful hope that we shall be able to find a satisfactory solution for these problems.

From the best technical and economic advice available to me I have three suggestions to offer and I respectfully commend them to your earnest consideration.

Our men have gone from farms to war. Most of them will want to return to the peace and quiet of farms. Hence we must find ways to make farm life more attractive for everyone. And we must find ways to create more farms—farms which it will be a satisfaction to own and to operate and which will insure a comfortable living for the farm family.

To achieve this end I recommend:

1. All possible encouragement to soil conservation and related work, designed to increase the productivity of our land under all conditions which history shows will be en-

countered in this state. You will have the state's best technical advice on this subject and I will not develop the idea further except to say that the land is our fundamental resource and we must treasure it and protect it.

2. The development of irrigation where availability of both land and water makes this possible. An irrigated farm of only 100 acres will support a family in comfort by reason of greatly increased production every year. If we are to have more farms for settlement by men returning from war service and from war industry, here is where we must find them. It is a system which has worked well elsewhere in the West.

There will be presented to you a greatly increased budget for the state water conservation commission. It may appear to you to be somewhat extreme, but it does point out what can be done and the way to do it. I ask your earnest consideration of this constructive approach to the state's most pressing problem.

3. All of us know that science is a form of modern magic. We also know that modern science is based on intelligent research, the development of new principles and the application of old ones to economic problems.

I will send to you a report recommending the institution of a research program for the state of North Dakota. It, too, provides for an appropriation, but I ask your earnest study of it. To many the proposals contained in it may look like an adventure into the realm of pure science, with few economic benefits to be derived. However, it should be remembered that all large industrial concerns of the Nation find research profitable. The people of North Dakota might likewise find this true.

#### PREPARATION FOR POST-WAR REHABILITATION

To anticipate and meet the conditions which will prevail after the war, I recommend to you the creation of a directing body which will have charge, in cooperation with the best scientific brains we can muster, of the state's preparation for that emergency.

In my judgment it should consist of one member of the senate, one member of the house of representatives, two representatives of the farmers and ranchers of our state, one representative of labor, one representative of business and industry, and one representative of the veterans organizations of the first world war.

This body should be charged with planning an intelligent rehabilitation program. Furthermore, provision should be made for putting into effect the plans adopted as soon as possible after the war ends.

Members of this group should be allowed their expenses and a reasonable per diem and should be authorized to employ a full-time secretary and to engage such other professional and technical services as may be needed.

Many of our men now in uniform went from high school or college to serve their country. They should be given assistance in completing their education if they desire it, or to acquire such other education as to them seems advisable. This is a duty which we owe to the younger men in our armed services.

To our older men we owe help in establishing themselves on farms, in jobs, in business and in the professions.



After the last war North Dakota spent nearly \$13,000,000 to pay its returning veterans a cash bonus but did nothing to guarantee to them economic opportunity. Surely we can afford to prepare now to put them back into civil life as useful and honored citizens.

For I say to you in all sincerity that nothing we can do—in this legislative session or ever—can repay these men for the service they are rendering to us now. Nothing we can do will be able to erase from their bodies, their minds and their hearts the scars which war—brutal and unrelenting war—will place upon them.

Money cannot compensate for the lives of those who already have made the last great sacrifice or for those who inevitably will do so. No task which we can accept—or which can be thrust upon us—can be so difficult as that which they have undertaken so bravely.

We meet here today in a period designed to try men's souls and to test their mettle. We feel the vibrant emotions of an aroused and courageous people.

Our battlefield is here in North Dakota. It is here that we must fight, with all the heart and intelligence and single-minded devotion we can muster, to do our part in this great cause and at the same time to advance the interests of North Dakota and of the men who, some day, will return to us.

I know that each of you joins with me in prayerful approach to the duty which the times have placed upon us. I know that each of you, instinctively, as I do, feels the need for aid from a Higher Power in discharging our obligations in this solemn hour.

I know that each of you joins with me in the fervent prayer for peace with victory and for a saner and better world:

God of Our Fathers,  
Known of Old,  
Lord of our far-flung battle line,  
Beneath whose awful hand we hold  
Dominion over palm and pine;  
Lord God of hosts  
Be with us yet;  
Lest we forget. Lest we forget.

The audience sang one verse of "God Bless America."

Benediction was offered by Reverend N. E. Elsworth.

Senator Feton moved that the Joint Session be dissolved, which motion prevailed.

The House re-convened pursuant to the call of the chair.

Rep. Twichell moved that the rules be suspended for the purpose of having Mr. Fred Borasky of Cavalier County escorted to the rostrum by the present delegation from his county, Mr. Borasky having served with Mr. Twichell in the House thirty years ago, which motion prevailed.

Mr. Borasky was escorted to the rostrum and introduced by Rep. Crockett.

Mr. Borasky responded with comments of the Session of 1893, at which session he served as Enrolling and Engrossing Clerk, and again in 1913 as member of the House.

Rep. Johnson of Cass moved that the select committee on committees be discharged, which motion prevailed.

Rep. Crockett moved that the House do now recess until 1:45 o'clock p. m. tomorrow, which motion prevailed.

W. M. SMART, Chief Clerk.

SEVENTH DAY AFTER RECESS AND EIGHTH DAY

Bismarck, January 12, 1943

The House reconvened at 1:45 o'clock p. m., pursuant to recess, Speaker Beede presiding.

The Speaker announced that Rep. Carlson, whom he had appointed as member of the Committee on Banks and Banking, wished to exchange his membership to the Committee on Public Printing. Rep. Runck, now a member of the Public Printing Committee, wished to exchange his membership to the Committee on Banks and Banking.

Rep. Johnson of Cass moved that the exchange be made. Rep. Graham seconded the motion.

Which motion prevailed and the exchange was so ordered by the Speaker.

Rep. Olson of Barnes reported the select committee have appointed their Committee on Reference which shall consist of four members with two alternates with the suggestion that Representatives Johnson of Richland and Saumur be appointed with Rep. Bergesen as alternate.

Rep. Graham seconded the motion and requested the appointment of Reps. Bubel and Beede with Rep. Bymers as alternate, which motion prevailed.

The Speaker appointed as members of the Reference Committee Representatives Johnson of Richland, Saumur, Bubel, Beede and as alternates Representatives Bergesen and Bymers.

Rep. Sellens moved that the standing committee of the House on printing be authorized to confer with a like committee from the Senate with reference to the distribution and printing of Bills and Journals, which motion prevailed.

Mr. Speaker: Your Committee on Employment recommend the following names for the following positions; and recommend that they be given a collective roll call.

Mrs. Louise Finke, Bismarck.....	Committee Clerk
Bertha Ovri, Center.....	Bill Clerk
V. E. Haskins, Ellendale.....	Proofreader
Clara Rishling, Sherwood.....	Proofreader

ALEX DALZELL  
PALMER LEVIN

Rep. Dalzell moved the adoption of the report of the Employment Committee.

ROLL CALL

The question being on the adoption of the report of the

Committee on Employment, the roll was called and there were ayes, 105; nays, 0; absent and not voting, 7.

Those voting in the affirmative were:

Allen, Grand Forks	Halvorson	Olson, Barnes
Allen, Pierce	Haugen	Olson, Bowman
Anderson	Haugland	Ostgulen
Arndt	Heckman	Peterson, Bottin'au
Bagge	Hegge	Peterson, Ransom
Bauer	Hofstrand	Pyle
Baumgartner	Hogoboom	Rettke
Belzer	Holm	Rohrer
Benno	Hovey	Runck
Bjella	Iszler	Sailer
Blair	Jennings	Sandness
Bolmeier	Johnson, Cass	Saumur
Boulden	Johnson, Richland	Schmalenberger
Braun	Johnson, Rolette	Schnell
Burau	Kolpin	Schwartz
Bymers	Langley	Sellens
Callahan	Larson, Ward	Severson
Carlson	Larson, Wells	Sharpe
Coghlan	Leet	Shure
Collette	Levin	Stair
Crockett	Lillehaugen	Starck
Dahlen	Lunde	Sticka
Dalzell	Manstrom	Stormon
Devlin	Marks	Tuff
Drovdal	McInnes	Twichell
Ekren	Mittag	Wambheim
Falconer	Moe	Welder
Forseth	Mollet	Welk
Fraser	Monson	Westby
Fuglestad	Morland	Williams, Richland
Gackle	Morrison	Williams, Sargent
Gainor	Mortenson	Williams, Stutsm'n
Graham	Myers	Wolf, McIntosh
Haag	Nelson	Wolf, Morton
Halcrow	Ohnstad	Mr. Speaker

Absent and not voting:

Aker	Fitch	Nystrom
Bergesen	Fleck	Rohde
Bubel		

So the employees were declared duly elected.

The oath of office was administered to the newly elected employees by the Speaker of the House.

Rep. Shure reported that the Committee on Rooms have selected the same rooms that were used during the Twenty-seventh Legislative Assembly as are shown on page 32 of the 1941 Session Rules.

Rep. Bolmeier moved that the report of the Committee on Rooms be adopted, which motion prevailed.

Rep. Shure moved that the Committee on Rooms be discharged, which motion prevailed.

Rep. Marks moved that the absent Representatives be excused, which motion prevailed.

Rep. Crockett moved that the House do now adjourn, which motion prevailed.

## EIGHTH DAY

Bismarck, January 12, 1943

The House convened at 2:00 o'clock p. m., pursuant to adjournment, Speaker Beede presiding.

Prayer was offered by Rev. N. E. Elsworth.

Roll call: All members present except Representatives Aker, Bergesen, Bubel, Fleck, Nystrom and Rohde.

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

Mr. Speaker: Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the Fourth Day After Recess and the Seventh Day and recommends that the same be corrected as follows:

On page 34 correct the spelling of the name "Starck" on lines 8, 17, 38 and 52.

On page 36 it should read the Seventh Day instead of the Sixth Day. On the following line strike out the figure 12 and insert the figure 11.

On the same page strike out the name of "Rep. Aker" and insert the name "Rep. Johnson of Richland" on line 32. On line 33 change Rep. Ohnstad to Rep. Johnson of Richland.

And when so corrected recommends that the same be approved.

S. N. WELDER, Chairman.

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

Rep. Dalzell moved that the Employment Committee of the House confer with the Employment Committee of the Senate to work out the matter of janitor service.

Rep. Myers moved to amend the motion of Rep. Dalzell to read that in case they decide to turn the hiring of these men over to the Board of Administration that they shall consider or employ the men from the list furnished by the employment committee of the House. Rep. Graham seconded the motion.

Rep. Bolmeier moved the previous question, which motion prevailed.

The question was on the motion of Rep. Myers to amend the motion of Rep. Dalzell. A rising vote disclosed 46 ayes and 51 nays so the amendment was declared lost.

The question was on the original motion of Rep. Dalzell, which motion prevailed.

Rep. Schnell moved that the House recess at 3:00 o'clock to listen to the Farm Mobilization Program which will be broadcast by KFYR in the House Chamber and reconvene subject to the call of the chair, which motion prevailed.

The Speaker announced, if there are no objections, the House will reconvene at 1:45 o'clock p. m., tomorrow. There were no objections so the House stood recessed until 1:45 o'clock p. m., tomorrow.

W. M. SMART, Chief Clerk.

## EIGHTH DAY AFTER RECESS AND NINTH DAY

Bismarck, January 13, 1943

The House reconvened at 1:45 o'clock p. m., pursuant to recess taken, Speaker Beede presiding.

Mr. Speaker: Your Committee on Employment places in nomination the following names for the following positions and recommend that the group be given a collective roll call.  
 E. M. Bong, Valley City, N. D.....Enrolling & Engrossing Clerk  
 Clara Thom, Divide County.....Committee Clerk  
 Ann Ellen, Ward County.....Stenographer

ALEX DALZELL  
 PALMER LEVIN

Rep. Dalzell moved that the report of the Employment Committee be adopted.

## ROLL CALL

The question being on the adoption of the report of the Employment Committee, the roll was called and there were ayes, 103; nays, 0; absent and not voting, 9.

Those voting in the affirmative were:

Allen, Grand Forks	Graham	Nelson
Allen, Pierce	Haag	Nystrom
Aker	Halcrow	Ohnstad
Anderson	Halvorson	Olson, Barnes
Arndt	Haugen	Olson, Bowman
Bagge	Heckman	Ostgulen
Bauer	Hegge	Peterson, Bottin'au
Baumgartner	Hofstrand	Peterson, Ransom
Belzer	Hogoboom	Pyle
Bjella	Holm	Rettke
Blair	Iszler	Rohrer
Bolmeier	Jennings	Runk
Boulden	Johnson, Cass	Sailer
Braun	Johnson, Richland	Sandness
Bubel	Johnson, Rolette	Saumur
Burau	Kolpin	Schmalenberger
Bymers	Langley	Schwartz
Callahan	Larson, Ward	Severson
Carlson	Larson, Wells	Shure
Coghlan	Leet	Stair
Collette	Levin	Starck
Crockett	Lillehaugen	Sticka
Dahlen	Lunde	Stormon
Dalzell	Manstrom	Twichell
Devlin	Marks	Wambheim
Drovdal	McInnes	Welder
Ekren	Mittag	Welk

Falconer	Moe	Westby
Fitch	Mollet	Williams, Richland
Fleck	Monson	Williams, Sargent
Forseth	Morland	Williams, Stutsm'n
Fraser	Morrison	Wolf, McIntosh
Fuglestad	Mortenson	Wolf, Morton
Gackle	Myers	Mr. Speaker
Gainor		
Absent and not voting:		
Benno	Hovey	Sellens
Bergesen	Rohde	Sharpe
Haugland	Schnell	Tuff

So the employees were declared duly elected.

The oath of office was administered to the newly elected employees by the Speaker.

**FIRST READING OF HOUSE BILLS**

The Committee on Appropriations introduced:

House Bill No. 1. 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 Reference.

The Committee on Appropriations introduced:

House Bill No. 2. 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 Reference.

The Committee on Appropriations introduced:

House Bill No. 3. A Bill for an Act Making an Appropriation to Provide Funds for the Arrest and Return of Fugitives from Justice.

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

The Committee on Appropriations introduced:

House Bill No. 4. A Bill for an Act Making an Appropriation for the Purpose of Paying Premiums on Bonds of State Officials.

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

The Committee on Appropriations introduced:

House Bill No. 5. 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 Reference.

The Committee on Appropriations introduced:

House Bill No. 6. A Bill for an Act Making an Appro-

priation for the Purpose of Paying Insurance Tax to the Various Fire Departments of the State.

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

The Committee on Appropriations introduced:

House Bill No. 7. A Bill for an Act Making an Appropriation for the Crippled Children's School at Jamestown, 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 Reference.

The Committee on Appropriations introduced:

House Bill No. 8. A Bill for an Act Making an Appropriation to the Livestock Sanitary Board, for Its Operating and Maintenance Expense and for Indemnifying Owners of Animals, to the Bangs Disease Fund and to the Bovine Tuberculosis Fund.

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

The Committee on Appropriations introduced:

House Bill No. 9. A Bill for an Act Making an Appropriation for the Purpose of Paying a Bounty on Wolves, Coyotes and Magpies.

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

The Committee on Appropriations introduced:

House Bill No. 10. A Bill for an Act Making an Appropriation to the State Historical Society, for Salary and General Expenses and Maintenance of State Parks.

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

The Committee on Appropriations introduced:

House Bill No. 11. 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 Reference.

The Committee on Appropriations introduced:

House Bill No. 12. 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 Reference.

The Committee on Appropriations introduced:

House Bill No. 13. 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.

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

The Committee on Appropriations introduced:

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

priation 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 Reference.

The Committee on Appropriations introduced:

House Bill No. 15. 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 Reference.

The Committee on Appropriations introduced:

House Bill No. 16. A Bill for an Act Making an Appropriation for the Operating and Maintenance Expenses of the Public Health Department, Public Health Laboratories and Division of Child Hygiene.

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

The Committee on Appropriations introduced:

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

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

The Committee on Appropriations introduced:

House Bill No. 18. 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 Reference.

The Committee on Appropriations introduced:

House Bill No. 19. 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 Reference.

The Committee on Appropriations introduced:

House Bill No. 20. 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 Reference.

The Committee on Appropriations introduced:

House Bill No. 21. 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 Reference.



The Committee on Appropriations introduced:

House Bill No. 22. A Bill for an Act Making an Appropriation for St. John's Orphanage of Fargo, North Dakota, Providing the Methods of Expenditure and Audit Thereof; Supervision and Inspection Therefor.

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

The Committee on Appropriations introduced:

House Bill No. 23. A Bill for an Act Making an Appropriation to the North Dakota Firemen's Association.

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

The Committee on Appropriations introduced:

House Bill No. 24. A Bill for an Act to Provide for the Payment of the Expenses of Auditing and Examining the Affairs of the State Industrial Institutions, and the Special Departments and Its Subdivisions, of the State of North Dakota, Designating and Appropriating the Funds from Which Paid; Providing for the Payment of Said Collection Into the Special Fund in the State Treasury; Providing for Repeal of Acts.

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

The Committee on Appropriations introduced:

House Bill No. 25. 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 Reference.

The Committee on Appropriations introduced:

House Bill No. 26. 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 Reference.

The Committee on Appropriations introduced:

House Bill No. 27. 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 Reference.

The Committee on Appropriations introduced:

House Bill No. 28. 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 Reference.

The Committee on Appropriations introduced:

House Bill No. 29. A Bill for an Act Making an Appro-

priation 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 Reference.

The Committee on Appropriations introduced:

House Bill No. 30. 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 Reference.

The Committee on Appropriations introduced:

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 Reference.

The Committee on Appropriations introduced:

House Bill No. 32. A Bill for an Act Making an Appropriation for Inquest and Burial of Penal Inmates, Headstones for Soldiers and Sailors, Actions to Release Insane and List of New Taxable Lands.

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

The Committee on Appropriations introduced:

House Bill No. 33. 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 Reference.

The Committee on Appropriations introduced:

House Bill No. 34. A Bill for an Act Making an Appropriation for the Financing of the Operations of the State Soil Conservation Committee or the Activities of the State Soil Conservation Districts.

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

The Committee on Appropriations introduced:

House Bill No. 35. 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 first time and referred to the Committee on Reference.

The Committee on Appropriations introduced:

House Bill No. 36. A Bill for an Act Making an Appropriation to Pay the Expenses and Per Diem of Presidential Electors.

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

The Committee on Appropriations introduced:

House Bill No. 37. 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 Reference.

Rep. Haag moved that all absent members be excused, which motion prevailed.

Rep. Haag moved that the House do now adjourn, which motion prevailed.

W. M. SMART, Chief Clerk.

#### NINTH DAY

Bismarck, January 13, 1943

The House convened at 2:00 o'clock p. m., pursuant to adjournment, Speaker Beede presiding.

Prayer was offered by Major Lee.

Roll call: All members present except Reps. Rohde and Schnell.

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

Mr. Speaker: Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the Seventh Day After Recess and Eighth Day and finds the same correct and recommends that the same be approved.

S. N. WELDER, Chairman.

Rep. Bauer moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Reference have carefully considered the subject matter of the following bills and resolutions and recommend that they be referred to the following Standing Committees.

H. B. 1 to 37 inclusive. Committee on Appropriations.

Signed:

VERNON M. JOHNSON  
GEO. H. SAUMUR  
WALTER BUBEL  
RALPH BEEDE

Committee of Reference

Rep. Bubel moved the adoption of the report, which motion prevailed and the Speaker announced the bills referred to were hereby referred to the committee requested.

#### REPORT OF THE JOINT COMMITTEE ON PRINTING

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

We recommend the printing of 3,500 copies of the Journal of each day's proceedings of each house and that there be assigned to the presiding officer of the House and Senate, also to each member of the respective houses, not to exceed 10 copies of the Journal to be sent only to constituents who request same; that there also be placed on the mailing list all state institutions, public libraries, the State Historical

Society, all state's attorneys, two copies to the University Law School, and by request in writing to all county auditors, county and district judges, any newspaper published in the state, any secretary of a county taxpayers association, any auditor of an incorporated city, the president of the village board of an incorporated village, township clerk, high school, consolidated rural school, secretary of labor club, farmer's organization, commercial club or women's club within the state may be placed on the mailing list; that all bills and journals authorized by this joint resolution to be printed shall be delivered by the printer to the Secretary of the Publications and Printing Commission who shall receipt therefor to the printer; that there shall be printed 600 copies of the House and Senate Bills unless otherwise ordered by the house in which a bill is introduced; that 500 copies of the Daily Journal be punched; that 500 copies of the Daily Calendar be printed; that all resolutions, except memorial resolutions, requiring action by either house, be printed and numbered or lettered in bill form and shall not be printed in the journal unless by order of the house in which they are introduced; that 10,000 letterheads and 6,000 number ten envelopes and 4,000 number six and one-half envelopes be printed for the Senate; that 20,000 letterheads and 15,000 number ten envelopes and 5,000 number six and one-half envelopes be printed for the House; that the form of the Journal and the Calendar be the same as was adopted for the 1941 session.

RILIE R. MORGAN  
Acting Chairman  
Senate Printing Committee

W. E. SELLENS  
Chairman  
House Printing Committee

Rep. Myers moved that the committee report be amended to add to the list all American Legion Posts and Veterans Organizations, on request, and that members from each county shall add these names to their list, which motion prevailed.

Rep. Crockett moved that the report of the Committee on Printing be further amended by striking out that portion which requires the printing of any envelopes for the House until the supply from the last session is used, which motion prevailed.

Rep. Morland moved that the report of the Joint Committee on Printing, as amended, be adopted, which motion prevailed.

Rep. Ohnstad moved that the temporary committee on printing and distribution of Bills and Journals be discharged, which motion prevailed.

Rep. Welder moved that the rules be suspended and the Employment Committee be authorized by the House to hire three janitors at a salary of \$4.00 per day for each for the balance of the session and not to exceed the sum of \$600.00 for the janitor work of this chamber and that they will be hired on the same compromise basis as the other employees of the House were employed.

Rep. Twichell moved that the House recess subject to the call of the chair for the purpose of hearing Mr. Harry Rishworth of the Board of Administration on the subject of janitor service for the House Chamber, which motion prevailed and the House stood recessed subject to the call of the chair.

The House was called to order by the Speaker.

The question was on the motion of Rep. Welder.

Rep. Boulden moved the previous question, which motion was seconded.

A rising vote disclosed all members in favor.

The question was on the original motion by Rep. Welder.

A rising vote disclosed 43 ayes and 57 nays so the motion was declared lost.

Rep. Bergesen moved that the House instruct the Board of Administration to provide the necessary janitor service for the period of this session at a cost of not to exceed \$600.00 and charge the same to legislative expense, which motion was seconded.

### ROLL CALL

The question being on the motion of Rep. Bergesen, the roll was called and there were ayes, 71; nays, 38; absent and not voting, 3.

Those voting in the affirmative were:

Aker	Fuglestad	Nystrom
Allen, Grand Forks	Gainor	Monson
Allen, Pierce	Gackle	Morland
Arndt	Halcrow	Ohnstad
Bagge	Haugland	Olson, Barnes
Bergesen	Heckman	Olson, Bowman
Bjella	Hegge	Peterson, Ransom
Blair	Hofstrand	Pyle
Bolmeier	Hogoboom	Runk
Boulden	Holm	Sailer
Bubel	Hovey	Sandness
Bureau	Johnson, Cass	Saumur
Bymers	Johnson, Richland	Sellens
Callahan	Johnson, Rolette	Severson
Carlson	Kolpin	Sharpe
Coghlan	Langley	Shure
Collette	Larson, Ward	Sticka
Dahlen	Leet	Stormon
Dalzell	Lillehaugen	Twichell
Devlin	Lunde	Wambheim
Ekren	Manstrom	Westby
Fitch	McInnes	Williams, Richland
Fleck	Moe	Williams, Stutsm'n
Forseth	Mollet	

Those voting in the negative were:

Anderson	Iszler	Rohrer
Bauer	Jennings	Schmalenberger
Baumgartner	Larson, Wells	Schwartz
Belzer	Levin	Stair
Braun	Marks	Starck
Crockett	Mittag	Tuff
Drovdal	Morrison	Welder
Falconer	Mortenson	Welk
Fraser	Myers	Williams, Sargent
Graham	Nelson	Wolf, McIntosh
Haag	Ostgulen	Wolf, Morton
Halvorson	Peterson, Bottin'au	Mr. Speaker
Haugen	Rettke	

Absent and not voting:

Benno                      Rohde                      Schnell

So the motion was declared carried.

Rep. Blair moved that the vote by which the motion of Rep. Bergesen was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Rep. Wolf of McIntosh moved that the House recess until 1:30 o'clock p. m., tomorrow, which motion prevailed.

W. M. SMART, Chief Clerk.

## NINTH DAY AFTER RECESS AND TENTH DAY

Bismarck, January 14, 1943

The House reconvened at 1:30 o'clock p. m., pursuant to recess taken, Speaker Beede presiding.

The Speaker announced the House would be on the seventh order of business.

Rep. Saumur moved that the Speaker appoint a committee of four, two from each faction, such committee to confer with a committee from the Senate for the purpose of preparing a joint resolution requesting the proper officials in Washington to take some action in order to provide enough farm machinery so that the farmers of this state may plant and harvest the 1943 wartime crop, which motion prevailed.

The Speaker appointed on such committee Reps. Saumur, Gackle, Anderson and Devlin.

Reps. Schmalenberger and Lillehaugen respectfully request that their committee assignments be changed as follows:

Rep. Schmalenberger be transferred from the Committee on Temperance to the Committee on Public Welfare and Rep. Lillehaugen from the Committee on Public Welfare to the Committee on Temperance.

REP. SCHMALENBERGER

REP. LILLEHAUGEN

Rep. Fitch moved that the request of Reps. Schmalenberger and Lillehaugen be granted, which motion prevailed.

The Speaker announced that the committee assignments would be changed as requested.

Mr. Speaker: Your Committee on Employment places in nomination the following name for the following position:

Sigrid A. Scannell, Bismarck.....Stenographer  
ALEX DALZELL, Chairman.

Rep. Dalzell moved that the report be adopted.

## ROLL CALL

The question being on the adoption of the report of the Employment Committee, the roll was called and there were ayes, 99; nays, 0; absent and not voting, 13.

Those voting in the affirmative were:

Aker	Gainor	Nystrom
Allen, Pierce	Graham	Ohnstad
Anderson	Haag	Olson, Bowman
Arndt	Halcrow	Ostgulen
Bagge	Haugen	Peterson, Bottin'au
Bauer	Haugland	Peterson, Ransom
Baumgartner	Heckman	Pyle
Benno	Hegge	Rettke

Bergesen	Hofstrand	Rohrer
Bjella	Hogoboom	Sailer
Blair	Holm	Saumur
Bolmeier	Hovey	Schmalenberger
Boulden	Iszler	Schnell
Braun	Jennings	Schwartz
Bubel	Johnson, Richland	Sellens
Burau	Kolpin	Severson
Bymers	Langley	Sharpe
Callahan	Larson, Ward	Shure
Carlson	Larson, Wells	Stair
Coghlan	Leet	Sticka
Collette	Lillehaugen	Stormon
Dahlen	Lunde	Tuff
Dalzell	Manstrom	Twichell
Devlin	Marks	Wambheim
Drovdal	McInnes	Welder
Ekren	Mittag	Welk
Falconer	Moe	Westby
Fitch	Mollet	Williams, Richland
Fleck	Monson	Williams, Sargent
Forseth	Morland	Williams, Stutsm'n
Fraser	Morrison	Wolf, McIntosh
Fuglestad	Mortenson	Wolf, Morton
Gackle	Myers	Mr. Speaker
Absent and not voting:		
Allen, Grand Forks	Johnson, Rolette	Rohde
Belzer	Levin	Runck
Crockett	Nelson	Sandness
Halvorson	Olson, Barnes	Starck
Johnson, Cass		

So Sigrid A. Scannell was duly elected.

The oath of office was administered to newly elected employees by the Speaker.

Rep. Morland moved that all absent members be excused, which motion prevailed.

Rep. Morland moved that the House do now adjourn, which motion prevailed.

W. M. SMART, Chief Clerk.

#### TENTH DAY

Bismarck, January 14, 1943

The House convened at 2:00 o'clock p. m., pursuant to adjournment, Speaker Beede presiding.

Prayer was offered by Major Walter Lee.

Roll call: All members present except Reps. Johnson of Rolette, Rohde, Runck, Sandness and Starck.

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

Mr. Speaker: Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the Eighth Day After Recess and Ninth Day and recommends that the same be corrected as follows:

On page 66, correct the spelling of the word "employees" on line 7 from the bottom.

On page 67 in the roll call on the motion of Rep. Bergesen, Rep. Westby should be recorded as voting aye.

And when so corrected recommends that the same be approved.

S. N. WELDER, Chairman.



M. S. Aker moved that the report be adopted, which motion prevailed and the report was adopted.

Rep. Falconer moved that a committee of four be appointed by the Speaker to confer with a like committee of the Senate to arrange a joint session for the purpose of viewing motion pictures of the physical properties and institutional activities of the State which will be presented by Mr. Welsh of the Greater North Dakota Association, which motion prevailed.

The Speaker appointed on such committee Reps. Falconer, Bauer, Bergesen and Boulden.

Rep. Fitch moved that the House do now recess until 1:45 o'clock p. m., tomorrow, which motion prevailed.

W. M. SMART, Chief Clerk.

## TENTH DAY AFTER RECESS AND ELEVENTH DAY

Bismarck, January 15, 1943

The House reconvened at 1:45 o'clock p. m., pursuant to recess taken, Speaker Beede presiding.

The Speaker announced the House would be on the sixth order of business.

Mr. Speaker: Your Committee on Employment have been notified that A. B. Gaukler, elected as Enrolling and Engrossing Clerk, is not able to accept the position.

We therefore recommend that his name be stricken off the roll of employees. We further recommend that Theodore G. Buchholz of Durbin, N. D., be employed as Enrolling and Engrossing Clerk, and that his name be placed upon the payroll immediately.

We recommend for stenographer: Mrs. Mildred Becker, Center, N. D.

PALMER LEVIN  
ALEX DALZELL

Rep. Dalzell moved that the report be adopted and that the new employees be elected.

## ROLL CALL

The question being on the adoption of the Report of the Employment Committee, the roll was called and there were ayes, 98; nays, 0; absent and not voting, 14.

Those voting in the affirmative were:

Allen, Grand Forks	Graham	Nystrom
Allen, Pierce	Haag	Ohnstad
Anderson	Halcrow	Olson, Barnes
Arndt	Halvorson	Olson, Bowman
Bagge	Haugen	Ostgulen
Bauer	Haugland	Peterson, Bottin'au
Baumgartner	Heckman	Peterson, Ransom
Belzer	Hegge	Pyle
Benno	Hofstrand	Rettke
Bergesen	Hogoboom	Rohrer
Blair	Holm	Saumur
Bolmeier	Hovey	Schmalenberger
Boulden	Iszler	Schnell
Braun	Jennings	Schwartz
Bubel	Kolpin	Sellens
Burau	Langley	Severson
Bymers	Larson, Ward	Shure
Callahan	Larson, Wells	Stair
Carlson	Leet	Starck
Collette	Levin	Sticka
Crockett	Lunde	Stormon

Dalzell	Manstrom	Tuff
Devlin	Marks	Twichell
Drovdal	McInnes	Welder
Ekren	Mittag	Welk
Falconer	Moe	Westby
Fitch	Mollet	Williams, Richland
Fleck	Monson	Williams, Sargent
Forseth	Morland	Williams, Stutsm'n
Fraser	Morrison	Wolf, McIntosh
Fuglestad	Mortenson	Wolf, Morton
Gackle	Myers	Mr. Speaker
Gainor	Nelson	
Absent and not voting:		
Aker	Johnson, Richland	Sailer
Bjella	Johnson, Rolette	Sandness
Coghlan	Lillehaugen	Sharpe
Dahlen	Rohde	Wambheim
Johnson, Cass	Runck	

So Theo. Bucholtz and Mrs. Mildred Becker were declared elected.

The oath of office was administered to the newly elected employees by the Speaker.

Mr. Speaker: Your Committee on Rules makes the following report:

That the rules of the House for the 1941 Session, as printed, be adopted as the rules for the 1943 Session with the following additions:

To Rule No. 25 add: "This rule shall not be suspended without a two-thirds vote on roll call of the Members-elect of the House."

To Rule No. 26 add: "Provided, however, that we incorporate herein for this Session only, the agreement entered into by the special committee of ten, representing the coalition group of the House and the Nonpartisan group of the Republican party, except that we recommend that bills filed with the Clerk of the House be referred by him to the Committee on Reference on Bills and their action be reported back to the Speaker."

W. H. SHURE, Chairman.

Rep. Shure requested that action on the report of the Committee on Rules be deferred one day.

There being no objection, action was deferred.

Rep. Bymers moved that the absent members be excused, which motion prevailed.

Rep. Bymers moved that the House do now adjourn, which motion prevailed.

W. M. SMART, Chief Clerk.

#### ELEVENTH DAY

Bismarck, January 15, 1943

The House convened at 2:00 o'clock p. m., pursuant to adjournment, Speaker Beede presiding.

Prayer was offered by Rev. G. Adolph Johns.

Roll call: All members present except Reps. Aker, Bjella, Coghlan, Dahlen, Johnson of Cass, Johnson of Richland, Johnson of Rolette, Rohde, Runck, Sailer, Sandness, Sharpe and Wambheim.

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

Mr. Speaker: Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the Ninth Day After Recess and Tenth Day and find the same correct.

REP. WELDER, Chairman.

Rep. Lunde moved that the report be adopted, which motion prevailed and the report was adopted.

A resolution by the North Dakota County Commissioners urging changes in the state sales tax law was read.

Introduced by Committee on Appropriations:

House Resolution "A." Authorizing the Committee on Appropriations to Hire Bus Service for Its Members to and From the State Capitol Building for Its Evening Committee Meetings.

Rep. Stormon moved that House Resolution "A" be adopted.

#### ROLL CALL

The question being on the adoption of House Resolution "A," the roll was called and there were ayes, 78; nays, 20; absent and not voting, 14.

Those voting in the affirmative were:

Allen, Grand Forks	Graham	Myers
Allen, Pierce	Haag	Nelson
Arndt	Halcrow	Nystrom
Bagge	Halvorson	Ohnstad
Bauer	Haugen	Olson, Barnes
Baumgartner	Haugland	Olson, Bowman
Benno	Heckman	Peterson, Ransom
Bergesen	Hegge	Pyle
Blair	Hofstrand	Rettke
Bolmeier	Hogoboom	Rohrer
Boulden	Holm	Saumur
Bubel	Hovey	Schmalenberger
Burau	Iszler	Schnell
Bymers	Jennings	Schwartz
Callahan	Kolpin	Sellens
Carlson	Langley	Severson
Collette	Larson, Ward	Shure
Dalzell	Leet	Stair
Devlin	Lillehaugen	Starck
Ekren	Lunde	Sticka
Fitch	Manstrom	Stormon
Fleck	McInnes	Twichell
Forseth	Mittag	Westby
Fuglestad	Monson	Williams, Stutsm'n
Gackle	Morland	Wolf, Morton
Gainor	Mortenson	Mr. Speaker

Those voting in the negative were:

Anderson	Levin	Tuff
Belzer	Marks	Welder
Braun	Moe	Welk
Drovdal	Mollet	Williams, Richland
Falconer	Morrison	Williams, Sargent
Fraser	Ostgulen	Wolf, McIntosh
Larson, Wells	Peterson, Bottin'au	

Absent and not voting:

Aker	Johnson, Cass	Sailer
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Bjella	Johnson, Richland	Sandness
Coghlan	Johnson, Rolette	Sharpe
Crockett	Rohde	Wambheim
Dahlen	Runck	

So House Resolution "A" was declared adopted.

Rep. Morland moved that the Chair appoint a new Committee on Rooms, which motion prevailed.

The Speaker appointed on such committee the same members as were first appointed, Reps. Bergesen, Shure, Haugen and Mollet.

Rep. Bergesen announced his inability to serve and suggested the appointment of Rep. McInnes in his stead.

Rep. McInnes was appointed.

Rep. Falconer requested permission to have included in the joint program now being prepared a short talk by the famous Indian artist, White Crow, on the contribution of the Indians to the war effort. There being no objections, permission was granted.

Rep. Morland moved that the House recess until 1:30 o'clock p. m., tomorrow, which motion prevailed.

W. M. SMART, Chief Clerk.

## ELEVENTH DAY AFTER RECESS AND TWELFTH DAY

Bismarck, January 16, 1943

The House reconvened at 1:30 o'clock p. m., pursuant to recess taken, Speaker Beede presiding.

The Speaker announced the House would be on the sixth order of business.

## REPORT OF JOINT COMMITTEES ON RULES

We recommend the adoption of the Joint Rules of the 1941 session.

Relative to the Codes Commission Report, under motion duly made, seconded and carried, the Chairman of the Joint Committees on Rules, appointed a sub-committee of four, consisting of Representatives Twichell and Schwartz, and Senators Kehoe and Stucke, to prepare and introduce the appropriate resolution to govern the adoption of the 1943 Revised Codes of North Dakota.

SEN. WM. A. THATCHER

Chairman of Joint Rules Committee of Senate

REP. GEO. SCHWARTZ

Chairman of Joint Rules Committee of House

Rep. Morland moved that the House adopt the report of the Joint Committee on Rules, which motion prevailed.

Rep. Carlson moved that the absent members be excused, which motion prevailed.

Rep. Wolf of McIntosh moved that the House do now adjourn, which motion prevailed.

W. M. SMART, Chief Clerk.

## TWELFTH DAY

Bismarck, January 16, 1943

The House convened at 2:00 o'clock p. m., pursuant to adjournment, Speaker Beede presiding.

Prayer was offered by Rev. G. Adolph Johns.

Roll call: All members present except Reps. Aker, Bergesen, Bjella, Coghlan, Dahlen, Fitch, Fleck, Forseth, Graham, Haugland, Hegge, Hovey, Iszler, Jennings, Johnson of Cass, Johnson of Richland, Johnson of Rolette, Larson of Wells, Monson, Olson of Barnes, Ohnstad, Pyle, Runck, Sailer, Sandness, Schmalenberger, Sellens, Wambheim, Westby and Williams of Stutsman.

So a quorum was declared present.

Mr. Speaker: Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the

Tenth Day After Recess and Eleventh Day and recommends that the same be corrected as follows:

On page 73 correct the spelling of the name "Theodore G. Buchholz" on line 9, and also on page 74 on line 19.

On page 73 in the roll call for the adoption of the report of the Employment Committee it should read "ayes, 98; nays, 0; absent and not voting 14."

On page 73 and 74, on the above roll call Rep. Johnson of Cass is shown as voting "aye" whereas he should be recorded as "absent and not voting."

And when so corrected recommends that the same be approved.

REP. WELDER, Chairman.

Rep. Welder moved that the report be adopted, which motion prevailed and the report was adopted.

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

House Bill No. 3. A Bill for an Act Making an Appropriation to Provide Funds for the Arrest and Return of Fugitives from Justice.

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

REP. STORMON, Acting Chairman.

Rep. Gackle moved that the report be adopted, which motion prevailed and the report was adopted.

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

House Bill No. 4. A Bill for an Act Making an Appropriation for the Purpose of Paying Premiums on Bonds of State Officials.

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

REP. STORMON, Acting Chairman.

Rep. Severson moved that the report be adopted, which motion prevailed and the report was adopted.

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

House Bill No. 15. A Bill for an Act Making an Appropriation for the Care of Insane Patients Whose Residence Cannot Be Determined and Whose Care Must Be Borne by the State.

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

REP. STORMON, Acting Chairman.

Rep. Haag moved that the report be adopted, which motion prevailed and the report was adopted.

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

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.

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

REP. STORMON, Acting Chairman.

Rep. Gackle moved that the report be adopted, which motion prevailed and the report was adopted.

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

House Bill No. 32. 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.

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

REP. STORMON, Acting Chairman.

Rep. Olson of Barnes moved that the report be adopted, which motion prevailed and the report was adopted.

Rep. Falconer reported that the Committee to arrange for the showing of the Greater North Dakota movies have arranged for a joint session to be held Monday at 1:00 o'clock p. m., in the House Chamber.

Rep. Falconer moved that this time and place for the showing of these pictures be adopted with the understanding that White Crow, the famous Indian artist, be given ten minutes at the end of the showing to tell of the Indian contribution to the war effort, which motion prevailed.

Rep. Blair moved that Mrs. Clara Kane be requested to come to the House for not to exceed three days to organize the stenographic department and its work, which motion prevailed.

#### MESSAGE FROM THE SENATE

Senate Chamber

Bismarck, January 15, 1943

Mr. Speaker: I have the honor to transmit:

Senate Concurrent Resolution "C." In Regard to Third House Dances and Session in Capitol Corridors.

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

W. J. TROUT, Secretary.

Rep. Twichell moved that Senate Concurrent Resolution "C" be printed in the Journal, which motion prevailed.

#### SENATE CONCURRENT RESOLUTION "C"

Introduced by Committee on Employment

In regard to Third House Dances and Session in Capitol Corridors.

WHEREAS it has always been the custom in each legislative session to have a mock session provided by the employees of each legislative session, and

WHEREAS following said mock session there be held a dance for employees, legislators and friends, and

WHEREAS under a ruling of the Board of Administration, a Concurrent Resolution must be passed in order to obtain the use of House Chambers and said corridor,

NOW, THEREFORE, be it resolved by the Senate of North Dakota, House of Representatives concurring, that the Board of Administration be hereby requested to give permission to the employees of the Senate and House of Representatives to use the Capitol Corridor twice and the House Chambers for their mock session (dates to be set by the Third House), furnishing proper police to maintain proper order and decorum.

BE IT FURTHER RESOLVED that the Secretary of the



Senate be requested to send one copy of this resolution to the Secretary of the Board of Administration of the State of North Dakota.

Rep. Morland moved that the House recess until 12:45 o'clock p. m., Monday afternoon, which motion prevailed.

W. M. SMART, Chief Clerk.

TWELFTH DAY AFTER RECESS AND  
FOURTEENTH DAY

Bismarck, January 18, 1943

The House reconvened at 12:45 o'clock p. m., pursuant to recess taken, Speaker Beede presiding.

Rep. Wolf of McIntosh moved that all absent members be excused, which motion prevailed.

Rep. Crockett moved that the House do now adjourn, which motion prevailed.

W. M. SMART, Chief Clerk.

## FOURTEENTH DAY

Bismarck, January 18, 1943

The House convened at 2:00 o'clock p. m., pursuant to adjournment, Speaker Beede presiding.

Prayer was offered by Rev. G. Adolph Johns.

Roll call: All members present except Reps. Aker, Fitch, Iszler, Johnson of Rolette, Larson of Wells, Monson, Ohnstad, Sandness, Schnell, Sellens and Sharpe.

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

Mr. Speaker: Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the Eleventh Day After Recess and Twelfth Day and finds the same correct and recommends that the same be approved.

REP. WELDER, Chairman.

Rep. Welder moved that the report be adopted, which motion prevailed and the report was adopted.

Rep. Shure moved that the report of the Committee on Rules as printed in the Journal be adopted, which motion prevailed.

Rep. Falconer moved that the Speaker appoint a committee of three for the purpose of memorializing Congress along the lines suggested by the Indian speaker, White Crow, who had addressed the Legislature, which motion prevailed and the Speaker appointed Reps. Falconer, Bauer and Bergesen.

The Speaker announced that Senate Concurrent Resolution "C" was before the House.

Rep. Levin moved that Senate Concurrent Resolution "C" be adopted.

## ROLL CALL

The question being on the adoption of Senate Concurrent Resolution "C," the roll was called and there were ayes, 98; nays, 0; absent and not voting, 14.

Those voting in the affirmative were:

Allen, Grand Forks	Gackle	Olson, Barnes
Allen, Pierce	Gainor	Olson, Bowman
Anderson	Graham	Ostgulen
Arndt	Haag	Peterson, Bottin'au
Bagge	Halcrow	Peterson, Ransom
Bauer	Halvorson	Pyle
Baumgartner	Haugen	Rettke
Belzer	Haugland	Rohde
Benno	Heckman	Rohrer
Bergesen	Hegge	Runck
Bjella	Hofstrand	Sailer
Blair	Hogoboom	Saumur
Bolmeier	Hovey	Schmalenberger
Boulden	Johnson, Cass	Schwartz
Braun	Johnson, Richland	Severson
Bubel	Kolpin	Shure
Burau	Langley	Stair
Bymers	Larson, Ward	Starck
Callahan	Leet	Sticka
Carlson	Levin	Stormon
Coghlan	Lillehaugen	Tuff
Collette	Lunde	Twichell
Crockett	Marks	Wambheim
Dahlen	McInnes	Welder
Dalzell	Mittag	Welk
Devlin	Moe	Westby
Drovdal	Mollet	Williams, Richland
Ekren	Morland	Williams, Sargent
Falconer	Morrison	Williams, Stutsm'n
Fleck	Mortenson	Wolf, McIntosh
Forseth	Myers	Wolf, Morton
Fraser	Nelson	Mr. Speaker
Fuglestad	Nystrom	
Absent and not voting:		
Aker	Johnson, Rolette	Sandness
Fitch	Larson, Wells	Schnell
Holm	Manstrom	Sellens
Iszler	Monson	Sharpe
Jennings	Ohnstad	

So Senate Concurrent Resolution "C" was declared adopted.

#### FIRST READING OF HOUSE BILLS

Reps. Shure, Myers, Boulden and Schnell introduced:

House Bill No. 38. A Bill for an Act to Amend and Re-enact Sections 5631 and 5632 of the Compiled Laws of North Dakota for the Year 1913, as Amended by Chapter 236 of the Session Laws of 1941, Relating to Homestead Estate, Its Exemption from Debts and Declaring an Emergency.

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

#### SECOND READING OF HOUSE BILLS

House Bill No. 4. A Bill for an Act Making an Appropriation for the Purpose of Paying Premiums on Bonds of State Officials.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 100; nays, 0; absent and not voting, 12.

Those voting in the affirmative were:

Allen, Grand Forks	Haag	Nystrom
Allen, Pierce	Halcrow	Olson, Barnes
Anderson	Halvorson	Olson, Bowman
Arndt	Haugen	Ostgulen
Bagge	Haugland	Peterson, Bottin'au
Bauer	Heckman	Peterson, Ransom
Baumgartner	Hegge	Pyle
Belzer	Hofstrand	Rettke
Benno	Hogoboom	Rohde
Bergesen	Holm	Rohrer
Bjella	Hovey	Runk
Blair	Iszler	Sailer
Bolmeier	Jennings	Saumur
Braun	Johnson, Cass	Schmalenberger
Bubel	Johnson, Richland	Schwartz
Bureau	Kolpin	Severson
Bymers	Langley	Shure
Callahan	Larson, Ward	Stair
Carlson	Leet	Starck
Coghlan	Levin	Sticka
Collette	Lillehaugen	Stormon
Crockett	Lunde	Tuff
Dahlen	Manstrom	Twichell
Dalzell	Marks	Wambheim
Devlin	McInnes	Welder
Drovdal	Mittag	Welk
Ekren	Moe	Westby
Falconer	Mollet	Williams, Richland
Fleck	Morland	Williams, Sargent
Fraser	Morrison	Williams, Stutsm'n
Fuglestad	Mortenson	Wolf, McIntosh
Gackle	Myers	Wolf, Morton
Gainor	Nelson	Mr. Speaker
Graham		

Absent and not voting:

Aker	Johnson, Rolette	Sandness
Boulden	Larson, Wells	Schnell
Fitch	Monson	Sellens
Forseth	Ohnstad	Sharpe

So the bill passed and the title was agreed to.

House Bill No. 3. A Bill for an Act Making an Appropriation to Provide Funds for the Arrest and Return of Fugitives from Justice.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 100; nays, 0; absent and not voting, 12.

Those voting in the affirmative were:

Allen, Grand Forks	Graham	Nelson
Allen, Pierce	Haag	Nystrom
Anderson	Halcrow	Olson, Barnes
Arndt	Halvorson	Olson, Bowman
Bagge	Haugen	Ostgulen
Bauer	Haugland	Peterson, Bottin'au
Baumgartner	Heckman	Peterson, Ransom
Belzer	Hegge	Pyle
Benno	Hofstrand	Rettke

Bergesen	Hogoboom	Rohde
Bjella	Holm	Rohrer
Blair	Hovey	Runck
Bolmeier	Iszler	Sailer
Braun	Jennings	Saumur
Bubel	Johnson, Richland	Schmalenberger
Burau	Kolpin	Schwartz
Bymers	Langley	Severson
Callahan	Larson, Ward	Shure
Carlson	Leet	Stair
Coghlan	Levin	Starck
Collette	Lillehaugen	Sticka
Crockett	Lunde	Stormon
Dahlen	Manstrom	Tuff
Dalzell	Marks	Twichell
Devlin	McInnes	Wambheim
Drovdal	Mittag	Welder
Ekren	Moe	Welk
Falconer	Mollet	Williams, Richland
Fleck	Monson	Williams, Sargent
Forseth	Morland	Williams, Stutsm'n
Fraser	Morrison	Wolf, McIntosh
Fuglestad	Mortenson	Wolf, Morton
Gackle	Myers	Mr. Speaker
Gainor		

Absent and not voting:

Aker	Johnson, Rolette	Schnell
Boulden	Larson, Wells	Sellens
Fitch	Ohnstad	Sharpe
Johnson, Cass	Sandness	Westby

So the bill passed and the title was agreed to .

House Bill No. 15. 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, 99; nays, 0; absent and not voting, 13.

Those voting in the affirmative were:

Allen, Grand Forks	Gainor	Nelson
Allen, Pierce	Graham	Nystrom
Anderson	Haag	Olson, Barnes
Arndt	Halcrow	Olson, Bowman
Bagge	Halvorson	Ostgulen
Bauer	Haugen	Peterson, Bottin'au
Baumgartner	Haugland	Peterson, Ransom
Belzer	Heckman	Pyle
Benno	Hegge	Rettke
Bergesen	Hofstrand	Rohde
Bjella	Hogoboom	Rohrer
Blair	Holm	Runck
Bolmeier	Hovey	Sailer
Braun	Iszler	Saumur
Bubel	Jennings	Schmalenberger
Burau	Johnson, Richland	Schwartz
Bymers	Kolpin	Severson
Callahan	Langley	Shure

Carlson	Larson, Ward	Stair
Coghlan	Leet	Starck
Collette	Levin	Sticka
Crockett	Lillehaugen	Stormon
Dahlen	Lunde	Tuff
Dalzell	Manstrom	Twichell
Devlin	Marks	Wambheim
Drovdal	McInnes	Welder
Ekren	Mittag	Welk
Falconer	Moe	Williams, Richland
Fleck	Mollet	Williams, Sargent
Forseth	Morland	Williams, Stuts'm'n
Fraser	Morrison	Wolf, McIntosh
Fuglestad	Mortenson	Wolf, Morton
Gackle	Myers	Mr. Speaker

Absent and not voting:

Aker	Larson, Wells	Schnell
Boulden	Monson	Sellens
Fitch	Ohnstad	Sharpe
Johnson, Cass	Sandness	Westby
Johnson, Rolette		

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, 99; nays, 0; absent and not voting, 13.

Those voting in the affirmative were:

Allen, Grand Forks	Gainor	Nelson
Allen, Pierce	Graham	Nystrom
Anderson	Haag	Olson, Barnes
Arndt	Halcrow	Olson, Bowman
Bagge	Halvorson	Ostgulen
Bauer	Haugen	Peterson, Bottin'au
Baumgartner	Haugland	Peterson, Ransom
Belzer	Heckman	Pyle
Benno	Hegge	Rettke
Bergesen	Hofstrand	Rohde
Bjella	Hogoboom	Rohrer
Blair	Holm	Runck
Bolmeier	Hovey	Sailer
Braun	Iszler	Saumur
Bubel	Jennings	Schmalenberger
Burau	Johnson, Richland	Schwartz
Bymers	Kolpin	Severson
Callahan	Langley	Shure
Carlson	Larson, Ward	Stair
Coghlan	Leet	Starck
Collette	Levin	Sticka
Crockett	Lillehaugen	Stormon
Dahlen	Lunde	Tuff
Dalzell	Manstrom	Twichell
Devlin	Marks	Wambheim
Drovdal	McInnes	Welder
Ekren	Mittag	Welk
Falconer	Moe	Williams, Richland

Fleck	Mollet	Williams, Sargent
Forseth	Morland	Williams, Stutsm'n
Fraser	Morrison	Wolf, McIntosh
Fuglestad	Mortenson	Wolf, Morton
Gackle	Myers	Mr. Speaker
Absent and not voting:		
Aker	Larson, Wells	Schnell
Boulden	Monson	Sellens
Fitch	Ohnstad	Sharpe
Johnson, Cass	Sandness	Westby
Johnson, Rolette		

So the bill passed and the title was agreed to.

House Bill No. 32. A Bill for an Act Making an Appropriation for Inquest and Burial of Penal Inmates, Headstones for Soldiers and Sailors, Actions to Release Insane and List of New Taxable Lands.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 100; nays, 0; absent and not voting, 12.

Those voting in the affirmative were:

Allen, Grand Forks	Graham	Nelson
Allen, Pierce	Haag	Nystrom
Anderson	Halcrow	Olson, Barnes
Arndt	Halvorson	Olson, Bowman
Bagge	Haugen	Ostgulen
Bauer	Haugland	Peterson, Bottin'au
Baumgartner	Heckman	Peterson, Ransom
Belzer	Hegge	Pyle
Benno	Hofstrand	Rettke
Bergesen	Hogoboom	Rohde
Bjella	Holm	Rohrer
Blair	Hovey	Runck
Bolmeier	Iszler	Sailer
Braun	Jennings	Saumur
Bubel	Johnson, Richland	Schmalenberger
Bureau	Kolpin	Schwartz
Bymers	Langley	Severson
Callahan	Larson, Ward	Shure
Carlson	Larson, Wells	Stair
Coghlan	Leet	Starck
Collette	Levin	Sticka
Crockett	Lillehaugen	Stormon
Dahlen	Lunde	Tuff
Dalzell	Manstrom	Twichell
Devlin	Marks	Wambheim
Drovdal	McInnes	Welder
Ekren	Mittag	Welk
Falconer	Moe	Williams, Richland
Fleck	Mollet	Williams, Sargent
Forseth	Morland	Williams, Stutsm'n
Fraser	Morrison	Wolf, McIntosh
Fuglestad	Mortenson	Wolf, Morton
Gackle	Myers	Mr. Speaker
Gainor		
Absent and not voting:		
Aker	Johnson, Rolette	Schnell

Boulden

Monson

Sellens

Fitch

Ohnstad

Sharpe

Johnson, Cass

Sandness

Westby

So the bill passed and the title was agreed to.

PETITIONS AND COMMUNICATIONS

I wish to ask at this time of our present North Dakota Legislature, that for the benefit of my family, that I ask for their consideration in order that I may get a small reward for my talent, so that this painting could be hung in our Capitol building.

WHITE CROW.

The communication was referred to the Committee on State Affairs.

Rep. Crockett moved that the House recess until 1:45 o'clock p. m., tomorrow, which motion prevailed.

W. M. SMART, Chief Clerk.



FOURTEENTH DAY AFTER RECESS  
AND FIFTEENTH DAY

Bismarck, January 19, 1943

The House reconvened at 1:45 o'clock p. m., pursuant to recess taken, Speaker Beede presiding.

The Speaker announced the House would be on the seventh order of business.

Mr. Speaker: The House of Representatives wishes to go on record thanking the Greater North Dakota Association and Mr. Ralph Welch for showing a color film on the state institutions which was of great interest to the legislators, showing the institutions for the upkeep of which we appropriate money.

Rep. Dahlen moved that the resolution be adopted, which motion prevailed and the resolution was adopted.

## FIRST READING OF HOUSE BILLS

Reps. Shure and Hovey introduced:

House Bill No. 39. A Bill for an Act to Amend and Re-enact Section 6 of Chapter 235 of the Session Laws of the State of North Dakota for the Year 1929 as Amended by Chapter 176 of the Session Laws of 1939 and Further Amended by Chapter 206 of the Session Laws of 1941, Relating to Park District Tax Levies and Providing a Method for Raising Money by the Park District for Specific Purposes in Excess of the Amount Allowed by Law and Providing for a Levy by Park Districts Owning and Maintaining Airports, Purchasing or Acquiring Lands for Airports and for Operating and Maintaining the Same.

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

Rep. Braun introduced:

House Bill No. 40. A Bill for an Act to Amend and Re-enact Section 2 of Chapter 238, Session Laws of 1931, Providing for the Letting of Contract to Furnish Vehicular Transportation to School District to the Lowest Bidder; Requiring a Bond; and Fixing the Qualifications of the Operators of Such Vehicle and the Requirements of Such Vehicle.

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

Reps. Starck, Wolf of McIntosh, Benno, Bymers, Fleck and Saumur introduced:

House Concurrent Resolution "B." Memorializing the War Production Board of the United States to Release Sufficient Supplies of Metallic Ammunition and Shot Shells to Permit

Hunters to Adequately Harvest Surplus Crops of Game Birds and Game Animals for Food During the Period of the War Emergency.

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

Reps. Jennings, Fleck and Halvorson introduced:

House Concurrent Resolution "C." Memorializing the Office of Price Administration to Establish Local Board in Each Town to Receive Applications in Connection with Rationing Program, Also Empowered in Emergencies Simplify Rationing Forms and Give Farmers Special Consideration in Rationing Gasoline, Tires and Other Materials Vitally Needed in the War.

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

Rep. Johnson of Cass moved that the House permit House Bill No. 35 to be withdrawn, which motion prevailed.

Rep. Nelson moved that the absent members be excused, which motion prevailed.

Rep. Nelson moved that the House do now adjourn, which motion prevailed.

W. M. SMART, Chief Clerk.

#### FIFTEENTH DAY

Bismarck, January 19, 1943

The House convened at 2:00 o'clock p. m., pursuant to adjournment, Speaker Beede presiding.

Prayer was offered by Major Walter Lee.

Roll call: All members present except Reps. Hegge, Sellens and Rohrer.

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

Mr. Speaker: Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the Twelfth Day After Recess and Fourteenth Day and finds the same correct and recommends that the same be approved.

REP. WELDER, Chairman.

Rep. Kolpin moved that the report be adopted, which motion prevailed and the report was adopted.

#### MESSAGES TO THE SENATE

Bismarck, January 19, 1943

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

House Bill No. 3. A Bill for an Act Making an Appropriation to Provide Funds for the Arrest and Return of Fugitives from Justice.

House Bill No. 4. A Bill for an Act Making an Appropriation for the Purpose of Paying Premiums on Bonds of State Officials.

House Bill No. 15. 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. 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. 32. 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.

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

W. M. SMART, Chief Clerk.

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

Senate Concurrent Resolution "C." In Regard to Third House Dances and Session in Capitol Corridors.

Which the House has passed unchanged.

W. M. SMART, Chief Clerk.

Rep. Graham moved that the House recess until 1:45 o'clock p. m., tomorrow, which motion prevailed.

W. M. SMART, Chief Clerk.

FIFTEENTH DAY AFTER RECESS  
AND SIXTEENTH DAY

Bismarck, January 20, 1943.

The House reconvened at 1:45 o'clock p. m.; pursuant to recess taken, Speaker Beede presiding.

## FIRST READING OF HOUSE BILLS

The Committee on Appropriations introduced:

House Bill No. 41. A Bill for an Act to Provide for the Completion of Code Revision by the Code Revision Commission, Reappropriating Moneys Heretofore Appropriated, Making an Additional Appropriation and Declaring an Emergency.

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

Reps. Hogboom, Morland and Olson of Bowman introduced:

House Bill No. 42. A Bill for an Act to Amend and Re-enact Chapter 275 of the Session Laws of 1941, Relating to the Exemption of New Farm Machinery from Personal Property Taxes for the First Year After Its Purchase, When the Same Is Purchased After October 1st of Any Year.

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

Reps. Olson of Bowman, Morland and Hogboom introduced:

House Bill No. 43. A Bill for an Act Providing for a Transfer of Certain School Land Situated in Bowman County, North Dakota, to the Game and Fish Commission of the State of North Dakota, to Be Used and Maintained Under the Direction of the Game and Fish Commission as a Public Park for Recreation Purposes, 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 School and Public Lands.

Reps. Johnson of Richland, Collette, Fitch and Crockett introduced:

House Bill No. 44. A Bill for an Act to Amend and Re-enact Section 10322a27 of the 1925 Supplement to the Compiled Laws of North Dakota of 1913, as Amended by Chapter 117 of the Session Laws of North Dakota for 1933, Relative to the Use of Hunting Dogs.

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

Rep. Fitch presented a communication from Arthur W.

Link, Hazen, North Dakota, and requested that the same be read from the desk, which request was granted.

Hazen, North Dakota,  
January 19, 1943.

United States Department of War,  
Washington, D. C.  
Dear Sir:

Prior to my enlistment in the United States Army in April, 1942, I held the position as Mail Clerk, with the North Dakota State Highway Department, Capitol Building, Bismarck, North Dakota.

And, prior to my enlistment with the United States Military service, I was promised that any time I should return from the United States Military service, my job would be held open and waiting for me, but, I find after my return and discharge from the U. S. Military service, (which was a white and a honorable discharge,) that my former position has been filled by some one else and I as a citizen who was trying to do my patriotic duty for our great country, find myself walking the streets looking for work, as I'm not capable to do any hard work after my return and discharge from the army.

And furthermore I find that my selective service classification, which is 1-C, discriminated me from getting into any kind of work in any defense work. Why I should be in such a classification that it makes it next to impossible for me to be employed in any defense work, I cannot understand.

I have taken this matter up with the Burleigh county selective service board, and also with the State Board, but they tell me there is nothing they could do for me. It's a ruling made by the U. S. War Department, Washington, D. C.

Now I ask you, gentlemen in all sincerity, and also your opinion, is this what a citizen deserves who was trying to do his patriotic duty, for our great country? Why should he be put in such a classification, after his return and discharge from Military service that he is discriminated to the extent that it is next to impossible to make an honest living and find work in any of those defense projects, which turn out war material and help win this war?

No doubt you gentlemen agree with me, that under the Constitution of the United States, I'm entitled to make an honest living. Now I'm only one of the few that might be, thanks to God, fortunate enough to come back alive, and looking for some kind of work to make an honest living. Now gentlemen I ask you, will my pals who have gone all through this war and not only sacrificed their jobs, but also their lives and health, I wonder what will happen to them? Will they find themselves in the same boat I am in now?

Very respectfully yours,

Arthur W. Link

Copies to  
Sen. Langer  
Sen. Nye  
Mr. Ed. Kibler  
Mr. Milton Rue  
Maj. Spear  
U. S. Dis't Att. Lanier  
Burleigh County Selective Service Board  
Mr. Spaulding, Sec. to the Governor

Rep. Sailer moved that the communication presented by Rep. Fitch be printed in the journal, which motion prevailed and the Speaker announced the communication would be referred to the Committee on Military Affairs.

Rep. Twichell asked that the House be on the eighth order of business, which request was granted.

Rep. Twichell advised the House that the newly elected member from Nelson County was present and suggested that the fellow-member from his county be named a committee of one to escort the newly elected member to the rostrum to be introduced and sworn in.

Rep. Holm was appointed as requested.

Rep. Holm:

Mr. Speaker and Members of the House: I desire to introduce to you Mr. Olaf Hildre, our newly-elected member from Nelson County, who will fill the vacancy caused by the death of our beloved member, Dr. A. O. Arneson.

Mr. Hildre will be a worthy member of this House. He is capable; he is level-headed and you will find in him a most likeable personality that radiates sociability and friendship. I can assure you that Mr. Hildre comes here to work for the best interest of North Dakota regardless of party or factions. I know of no one who could better fill Dr. Arneson's place either in ability or personality. I do not know if Mr. Hildre can crack as many jokes at the right time as Dr. Arneson did, but his trait of friendship for truth and justice for his fellowmen is exceeded by no one. His fifty years of residence in North Dakota, his farming interest and his thirty-five years as a business man in our state and county gives Mr. Hildre a background that is deeply rooted for the welfare of our state and nation.

The oath of office was administered to Mr. Olaf Hildre by the Speaker.

Rep. Graham: I have a statement which I desire to make to the members of the House.

#### STATEMENT

Mr. Speaker, Members of the House of Representatives:

At the election held on November 2, 1942, Dr. A. O. Arneson was elected as one of the Representatives from Nelson County. Thereafter, the hand of providence intervened and Mr. Arneson passed on.

Thereafter and on the 17th day of December, 1942, the Honorable John Moses, Governor of the State of North Dakota, issued a call for a special election to be held in Nelson County on January 14, 1943, for the purpose of electing a new Representative. Such call, either unintentionally or carelessly, was so made that it did not give anyone except A. O. Hildre an opportunity to file a petition to have his name placed upon the ballot. As under the terms of the proclamation, it was necessary that signers to the petition be secured and the petition filed with the Secretary of State or at least mailed prior to December 19, 1942.

The result of this was that only one petition was filed. Thereafter, an application was made for an injunction against the election being held on this ground and the further additional ground that there would not be four legal publications of the call of the election prior to the holding thereof on the

14th day of January, 1943. The District Court Judge decided that the election was properly called and an appeal was taken to the Supreme Court who held that they had no jurisdiction over the actions of Governor John Moses, and that the matters at issue would be before the House of Representatives after the election was held .

We, members of the Nonpartisan League, have always felt that every County was entitled to representation, even though we believe that insufficient time was given in the call of the election and publication thereof, we further believe that all residents of Nelson County who cared to vote had notice thereof, and that a majority voted in favor of A. O. Hildre who is before this body for admission, and that he received a majority of the votes cast.

We again take the same position which we did a short time ago when there was a tie vote upon the election of the Speaker. We are ready to go ahead with our duties and we believe that the members of the Coalition group are of the same opinion. We therefore extend to Mr. Hildre a hearty welcome and ask him to investigate all measures upon which he votes. We believe that our measures will be worthy of his consideration.

Rep. Graham moved that the above statement be printed in the House Journal.

Rep. Twichell spoke in opposition to the communication as presented being published in the Journal, arraigning it as entirely uncalled for and an attempt to smirch Governor Moses, others having to do with the election and the opposition to the Nonpartisan group.

The question was on the motion of Rep. Graham, which motion prevailed.

Rep. Morland moved that the absent members be excused, which motion prevailed.

Rep. Fitch moved that the House do now adjourn, which motion prevailed.

W. M. SMART, Chief Clerk.

#### SIXTEENTH DAY

Bismarck, January 20, 1943

The House convened at 2:00 o'clock p. m., pursuant to adjournment, Speaker Beede presiding.

Prayer was offered by Major Walter Lee.

Roll call: All members present except Reps. Rohrer, Sells, Shure, Arndt and Callahan.

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

Mr. Speaker: Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the Fourteenth Day After Recess and Fifteenth Day and finds the same correct and recommends that the same be approved.

REP. WELDER, Chairman.

Rep. Holm moved that the report be adopted, which motion prevailed and the report was adopted.

#### PETITIONS AND COMMUNICATIONS

A communication from the Department of Public Instruction was read requesting use of the hearing room on February

2, 3 and 4, 1943, for a meeting with county superintendents of schools.

There being no objection, the request was granted.

#### MESSAGE FROM THE SENATE

Senate Chamber

Bismarck, January 20, 1943

Mr. Speaker: I have the honor to transmit:

Senate Concurrent Resolution "F." Requesting Federal Authorities to Speed Action on Farm Machinery and Repair Allotments.

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

W. J. TROUT, Secretary.

#### REPORTS OF STANDING COMMITTEES

Mr. Speaker: Your Committee on Appropriations to whom was referred House Bill No. 11, have had the same under consideration and recommend that the same do pass.

REP. JOHNSON OF CASS, Chairman.

Rep. Haag moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Appropriations to whom was referred House Bill No. 12, have had the same under consideration and recommend that the same do pass.

REP. JOHNSON OF CASS, Chairman.

Rep. Graham moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Appropriations to whom was referred House Bill No. 14, have had the same under consideration and recommend that the same do pass.

REP. JOHNSON OF CASS, Chairman.

Rep. Severson moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Appropriations to whom was referred House Bill No. 36, have had the same under consideration and recommend that the same do pass.

REP. JOHNSON OF CASS, Chairman.

Rep. Johnson of Richland moved that the report be adopted which motion prevailed and the report was adopted.

Rep. Ohnstad moved that at the close of business the House recess to go into joint session at 3:00 o'clock p. m., with the Senate in the House Chamber for the purpose of hearing the report of the Code Revision Commission and at the close of the joint session to stand recessed until 1:45 o'clock p. m., tomorrow, which motion prevailed.

Rep. Johnson of Cass moved that the name of Rep. Hildre be substituted for Johnson of Cass on the Public Debt Committee; the name of Rep. Hildre be substituted for Rep. Wambheim on the Railroads Committee and the name of Rep. Hildre be placed on the Public Welfare Committee in place of Rep. Bolmeier, which motion prevailed.

Rep. Saumur asked permission to return to the seventh order of business for the purpose of having Senate Resolution "F" read from the desk. Permission was granted and the Resolution was read.

Rep. Saumur moved that Senate Resolution "F" be adopted. Rep. Falconer seconded the motion, which motion prevailed and the Resolution was adopted.



In conformity with the motion of Rep. Ohnstad, the House stood recessed until 3:00 o'clock p. m.

#### JOINT SESSION

The Joint Session was called to order by Lt. Gov. Holt.

Rep. Ohnstad moved that the rules be suspended in order to permit Capt. Kuhfeld, member of the Code Revision Commission, to appear before the joint assembly, which motion prevailed.

Capt. Kuhfeld spoke to the joint assembly on the work of the Code Revision Commission.

The session was then left open for questions and answers.

Rep. Holm moved that the joint assembly of the Senate and House, at this time extend to Capt. Kuhfeld a rising vote of thanks for the splendid work he has done on the Code Revision Commission, which motion prevailed and a rising vote of thanks was extended to Capt. Kuhfeld.

Senator Page moved that a joint committee composed of the Judiciary Committees of the Senate and House, be authorized by this joint assembly to make all arrangements for the legal procedure necessary to adopt the Code, as revised by the Code Revision Committee, as the Laws of North Dakota, which motion prevailed.

Rep. Ohnstad moved that the joint session of the House and Senate be now dissolved, which motion prevailed.

Pursuant to the previous motion of Rep. Ohnstad the House stood recessed until 1:45 o'clock p. m., tomorrow.

W. M. SMART, Chief Clerk.

SIXTEENTH DAY AFTER RECESS AND  
SEVENTEENTH DAY

Bismarck, January 21, 1943.

The House reconvened at 1:45 o'clock p. m., pursuant to recess taken, Speaker Beede presiding.

## REPORT OF STANDING COMMITTEE

Mr. Speaker: Your Committee on Agriculture to whom was referred House Concurrent Resolution "C," have had the same under consideration and recommend that the same do pass.

REP. OLSON OF BOWMAN, Chairman.

Rep. Halvorson moved that the report be adopted, which motion prevailed and the report was adopted.

## FIRST READING OF HOUSE BILLS

Reps. Kolpin and Fuglestad introduced:

House Bill No. 45. A Bill for an Act Making an Appropriation to Reimburse Griggs County in the Sum of Nine Thousand Eight Hundred Forty-nine and 85/100 (\$9,849.85) Dollars, Penalty and Interest Belonging to Griggs County, But Erroneously and Inadvertently Remitted to the State and Declaring an Emergency.

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

Reps. Graham and Bymers introduced:

House Bill No. 46. A Bill for an Act Making an Appropriation to Reimburse Dickey County in the Sum of Eleven Thousand, Nine Hundred Sixty-six and no/100 (\$11,966.00) Dollars, Penalty and Interest Belonging to Dickey County, But Erroneously and Inadvertently Remitted to the State and Declaring an Emergency.

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

Reps. Bymers, Fraser, Morland, Halvorson, Moe and Severson introduced:

House Bill No. 47. A Bill for an Act to Amend and Re-enact Chapter 7 of the Session Laws of 1935, as Amended by Chapter 20 of the Session Laws of 1941, Relating to Wolf, Coyote and Fox Bounty and Declaring an Emergency.

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

Rep. Wolf of McIntosh moved that he be transferred from the Committee on Temperance to the Committee on Highways and Bridges and that Rep. Heckman be transferred from the Committee on Highways and Bridges to the Committee on Temperance, which motion prevailed and the transfer was so ordered.

Rep. Rohde moved that the absent members be excused, which motion prevailed.

Rep. Rohde moved that the House do now adjourn, which motion prevailed.

W. M. SMART, Chief Clerk.

#### SEVENTEENTH DAY

Bismarck, January 21, 1943.

The House convened at 2:00 o'clock p. m., pursuant to adjournment, Speaker Beede presiding.

Prayer was offered by Rev. Chester W. Hamblin.

Roll call: All members present except Reps. Callahan and Carlson.

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

Mr. Speaker: Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the Fifteenth Day After Recess and Sixteenth Day and finds that the same be correct.

And recommends that the same be approved.

REP. WELDER, Chairman.

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

#### MESSAGE TO THE SENATE

House Chamber

Bismarck, N. D., Jan. 21, 1943.

Mr. President: I have the honor to inform you that the House has concurred in:

Senate Concurrent Resolution "F." Requesting Federal Authorities to Speed Action on Farm Machinery and Repair Allotments.

And has adopted same.

Very respectfully,

W. M. SMART, Chief Clerk.

#### MESSAGES FROM THE SENATE

Senate Chamber

Bismarck, January 21, 1943

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 20. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, New Building and Equipment of the School for the Deaf at Devils Lake, North Dakota.

Senate Bill No. 21. 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. 22. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, New Building and Equipment for the Tuberculosis Sanatorium at San Haven, North Dakota.

Senate Bill No. 25. A Bill for an Act Making an Appropriation for the Payment of Salaries for Employees of the Grafton State School, and Declaring an Emergency.

Senate Bill No. 38. A Bill for an Act Making an Appropriation for the Purchase of Foods, Meats, etc., and for Watermain and Hydrants to Dairy Barn for the State Tuberculosis Sanatorium; and Declaring an Emergency.

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

W. J. TROUT, Secretary.  
Senate Chamber

Bismarck, January 21, 1943

Mr. Speaker: I have the honor to transmit:

Senate Concurrent Resolution "G." A Concurrent Resolution Providing and Designating Senate and House Employees and Naming and Fixing Their Salaries.

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

W. J. TROUT, Secretary.

FIRST READING OF SENATE BILLS

Senate Bill No. 25. A Bill for an Act Making an Appropriation for the Payment of Salaries for Employees of the Grafton State School, and Declaring an Emergency.

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

REPORT OF STANDING COMMITTEE

Mr. Speaker: Your Committee on Appropriations to whom was referred Senate Bill No. 25, have had the same under consideration and recommend that the same do pass.

REP. JOHNSON OF CASS, Chairman.

Rep. Collette moved that the report be adopted, which motion prevailed and the report was adopted.

Rep. Graham moved that the rules be suspended and Senate Bill No. 25 be placed upon second reading and final passage, which motion prevailed.

SECOND READING OF SENATE BILLS

Senate Bill No. 25. A Bill for an Act Making an Appropriation for the Payment of Salaries for Employees of the Grafton State School, and Declaring an Emergency.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 110; nays, 0; absent and not voting, 3.

Those voting in the affirmative were:

Aker	Halvorson	Olson, Barnes
Allen, Grand Forks	Haugen	Olson, Bowman
Allen, Pierce	Haugland	Ostgulen
Anderson	Heckman	Peterson, Bottin'au
Arndt	Hegge	Peterson, Ransom
Bagge	Hildre	Pyle
Bauer	Hofstrand	Rettke
Baumgartner	Hogoboom	Rohde
Belzer	Holm	Rohrer
Benno	Hovey	Runk
Bergesen	Iszler	Sailer
Blair	Jennings	Sandness
Bolmeier	Johnson, Cass	Saumur
Boulden	Johnson, Richland	Schmalenberger
Braun	Johnson, Rolette	Schnell
Bubel	Kolpin	Schwartz
Burau	Langley	Sellens
Bymers	Larson, Ward	Severson
Coghlan	Larson, Wells	Sharpe

Collette	Leet	Shure
Crockett	Levin	Stair
Dahlen	Lillehaugen	Starck
Dalzell	Lunde	Sticka
Devlin	Manstrom	Stormon
Drovdal	Marks	Tuff
Ekren	McInnes	Twichell
Falconer	Mittag	Wambheim
Fitch	Moe	Welder
Fleck	Mollet	Welk
Forseth	Monson	Westby
Fraser	Morland	Williams, Richland
Fuglestad	Morrison	Williams, Sargent
Gackle	Mortenson	Williams, Stutsm'n
Gainor	Myers	Wolf, McIntosh
Graham	Nelson	Wolf, Morton
Haag	Nystrom	Mr. Speaker
Halcrow	Ohnstad	
Absent and not voting:		
Bjella	Callahan	Carlson

So the bill passed and the title was agreed to.

Rep. Collette moved that the vote by which Senate Bill No. 25 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

#### SECOND READING OF HOUSE BILLS

House Bill No. 11. 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, 110; nays, 0; absent and not voting, 3.

Those voting in the affirmative were:

Aker	Halvorson	Olson, Barnes
Allen, Grand Forks	Haugen	Olson, Bowman
Allen, Pierce	Haugland	Ostgulen
Anderson	Heckman	Peterson, Bottin'au
Arndt	Hegge	Peterson, Ransom
Bagge	Hildre	Pyle
Bauer	Hofstrand	Rettke
Baumgartner	Hogboom	Rohde
Belzer	Holm	Rohrer
Benno	Hovey	Runck
Bergesen	Iszler	Sailer
Blair	Jennings	Sandness
Bolmeier	Johnson, Cass	Saumur
Boulden	Johnson, Richland	Schmalenberger
Braun	Johnson, Rolette	Schnell
Bubel	Kolpin	Schwartz
Bureau	Langley	Sellens
Bymers	Larson, Ward	Severson
Coghlan	Larson, Wells	Sharpe
Collette	Leet	Shure
Crockett	Levin	Stair
Dahlen	Lillehaugen	Starck
Dalzell	Lunde	Sticka

Devlin	Manstrom	Stormon
Drovdal	Marks	Tuff
Ekren	McInnes	Twichell
Falconer	Mittag	Wambheim
Fitch	Moe	Welder
Fleck	Mollet	Welk
Forseth	Monson	Westby
Fraser	Morland	Williams, Richland
Fuglestad	Morrison	Williams, Sargent
Gackle	Mortenson	Williams, Stutsm'n
Gainor	Myers	Wolf, McIntosh
Graham	Nelson	Wolf, Morton
Haag	Nystrom	Mr. Speaker
Halcrow	Ohnstad	
Absent and not voting:		
Bjella	Callahan	Carlson

So the bill passed and the title was agreed to.

House Bill No. 12. 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, 110; nays, 0; absent and not voting, 3.

Those voting in the affirmative were:

Aker	Halvorson	Olson, Barnes
Allen, Grand Forks	Haugen	Olson, Bowman
Allen, Pierce	Haugland	Ostgulen
Anderson	Heckman	Peterson, Bottin'au
Arndt	Hegge	Peterson, Ransom
Bagge	Hildre	Pyle
Bauer	Hofstrand	Rettke
Baumgartner	Hogoboom	Rohde
Belzer	Holm	Rohrer
Benno	Hovey	Runck
Bergesen	Iszler	Sailer
Blair	Jennings	Sandness
Bolmeier	Johnson, Cass	Saumur
Boulden	Johnson, Richland	Schmalenberger
Braun	Johnson, Rolette	Schnell
Bubel	Kolpin	Schwartz
Burau	Langley	Sellens
Bymers	Larson, Ward	Severson
Coghlan	Larson, Wells	Sharpe
Collette	Leet	Shure
Crockett	Levin	Stair
Dahlen	Lillehaugen	Starck
Dalzell	Lunde	Sticka
Devlin	Manstrom	Stormon
Drovdal	Marks	Tuff
Ekren	McInnes	Twichell
Falconer	Mittag	Wambheim
Fitch	Moe	Welder
Fleck	Mollet	Welk
Forseth	Monson	Westby
Fraser	Morland	Williams, Richland
Fuglestad	Morrison	Williams, Sargent
Gackle	Mortenson	Williams, Stutsm'n

Gainor	Myers	Wolf, McIntosh
Graham	Nelson	Wolf, Morton
Haag	Nystrom	Mr. Speaker
Halcrow	Ohnstad	

Absent and not voting:

Bjella	Callahan	Carlson
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So the bill passed and the title was agreed to.

House Bill No. 36. A Bill for an Act Making an Appropriation to Pay the Expenses and Per Diem of Presidential Electors.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 110; nays, 0; absent and not voting, 3.

Those voting in the affirmative were:

Aker	Halvorson	Olson, Barnes
Allen; Grand Forks	Haugen	Olson, Bowman
Allen, Pierce	Haugland	Ostgulen
Anderson	Heckman	Peterson, Bottin'au
Arndt	Hegge	Peterson, Ransom
Bagge	Hildre	Pyle
Bauer	Hofstrand	Rettke
Baumgartner	Hogoboom	Rohde
Belzer	Holm	Rohrer
Benno	Hovey	Runk
Bergesen	Iszler	Sailer
Blair	Jennings	Sandness
Bolmeier	Johnson, Cass	Saumur
Boulden	Johnson, Richland	Schmalenberger
Braun	Johnson, Rolette	Schnell
Bubel	Kolpin	Schwartz
Bureau	Langley	Sellens
Bymers	Larson, Ward	Severson
Coghlan	Larson, Wells	Sharpe
Collette	Leet	Shure
Crockett	Levin	Stair
Dahlen	Lillehaugen	Starck
Dalzell	Lunde	Sticka
Devlin	Manstrom	Stormon
Drovdal	Marks	Tuff
Ekren	McInnes	Twichell
Falconer	Mittag	Wambheim
Fitch	Moe	Welder
Fleck	Mollet	Welk
Forseth	Monson	Westby
Fraser	Morland	Williams, Richland
Fuglestad	Morrison	Williams, Sargent
Gackle	Mortenson	Williams, Stuts'm'n
Gainor	Myers	Wolf, McIntosh
Graham	Nelson	Wolf, Morton
Haag	Nystrom	Mr. Speaker
Halcrow	Ohnstad	

Absent and not voting:

Bjella	Callahan	Carlson
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So the bill passed and the title was agreed to.

House Bill No. 14. 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, 109; nays, 0; absent and not voting, 4.

Those voting in the affirmative were:

Aker	Haugen	Olson, Barnes
Allen, Grand Forks	Haugland	Olson, Bowman
Allen, Pierce	Heckman	Ostgulen
Anderson	Hegge	Peterson, Bottin'au
Arndt	Hildre	Peterson, Ransom
Bagge	Hofstrand	Pyle
Bauer	Hogoboom	Rettke
Baumgartner	Holm	Rohde
Belzer	Hovey	Rohrer
Benno	Iszler	Runck
Bergesen	Jennings	Sailer
Blair	Johnson, Cass	Sandness
Bolmeier	Johnson, Richland	Saumur
Boulden	Johnson, Rolette	Schmalenberger
Braun	Kelpin	Schnell
Bubel	Langley	Schwartz
Burau	Larson, Ward	Sellens
Bymers	Larson, Wells	Severson
Collette	Leet	Sharpe
Crockett	Levin	Shure
Dahlen	Lillehaugen	Stair
Dalzell	Lunde	Starck
Devlin	Manstrom	Sticka
Drovdal	Marks	Stormon
Ekren	McInnes	Tuff
Falconer	Mittag	Twichel
Fitch	Moe	Wambheim
Fleck	Mollet	Welder
Forseth	Monson	Welk
Fraser	Morland	Westby
Fuglestad	Morrison	Williams, Richland
Gackle	Mortenson	Williams, Sargent
Gainor	Myers	Williams, Stutsm'n
Graham	Nelson	Wolf, McIntosh
Haag	Nystrom	Wolf, Morton
Halcrow	Ohnstad	Mr. Speaker

Absent and not voting:

Bjella                      Carlson                      Coghlan

Callahan

So the bill passed and the title was agreed to.

### MESSAGE FROM THE SENATE

Senate Chamber

Bismarck, January 21, 1943

Mr. Speaker: I have the honor to transmit:

Senate Concurrent Resolution "I." A Concurrent Resolution Providing a Special Rule Fixing the Procedure to Govern in the Adoption of the 1943 Revised Codes of North Dakota.

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

W. J. TROUT, Secretary.



Rep. Twichell moved that any rule that may stand in the way of taking action on Senate Concurrent Resolution "I," be suspended and that Senate Concurrent Resolution "I" be placed on second reading and final passage and asked that a roll call be given on this motion.

#### ROLL CALL

The question being on the motion of Rep. Twichell to suspend the rules upon which a roll call was requested and granted, the roll was called and there were ayes, 110; nays, 0; absent and not voting, 3.

Those voting in the affirmative were:

Aker	Halvorson	Olson, Barnes
Allen, Grand Forks	Haugen	Olson, Bowman
Allen, Pierce	Haugland	Ostgulen
Anderson	Heckman	Peterson, Bottin'au
Arndt	Hegge	Peterson, Ransom
Bagge	Hildre	Pyle
Bauer	Hofstrand	Rettke
Baumgartner	Hogoboom	Rohde
Belzer	Holm	Rohrer
Benno	Hovey	Runk
Bergesen	Iszler	Sailer
Bjella	Jennings	Sandness
Blair	Johnson, Cass	Saumur
Bolmeier	Johnson, Richland	Schmalenberger
Boulden	Johnson, Rolette	Schnell
Braun	Kolpin	Schwartz
Bubel	Langley	Sellens
Bureau	Larson, Ward	Severson
Bymers	Larson, Wells	Sharpe
Collette	Leet	Shure
Crockett	Levin	Stair
Dahlen	Lillehaugen	Starck
Dalzell	Lunde	Sticka
Devlin	Manstrom	Stormon
Drovdal	Marks	Tuff
Ekren	McInnes	Twichell
Falconer	Mittag	Wambheim
Fitch	Moe	Welder
Fleck	Mollet	Welk
Forseth	Monson	Westby
Fraser	Morland	Williams, Richland
Fuglestad	Morrison	Williams, Sargent
Gackle	Mortenson	Williams, Stutsm'n
Gainor	Myers	Wolf, McIntosh
Graham	Nelson	Wolf, Morton
Haag	Nystrom	Mr. Speaker
Halcrow	Ohnstad	

Absent and not voting:

Callahan                      Carlson                      Coghlan

So the motion of Rep. Twichell was declared passed.

#### SECOND READING OF SENATE CONCURRENT RESOLUTION

Senate Concurrent Resolution "I." A Concurrent Resolution Providing a Special Rule Fixing the Procedure to Govern in the Adoption of the 1943 Revised Codes of North Dakota. Was read the second time.

## ROLL CALL

The question being on the final passage of Senate Concurrent Resolution "I," the roll was called and there were ayes, 110; nays, 0; absent and not voting, 3.

Those voting in the affirmative were:

Aker	Halvorson	Olson, Barnes
Allen, Grand Forks	Haugen	Olson, Bowman
Allen, Pierce	Haugland	Ostgulen
Anderson	Heckman	Peterson, Bottin'au
Arndt	Hegge	Peterson, Ransom
Bagge	Hildre	Pyle
Bauer	Hofstrand	Rettke
Baumgartner	Hogoboom	Rohde
Belzer	Holm	Rohrer
Benno	Hovey	Runck
Bergesen	Iszler	Sailer
Bjella	Jennings	Sandness
Blair	Johnson, Cass	Saumur
Bolmeier	Johnson, Richland	Schmalenberger
Boulden	Johnson, Rolette	Schnell
Braun	Kolpin	Schwartz
Bubel	Langley	Sellens
Bureau	Larson, Ward	Severson
Bymers	Larson, Wells	Sharpe
Collette	Leet	Shure
Crockett	Levin	Stair
Dahlen	Lillehaugen	Starck
Dalzell	Lunde	Sticka
Devlin	Manstrom	Stormon
Drovdal	Marks	Tuff
Ekren	McInnes	Twichell
Falconer	Mittag	Wambheim
Fitch	Moe	Welder
Fleck	Mollet	Welk
Forseth	Monson	Westby
Fraser	Morland	Williams, Richland
Fuglestad	Morrison	Williams, Sargent
Gackle	Mortenson	Williams, Stutsm'n
Gainor	Myers	Wolf, McIntosh
Graham	Nelson	Wolf, Morton
Haag	Nystrom	Mr. Speaker
Halcrow	Ohnstad	

Absent and not voting:

Callahan	Carlson	Coghlan
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So Senate Concurrent Resolution "I" passed and the title was agreed to.

## FIRST READING OF HOUSE BILLS

Rep. Bauer introduced:

House Bill No. 48. A Bill for an Act to Amend and Re-enact Section 436 and 437 Compiled Laws of 1913, Relating to the Area Which Shall Comprise a Registration District, for the Purpose of Registering Vital Statistics, Designating the Registrar, and Prescribing the Duties of the Local Registrar of Such Registration Districts, Defining Their Powers and Authorizing the Appointment of Sub-Registrars.

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

## MESSAGE FROM THE SENATE

Senate Chamber  
Bismarck, January 21, 1943

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 27. A Bill for an Act Making an Appropriation in the Sum of Two Thousand Dollars (\$2,000.00) for the Payment of Salaries of "Other Employees" of the State Hospital for the Insane; and of the Sum of Twenty-five Thousand Dollars (\$25,000.00) for the Purchase of Meats and Foods for the State Hospital for the Insane; for the Period from January 1, 1943 to June 30, 1943; and Declaring an Emergency.

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

W. J. TROUT, Secretary.

Rep. Rohde moved that the absent members be excused, which motion prevailed.

Rep. Crockett moved that the House do now adjourn until 2:00 o'clock p. m., tomorrow, which motion prevailed.

W. M. SMART, Chief Clerk.

## EIGHTEENTH DAY

Bismarck, January 22, 1943

The House convened at 2:00 o'clock p. m., pursuant to adjournment, Speaker Beede presiding.

Prayer was offered by Rev. Chester W. Hamblin.

Roll call: All members present except Reps. Allen of Pierce, Fitch and Saumur.

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

Mr. Speaker: Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the Sixteenth Day After Recess and Seventeenth Day and recommends that the same be corrected as follows:

After line 12, page 101, before "Report of Standing Committee" insert:

## FIRST READING OF SENATE BILLS

Senate Bill No. 25. A Bill for an Act Making an Appropriation for the Payment of Salaries for Employees of the Grafton State School, and Declaring an Emergency.

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

And when so corrected recommends that the same be approved.

REP. WELDER, Chairman.

Rep. Aker moved that the report be adopted, which motion prevailed and the report was adopted.

## MESSAGE FROM THE SENATE

Senate Chamber  
Bismarck, January 22, 1943

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 23. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, New Building, Equipment and Miscellaneous Items for the Grafton State School at Grafton, North Dakota.

Senate Bill No. 31. 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 Senate has passed and your favorable consideration is requested.

W. J. TROUT, Secretary.

## REPORTS OF STANDING COMMITTEE

Mr. Speaker: Your Committee on Appropriations to whom

was referred House Bill No. 5, have had the same under consideration and recommend that the same do pass.

REP. JOHNSON OF CASS, Chairman.

Rep. Graham moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: 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.

REP. JOHNSON OF CASS, Chairman.

Rep. Gackle moved that the report be adopted, which motion prevailed and the report was adopted.

Rep. Holm moved that Rep. Hildre be paid \$64.40, being mileage from Petersburg, N. D., and return, which motion was seconded.

### ROLL CALL

The question being on the motion of Rep. Holm, the roll was called and there were ayes, 110; nays, 0; absent and not voting, 3.

Those voting in the affirmative were:

Aker	Halcrow	Ohnstad
Allen, Grand Forks	Halvorson	Olson, Barnes
Anderson	Haugen	Olson, Bowman
Arndt	Haugland	Ostgulen
Bagge	Heckman	Peterson, Bottin'au
Bauer	Hegge	Peterson, Ransom
Baumgartner	Hildre	Pyle
Belzer	Hofstrand	Rettke
Benno	Hogoboom	Rohde
Bergesen	Holm	Rohrer
Bjella	Hovey	Runck
Blair	Iszler	Sailer
Bolmeier	Jennings	Sandness
Boulden	Johnson, Cass	Schmalenberger
Braun	Johnson, Richland	Schnell
Bubel	Johnson, Rolette	Schwartz
Burau	Kolpin	Sellens
Bymers	Langley	Severson
Callahan	Larson, Ward	Sharpe
Carlson	Larson, Wells	Shure
Coghlan	Leet	Stair
Collette	Levin	Starck
Crockett	Lillehaugen	Sticka
Dahlen	Lunde	Stormon
Dalzell	Manstrom	Tuff
Devlin	Marks	Twichell
Drovdal	McInnes	Wambheim
Ekren	Mittag	Welder
Falconer	Moe	Welk
Fleck	Mollet	Westby
Forseth	Monson	Williams, Richland
Fraser	Morland	Williams, Sargent
Fuglestad	Morrison	Williams, Stutsm'n
Gackle	Mortenson	Wolf, McIntosh
Gainor	Myers	Wolf, Morton
Graham	Nelson	Mr. Speaker
Haag	Nystrom	

Absent and not voting:

Allen, Pierce

Fitch

Saumur

So the motion was declared passed.

Rep. Drovdal moved that he be permitted to transfer his committee ship from the Committee on Public Debt to the Committee on Livestock and that Rep. Mortenson be permitted to transfer from the Committee on Livestock to the Committee on Public Debt, which motion prevailed and the transfer was so ordered.

#### FIRST READING OF HOUSE BILLS

Reps. Bjella, Dahlen and Forseth introduced:

House Bill No. 50. A Bill for an Act to Amend and Re-enact Sub-section (e) (1) of Section Two of Chapter 194 of the Session Laws of North Dakota for the Year 1941, Said Sub-section (e) (1) of Section Two of Chapter 194 Being an Amendment to Sub-division (b) of Section 25 of Chapter 186 of the Session Laws of North Dakota for the Year 1931, as Amended by Chapter 161 of the Session Laws of North Dakota for the Year 1933, Providing for the Registration Fees for Trucks on a Gross Weight Basis, and Providing for the Classification of Special Auxiliary Equipment Used by Rural Mail Carriers in the Course of Their Duties, and Declaring an Emergency.

Was read the first time and referred to the Committee on Highways and Bridges.

Reps. Bymers, Haugen, Fuglestad and Dalzell introduced:

House Bill No. 51. A Bill for an Act to Amend and Re-enact Sections 2, 4, 7 and 8 of Chapter 181, Session Laws of 1941, Relating to the Licensing and Regulation of Coin-Operated Amusement Devices, and Appropriating a Portion of the Revenue Derived Therefrom.

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

The Committee on Drainage and Irrigation introduced:

House Bill No. 52. A Bill for an Act to Amend and Re-enact Section 8270 of the Compiled Laws of North Dakota for the Year 1913, Relating to the Appropriation of Water by the United States, Repealing 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 Drainage and Irrigation.

Reps. Drovdal, Anderson and Myers introduced:

House Bill No. 53. A Bill for an Act to Amend and Re-enact Chapter 240 of the Session Laws of North Dakota for 1937, as Amended by Chapter 227 of the Session Laws of North Dakota for the Year 1939, as Amended by Chapter 273 of the Session Laws of North Dakota for the Year 1941, Providing for an Adjustment of Delinquent Taxes for 1941 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 Tax and Tax Laws.

The Committee on Game and Fish introduced:

House Bill No. 54. A Bill for an Act to Amend and Re-enact Section 26 of Chapter 148 of the Session Laws of 1931 as Amended by Chapter 157 of the Session Laws of 1941.

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

The Committee on Game and Fish introduced:

House Bill No. 55. A Bill for an Act to Amend and Re-enact Chapter 160 of the Session Laws of 1941 Providing for Retention by County Auditors of a Part of the Resident and Non-resident Hunting, Fishing and Trapping Licenses Fees.

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

The Committee on Appropriations introduced:

House Bill No. 56. A Bill for an Act Making an Appropriation for the Payment of Salaries, Postage, Office Supplies and Printing in the State Department of Health, and Declaring an Emergency.

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

#### FIRST READING OF SENATE BILLS

Senate Concurrent Resolution "G." A Concurrent Resolution Providing and Designating Senate and House Employees and Naming and Fixing Their Salaries.

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

Rep. Bubel moved that the rules be suspended and Senate Concurrent Resolution "G" be placed on second reading and final passage at this time, which motion prevailed.

The Speaker announced the House would be on the fourteenth order of business.

#### SECOND READING OF SENATE CONCURRENT RESOLUTION

Senate Concurrent Resolution "G." A Concurrent Resolution Providing and Designating Senate and House Employees and Naming and Fixing Their Salaries.

Was read the second time.

#### ROLL CALL

The question being on the final passage of Senate Concurrent Resolution "G," the roll was called and there were ayes, 107; nays, 0; absent and not voting, 6.

Those voting in the affirmative were:

Aker	Haag	Olson, Barnes
Allen, Grand Forks	Halcrow	Olson, Bowman
Anderson	Haugen	Ostgulen
Arndt	Haugland	Peterson, Bottin'au
Bagge	Hegge	Peterson, Ransom
Bauer	Hildre	Pyle
Baumgartner	Hofstrand	Rettke
Belzer	Hogoboom	Rohde
Benno	Holm	Rohrer
Bergesen	Hovey	Runck
Bjella	Iszler	Sailer
Blair	Jennings	Sandness
Bolmeier	Johnson, Cass	Schmalenberger
Boulden	Johnson, Richland	Schnell
Braun	Johnson, Rolette	Schwartz

Bubel	Kolpin	Sellens
Bureau	Langley	Severson
Bymers	Larson, Ward	Sharpe
Callahan	Larson, Wells	Shure
Carlson	Leet	Stair
Coghlan	Levin	Starck
Collette	Lillehaugen	Sticka
Crockett	Lunde	Stormon
Dahlen	Manstrom	Tuff
Dalzell	Marks	Twichell
Devlin	McInnes	Wambheim
Drovdal	Mittag	Welder
Ekren	Mollet	Welk
Falconer	Monson	Westby
Fleck	Morland	Williams, Richland
Forseth	Morrison	Williams, Sargent
Fraser	Mortenson	Williams, Stutsm'n
Fuglestad	Myers	Wolf, McIntosh
Gackle	Nelson	Wolf, Morton
Gainor	Nystrom	Mr. Sneaker
Graham	Ohnstad	
Absent and not voting:		
Allen, Pierce	Halvorson	Moe
Fitch	Heckman	Saumur

So Senate Concurrent Resolution "G" was declared passed.

#### MESSAGE FROM THE SENATE

Senate Chamber

Bismarck, N. D., January 22, 1943

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

Senate Concurrent Resolution "F." Requesting Federal Authorities to Speed Action on Farm Machinery and Repair Allotments.

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

Very respectfully,

W. J. TROUT, Secretary.

#### FIRST READING OF SENATE BILLS

Senate Bill No. 20. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, New Building and Equipment of the School for the Deaf at Devils Lake, North Dakota.

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

Senate Bill No. 21. 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.

Senate Bill No. 22. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, New Building and Equipment for the Tuberculosis Sanatorium at San Haven, North Dakota.

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

Senate Bill No. 27. A Bill for an Act Making an Appro-



priation in the Sum of Two Thousand Dollars (\$2,000.00) for the Payment of Salaries of "Other Employees" of the State Hospital for the Insane; and of the Sum of Twenty-five Thousand Dollars (\$25,000.00) for the Purchase of Meats and Foods for the State Hospital for the Insane; for the Period from January 1, 1943 to June 30, 1943; and Declaring an Emergency.

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

Senate Bill No. 38. A Bill for an Act Making an Appropriation for the Purchase of Foods, Meats, etc., and for Watermain and Hydrants to Dairy Barn for the State Tuberculosis Sanatorium; and Declaring an Emergency.

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

#### MESSAGES TO THE SENATE

House of Representatives  
Bismarck, January 22, 1943

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

Senate Concurrent Resolution "G." A Concurrent Resolution Providing and Designating Senate and House Employees and Naming and Fixing Their Salaries.

Which the House has passed unchanged.

W. M. SMART, Chief Clerk.

House of Representatives  
Bismarck, January 22, 1943

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

House Bill No. 11. 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. 12. 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. 14. 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. 36. A Bill for an Act Making an Appropriation to Pay the Expenses and Per Diem of Presidential Electors.

House Concurrent Resolution "C." Memorializing the Office of Price Administration to Establish Local Board in Each Town to Receive Applications in Connection with Rationing Program, Also Empowered in Emergencies Simplify Rationing Forms and Give Farmers Special Consideration in Rationing Gasoline, Tires and Other Materials Vitally Needed in the War.

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

W. M. SMART, Chief Clerk.

Rep. Morland moved that all absent members be excused, which motion prevailed.

Rep. Morland moved that the House do now adjourn, which motion prevailed.

W. M. SMART, Chief Clerk.

## NINETEENTH DAY

Bismarck, January 23, 1943

The House convened at 2:00 o'clock p. m., pursuant to adjournment, Speaker Beede presiding.

Prayer was offered by Rev. Chester W. Hamblin.

Roll call: All members present except Reps. Allen of Pierce, Fitch, Halvorson, Iszler, Ostgulen, Schmalenberger, Saumur and Stair.

## MESSAGES FROM THE SENATE

Senate Chamber

Bismarck, January 23, 1943

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 29. 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. 30. 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. 33. 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. 42. A Bill for an Act to Pay Workmen's Compensation Premiums on the Salaries of the Justices of the Supreme Court, and Declaring an Emergency.

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

W. J. TROUT, Secretary.

Senate Chamber

Bismarck, January 23, 1943

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 26. A Bill for an Act Making an Appropriation in the Sum of Five Hundred Dollars (\$500.00), to Provide Funds for Payment of Salaries of Operators Employed in the Capitol Telephone Exchange for the Period from January 1, 1943, to June 30, 1943; and Declaring an Emergency.

Senate Bill No. 28. A Bill for an Act Making an Appropriation in the Sum of Three Thousand Dollars (\$3,000.00) to Provide Funds for Increasing the Salaries of Those Employed by the Board of Administration in the Maintenance and Operation of the State Capitol Building, the Liberty Memorial Building, and Capitol Grounds, for the Period from

January 1, 1943 to June 30, 1943; and Declaring an Emergency.

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

W. J. TROUT, Secretary.

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

Mr. Speaker: Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the Eighteenth Day and recommends that the same be corrected as follows:

On page 109, line 6 from the top, add the name "Saumur."

And when so corrected recommends that the same be approved.

REP. WELDER, Chairman.

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

#### REPORTS OF STANDING COMMITTEES

Mr. Speaker: Your Committee on Appropriations to whom was referred House Bill No. 29, have had the same under consideration and recommend that the same do pass.

REP. JOHNSON OF CASS, Chairman.

Rep. Stormon moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Appropriations to whom was referred House Bill No. 41, have had the same under consideration and recommend that the same do pass.

REP. JOHNSON OF CASS, Chairman.

Rep. Graham moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Judiciary to whom was referred House Bill No. 38, have had the same under consideration and recommend that the same do pass.

REP. OHNSTAD, Chairman.

Rep. Shure moved that the report be adopted, which motion prevailed and the report was adopted.

#### REPORT OF SELECT COMMITTEE

Mr. Speaker: Your Committee on Committee Rooms beg to submit the following report:

The same rooms will be assigned to all committees as are printed in the 27th Legislative Rules Book, except Agriculture, Livestock, Education, Drainage and Irrigation and Game and Fish.

Agriculture, Education and Livestock will meet in a room on the 10th floor, adjacent to the Board of Administration.

Drainage and Irrigation and Game and Fish will meet in room 201 in the Senate balcony.

Respectfully submitted,

COMMITTEE ON COMMITTEE ROOMS.

REP. McINNES, Acting Chairman.

Rep. McInnes moved to amend the report of the Committee on Rooms to provide that the State Affairs Committee shall be assigned to G-2 instead of the Senate Lounge, which motion prevailed.

Rep. McInnes moved that the report of the Committee on

Rooms, as amended, be adopted, which motion prevailed and the report was adopted.

#### MESSAGE FROM THE SENATE

Senate Chamber  
Bismarck, January 23, 1943

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

Senate Bill No. 25. A Bill for an Act Making an Appropriation for the Payment of Salaries for Employees of the Grafton State School, and Declaring an Emergency.

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

W. J. TROUT, Secretary.

Rep. Bagge requested that the Resolutions from the North Dakota County Commissioners Association as printed in the Senate Journal on pages 49, 50 and 51, be read from the desk, which request was granted and the resolutions read.

Rep. Bymers moved that the House adopt the rule for this session that all bills being introduced as Committee Bills must have the unanimous consent of the committee to be introduced as Committee Bills.

Rep. Myers seconded the motion.

Rep. Bymers moved to amend his motion to read that the unanimous consent must be given by all members present at the committee meeting.

Rep. Myers seconded the amendment to Rep. Bymers' motion.

Rep. Boulden moved that the motion of Rep. Bymers together with the amendment thereto be tabled.

Rep. Graham rose to a point of order. "As I understand it there is only one motion before the House at this time."

The Clerk read the motion before the House.

The question was on the motion and on a viva-voce vote the Chair was in doubt. A rising vote therefore disclosed 55 ayes and 44 nays.

So the motion of Rep. Boulden carried and the motion of Rep. Bymers' regarding the introduction of bills by committees and the amendment thereto was declared tabled.

#### SIGNING OF BILLS

The Chief Clerk announced that the Speaker was about to sign:

Senate Bill No. 25. A Bill for an Act Making an Appropriation for the Payment of Salaries for Employees of the Grafton State School, and Declaring an Emergency.

Senate Concurrent Resolution "F." Requesting Federal Authorities to Speed Action on Farm Machinery and Repair Allotments.

And the Speaker signed the same in the presence of the House.

#### FIRST READING OF HOUSE BILLS

The Committee on Judiciary introduced:

House Bill No. 49. A Bill for an Act for the Adoption of the Revised Code of North Dakota for 1943, Consisting of Sixty-five Titles, as a Complete Body of Laws, and Repealing All Laws Not Specifically Excepted.

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

Reps. Anderson and Drovdal introduced:

House Bill No. 57. A Bill for an Act to Amend and Re-enact Section 12, Chapter 106, Session Laws of 1935, Prescribing the Time, Place and Manner of Election of Officers of Cooperative Grazing Association.

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

Rep. Starck introduced:

House Bill No. 58. A Bill For an Act to Amend and Re-enact Chapter 156 of the Session Laws of 1941, Making It a Misdemeanor for Any Person to Hunt and Pursue Any Wild Life With the Aid of a Spot Light or Any Other Kind of Artificial Light, Except Under Certain Conditions.

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

Rep. Starck introduced:

House Bill No. 59. A Bill for an Act to Amend and Re-enact Subsection 4 of Section 32 of Chapter 148 of the Session Laws of 1931, Providing for an Open Season on Mink, Weasel, Raccoon and Fox.

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

Reps. Bubel and Rohde introduced:

House Bill No. 60. A Bill for an Act to Amend and Re-enact Section 363 of the 1913 Compiled Laws of North Dakota, as Amended and Re-enacted by Chapter 231 of the Session Laws of North Dakota for 1931, as Amended and Re-enacted by Chapter 223 of the Session Laws of North Dakota for 1933, Relating to the Fixing and Collecting and Distribution of Fees at the Leasing and Sale of School Lands.

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

#### SECOND READING OF HOUSE BILLS

House Bill No. 5. 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, the roll was called and there were ayes, 96; nays, 5; absent and not voting, 12.

Those voting in the affirmative were:

Aker	Fuglestad	Morland
Allen, Grand Forks	Gackle	Morrison
Anderson	Gainor	Mortenson
Arndt	Graham	Myers
Bagge	Haag	Nystrom
Bauer	Halcrow	Ohnstad
Baumgartner	Haugen	Olson, Barnes
Belzer	Haugland	Olson, Bowman

Benno	Heckman	Peterson, Bottin'au
Bergesen	Hegge	Peterson, Ransom
Bjella	Hildre	Pyle
Blair	Hofstrand	Rohde
Bolmeier	Hogoboom	Rohrer
Boulden	Holm	Runk
Braun	Hovey	Sailer
Bübel	Jennings	Sandness
Burau	Johnson, Cass	Schnell
Bymers	Johnson, Richland	Schwartz
Callahan	Johnson, Rolette	Sellens
Carlson	Kolpin	Severson
Coghan	Langley	Sharpe
Collette	Larson, Ward	Shure
Crockett	Larson, Wells	Starck
Dahlen	Leet	Sticka
Dalzell	Levin	Stormon
Devlin	Lillehaugen	Twichell
Drovdal	Lunde	Wambheim
Ekren	Manstrom	Westby
Falconer	McInnes	Williams, Stutsm'n
Fleck	Mittag	Wolf, McIntosh
Forseth	Moe	Wolf, Morton
Fraser	Mollet	Mr. Speaker
Those voting in the negative were:		
Tuff	Welk	Williams, Sargent
Welder	Williams, Richland	

## Absent and not voting:

Allen, Pierce	Marks	Rettke
Fitch	Monson	Saumur
Halvorson	Nelson	Schmalenberger
Iszler	Ostgulen	Stair

So the bill passed and the title was agreed to.

House Bill No. 23. A Bill for an Act Making an Appropriation to the North Dakota Firemen's Association.

Was read the second time.

## ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 102; nays, 0; absent and not voting, 11.

Those voting in the affirmative were:

Aker	Graham	Nelson
Allen, Grand Forks	Haag	Nystrom
Anderson	Halcrow	Ohnstad
Arndt	Haugen	Olson, Barnes
Bagge	Haugland	Olson, Bowman
Bauer	Heckman	Peterson, Bottin'au
Baumgartner	Hegge	Peterson, Ransom
Belzer	Hildre	Pyle
Benno	Hofstrand	Rohde
Bergesen	Hogoboom	Rohrer
Bjella	Holm	Runk
Blair	Hovey	Sailer
Bolmeier	Jennings	Sandness
Boulden	Johnson, Cass	Schnell
Braun	Johnson, Richland	Schwartz
Burau	Johnson, Rolette	Sellens
Bymers	Kolpin	Severson

Callahan	Langley	Sharpe
Carlson	Larson, Ward	Shure
Coghlan	Larson, Wells	Starck
Collette	Leet	Sticka
Crockett	Levin	Stormon
Dahlen	Lillehaugen	Tuff
Dalzell	Lunde	Twichell
Devlin	Manstrom	Wambheim
Drovdal	Marks	Welder
Ekren	McInnes	Welk
Falconer	Mittag	Westby
Fleck	Moe	Williams, Richland
Forseth	Mollet	Williams, Sargent
Fraser	Morland	Williams, Stutsman
Fuglestad	Morrison	Wolf, McIntosh
Gackle	Mortenson	Wolf, Morton
Gainor	Myers	Mr. Speaker
Absent and not voting:		
Allen, Pierce	Iszler	Saumur
Bubel	Monson	Schmalenberger
Fitch	Ostgulen	Stair
Halvorson	Rettke	

So the bill passed and the title was agreed to.

#### FIRST READING OF SENATE BILLS

Senate Bill No. 23. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, New Building, Equipment and Miscellaneous Items for the Grafton State School at Grafton, North Dakota.

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

Senate Bill No. 31. 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.

Rep. Crockett moved that the Sergeant-at-Arms be not hereafter requested to serve as Messenger to the Senate, which motion prevailed.

Rep. Morland moved that the House designate one of the pages to serve as Messenger to the Senate in addition to his duties as page.

Rep. Johnson of Cass seconded the motion.

Which motion was lost.

Rep. Bauer moved that the rules be suspended and the House honor our former member, Mr. Fred Borusky of Cavalier County by electing him as Messenger to the Senate for the remainder of the session.

The motion was seconded by Representatives Callahan and Moe.

#### ROLL CALL

The question being on the motion of Rep. Bauer, the roll was called and there were ayes, 47; nays, 53; absent and not voting, 13.

Those voting in the affirmative were:

Allen, Grand Forks	Fraser	Nelson
Anderson	Graham	Peterson, Bottin'au
Bagge	Haag	Rohde
Bauer	Haugland	Rohrer

Baumgartner	Heckman	Schnell
Benno	Hegge	Schwartz
Burau	Hofstrand	Sellens
Bymers	Kolpin	Starck
Callahan	Larson, Ward	Sticka
Carlson	Larson, Wells	Tuff
Crockett	Levin	Welk
Devlin	Moe	Williams, Richland
Drovdal	Mollet	Williams, Sargent
Falconer	Morrison	Wolf, McIntosh
Fleck	Mortenson	Mr. Speaker
Forseth	Myers	
Those voting in the negative were:		
Aker	Hildre	Ohnstad
Arndt	Hogoboom	Olson, Barnes
Bergesen	Holm	Olson, Bowman
Bjella	Hovey	Peterson, Ransom
Blair	Jennings	Pyle
Bolmeier	Johnson, Cass	Runck
Boulden	Johnson, Richland	Sailer
Braun	Johnson, Rolette	Sandness
Coghlan	Langley	Severson
Collette	Leet	Sharpe
Dahlen	Lillehaugen	Shure
Dalzell	Lunde	Stormon
Ekren	Manstrom	Twichell
Fuglestad	Marks	Wambheim
Gackle	McInnes	Westby
Gainor	Mittag	Williams, Stutsm'n
Halcrow	Morland	Wolf, Morton
Haugen	Nystrom	
Absent and not voting:		
Allen, Pierce	Iszler	Saumur
Belzer	Monson	Schmalenberger
Bubel	Ostgulen	Stair
Fitch	Rettke	Welder
Halvorson		

So the motion was declared lost.

#### MESSEAGE TO THE SENATE

House Chamber

Bismarck, N. D., Jan. 23, 1943.

Mr. President: I have the honor to return herewith the following bill and resolution which the Speaker and Chief Clerk have signed:

Senate Bill No. 25. A Bill for an Act Making an Appropriation for the Payment of Salaries for Employees of the Grafton State School, and Declaring an Emergency.

Senate Concurrent Resolution "F." Requesting Federal Authorities to Speed Action on Farm Machinery and Repair Allotments.

Very respectfully,

W. M. SMART, Chief Clerk.

Rep. Twichell moved that the House recess until 1:30 o'clock p. m., Monday, which motion prevailed.

W. M. SMART, Chief Clerk.



NINETEENTH DAY AFTER RECESS AND  
TWENTY-FIRST DAY

Bismarck, January 25, 1943

The House reconvened at 1:30 o'clock p. m., pursuant to recess taken, Speaker Beede presiding.

REPORT OF STANDING COMMITTEE

Mr. Speaker: Your Committee on Judiciary to whom was referred House Bill No. 49, have had the same under consideration and recommend that the same do pass.

REP. OHNSTAD, Chairman

Rep. Bergesen moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Public Health to whom was referred House Bill No. 48, have had the same under consideration and recommend that the same be amended as follows:

Section 3. Emergency.) This Act is hereby declared to be an emergency measure and shall be in full force and effect from and after the date of its passage and approval.

After officer, "with the exception of the State Registrar.

And when so amended recommend the same do pass.

REP. PETERSON OF RANSOM, Chairman

Rep. Sticka moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Appropriations to whom was referred House Bill No. 25, have had the same under consideration and recommend that the same be amended as follows:

Line 10 Clerkhire—Strike out the figure \$76,000.00 and insert in lieu thereof the figure \$83,000.00.

Line 17 Total—Strike out the figure \$175,060.00 and insert in lieu thereof the figure \$182,060.00.

And when so amended recommend the same do pass.

REP. JOHNSON OF CASS, Chairman.

Rep. Haag moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: 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.

REP. JOHNSON OF CASS, Chairman.

Rep. Carlson moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Appropriations to whom was referred House Bill No. 30, have had the same under

consideration and recommend that the same be amended as follows:

Title—Strike out period after the words Retirement Fund and insert the following: and making an additional appropriation and declaring an emergency.

Add Line 17—Making available January 1, 1943 to June 30, 1943—\$600.00.

And when so amended recommend the same do pass.

REP. JOHNSON OF CASS, Chairman.

Rep. Graham moved that the report be adopted, which motion prevailed and the report was adopted.

REPORT OF SELECT COMMITTEE

Mr. Speaker: Your Committee on Employment places in nomination the name of E. K. Schaeffer of Carrington as State Affairs Committee Clerk.

REP. DALZELL, Chairman.

Rep. Dalzell moved the adoption of the report.

ROLL CALL

The question being on the adoption of the Committee Report, the roll was called and there were ayes, 80; nays, 21; absent and not voting, 12.

Those voting in the affirmative were:

Aker	Halvorson	Nelson
Allen, Grand Forks	Haugen	Ohnstad
Allen, Pierce	Haugland	Olson, Bowman
Arndt	Heckman	Peterson, Bottin'au
Bagge	Hegge	Peterson, Ransom
Bergesen	Hildre	Pyle
Bjella	Hofstrand	Rohrer
Blair	Holm	Runck
Bolmeier	Hovey	Sailer
Boulden	Johnson, Cass	Sandness
Bureau	Johnson, Richland	Schmalenberger
Bymers	Johnson, Rolette	Schnell
Callahan	Kolpin	Schwartz
Carlson	Langley	Sellens
Coghlan	Larson, Ward	Severson
Collette	Leet	Sharpe
Crockett	Levin	Shure
Dahlen	Lillehaugen	Starck
Dalzell	Lunde	Sticka
Devlin	McInnes	Stormon
Falconer	Manstrom	Twichell
Fleck	Mittag	Wambheim
Fuglestad	Mollet	Westby
Gackle	Monson	Williams, Stutsm'n
Gainor	Morland	Wolf, Morton
Graham	Morrison	Mr. Speaker
Halcrow	Mortenson	

Those voting in the negative were:

Anderson	Fraser	Ostgulen
Bauer	Haag	Rettko
Baumgartner	Jennings	Tuff
Belzer	Larson, Wells	Welk
Braun	Marks	Williams, Richland
Drovdal	Moe	Williams, Sargent
Forseth	Myers	Wolf, McIntosh
Absent and not voting:		
Benno	Hogoboom	Rohde

Bubel  
Ekren  
Fitch

Iszler  
Nystrom  
Olson, Barnes

Saumur  
Stair  
Welder

So the report was adopted and E. K. Schaeffer declared elected.

Rep. Bauer explained his vote as follows: "I arose Saturday and wanted to suspend the rules and have a messenger from here to take our bills to the Senate and the argument was put up that we had all the employees now that the agreement stood for.

"Mr. Speaker and gentlemen of this assembly, I wanted to honor an old ex-Legislator, a man who Mr. Twichell himself said was the oldest Legislator in the State of North Dakota.

"Mr. Speaker, that man's boy, the only boy he had, lies in the bottom of the Pacific Ocean having gone down with the Arizona. The shock to his mother caused her death and he has lost one of the only two daughters he had since that.

"The plea was put up that the reason we could not put him in that job was that we had all the employees now that we could have. Mr. Speaker, why is it that they come in here today and want another employee?

"I want to say to you that I think it was a shame and it was the most disgraceful thing I have ever seen anywhere when some men voted 'aye' and then when their leader voted 'no,' they got up and changed their vote. Shame on them!

"I want to say that I hope these members will have the decency to reconsider their vote and I want to say at this time that I vote 'No.'"

Rep. Lillehaugen: "As I understand it, this is not in addition to the 32 employees agreed upon. I vote 'aye.'"

Rep. Twichell: "This place is not in the class of the one Rep. Bauer is talking about. I was told at the beginning of the session to name my own clerk, which is customary on the three large committees. I withheld naming my own clerk until I could get someone who could do the work. I had no business for a clerk at the beginning of the session but that job was figured in. There is also another job at the desk that has not been filled as yet and that is also included in the total of 32. You have to have a second assistant clerk at the desk and in view of the fact that I consider that any State Affairs Committee should have a clerk, I vote for a committee clerk at this time and would vote the same whoever was Chairman of the Committee."

The oath of office was administered to E. K. Schaeffer by the Speaker.

#### FIRST READING OF HOUSE BILLS

The Committee on Judiciary introduced:

House Bill No. 61. A Bill for an Act Providing for the Filing in Duplicate of Certain Instruments in the County Court, Providing a Method for Preserving the Original Instrument, and Repealing Paragraph (3) of Section 8540 of the Compiled Laws of North Dakota for the Year 1913; Repealing All Acts or Parts of Acts in Conflict Herewith.

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

Reps. Bergesen and Ohnstad introduced:

House Bill No. 62. A Bill for an Act to Amend and Re-enact Sections 10770 and 10396 of the Compiled Laws of North Dakota for 1913 Relating to Trial by Jury and Waiver of Trial by Jury in Criminal Cases.

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

Reps. Graham, Mollet, Forseth, Bergesen, Olson of Bowman and McInnes introduced:

House Concurrent Resolution "D." Memorializing the United States Senate Committee on Agriculture to Investigate Utilization of Manpower in Agriculture.

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

Reps. Graham, Mollet, Forseth, Bergesen, Olson of Bowman and McInnes introduced:

House Concurrent Resolution "E." Regarding the Manufacturing of Rubber from Agricultural Products.

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

The Committee on Agriculture introduced:

House Concurrent Resolution "F." Requesting the 78th Congress of the United States to Pass House Resolution 38 Calling for a Study and Investigation of the Present System of Marketing, Transportation, and Distribution of Farm Products from Rural Areas Through the Various Marketing Agencies to the Ultimate Consumer.

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

#### MESSAGE FROM THE SENATE

Senate Chamber

Bismarck, January 25, 1943

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

Senate Bill No. 50. A Bill for an Act to Amend and Re-enact Section 30 of Chapter 162 of the 1927 Session Laws Relating to the Duty of the Driver of Any Vehicle Involved in an Accident to Report Such Accident.

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

W. J. TROUT, Secretary.

Rep. Morland moved that the absent members be excused, which motion prevailed.

Rep. Morland moved that the House do now adjourn, which motion prevailed.

W. M. SMART, Chief Clerk.

#### TWENTY-FIRST DAY

Bismarck, January 25, 1943

The House convened at 2:00 o'clock p. m., pursuant to adjournment, Speaker Beede presiding.

Prayer was offered by Rev. Krombein.

Roll call: All members present except Reps. Fitch, Iszler, Nystrom, Saumur, Stair and Welder.

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

Mr. Speaker: Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the

Nineteenth Day and finds the same to be correct and recommends that the same be approved.

REP. WELDER, Chairman.

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

Rep. Graham moved that a Committee of Four be appointed to investigate along with the Senate Committee, if agreeable to them, the present method of handling State Welfare programs, and particularly the matter of Old Age Pensions, the qualifications and fitness of the present State Welfare Director, and the powers and duties of the State Welfare Board, and to report back their recommendations.

Reps. Schnell and Twichell seconded the motion, which motion prevailed.

The Speaker appointed to serve on such committee Reps. Graham, Haugland, Kolpin and Sellens.

Rep. Haugen called the attention of the House to the death of Mr. A. J. Loudenbeck in Bismarck Saturday morning.

Mr. Loudenbeck served as a member of this body during the 1923 and 1925 sessions.

Rep. Sandness moved that House Bill No. 52 be withdrawn, which motion prevailed.

#### SECOND READING OF HOUSE BILLS

House Bill No. 29. A Bill for an Act Making an Appropriation for the Purpose of Defraying the Expenses of the Maintenance and Operation of the Game and Fish Department.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 103; nays, 3; absent and not voting, 7.

Those voting in the affirmative were:

Aker	Gainor	Myers
Allen, Grand Forks	Graham	Nelson
Allen, Pierce	Haag	Ohnstad
Anderson	Halcrow	Olson, Bowman
Arndt	Halvorson	Ostgulen
Bagge	Haugen	Peterson, Bottin'au
Bauer	Haugland	Peterson, Ransom
Baumgartner	Heckman	Pyle
Belzer	Hegge	Rohde
Benno	Hildre	Rohrer
Bergesen	Hofstrand	Runck
Bjella	Hogoboom	Sailer
Blair	Holm	Sandness
Bolmeier	Hovey	Schmalenberger
Boulden	Jennings	Schnell
Braun	Johnson, Cass	Schwartz
Bubel	Johnson, Rolette	Sellens
Bureau	Kolpin	Severson
Bymers	Langley	Sharpe
Callahan	Larson, Ward	Starck
Carlson	Larson, Wells	Sticka
Coghlan	Leet	Stormon
Collette	Levin	Tuff
Crockett	Lillehaugen	Twichell
Dahlen	Lunde	Wambheim

Dalzell	Manstrom	Welder
Devlin	Marks	Welk
Drovdal	McInnes	Westby
Ekren	Mittag	Williams, Richland
Falconer	Moe	Williams, Sargent
Fleck	Mollet	Williams, Stutsm'n
Forseth	Monson	Wolf, McIntosh
Fraser	Morland	Wolf, Morton
Fuglestad	Mortenson	Mr. Speaker
Gackle		

Those voting in the negative were:  
Morrison                      Rettke

Shure

Absent and not voting:

Fitch                              Nystrom  
Iszler                              Olson, Barnes

Saumur  
Stair

Johnson, Richland

So the bill passed and the title was agreed to.

Rep. Rettke: "I want to say that in my opinion this is wrong. It is unjust that the State or any organization appropriate animals that are raised and fed on a farmer's farm. It is not right that the State should make money on them. There are many voters in my district who are of the same opinion and therefore I vote 'no'."

Rep. Twichell asked permission to revert to the seventh order of business.

Rep. Twichell moved that inasmuch as the funeral for our former member, A. J. Loudenbeck, will be held in the City of Bismarck, that the Speaker appoint a committee of three to solicit funds from our members for the purchase of flowers as a tribute to our deceased former member, which motion prevailed and the Speaker appointed Reps. Haugen, Jennings and Braun.

Rep. Olson of Bowman moved that the rules be suspended and House Concurrent Resolution "F" be placed on second reading and final passage and that 78th Congressional House Resolution No. 38 on which House Concurrent Resolution "F" is based, be first read from the desk.

Which motion prevailed and after House Resolution 38 was read,

Resolution "F" was read the second time.

The question being on the adoption of House Concurrent Resolution "F," which motion prevailed and the Resolution was adopted.

House Bill No. 38. A Bill for an Act to Amend and Re-enact Sections 5631 and 5632 of the Compiled Laws of North Dakota for the Year 1913, as Amended by Chapter 236 of the Session Laws of 1941, Relating to Homestead Estate, Its Exemption from Debts and Declaring an Emergency.  
Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 105; nays, 1; absent and not voting, 7.

Those voting in the affirmative were:

Aker	Graham	Myers
Allen, Grand Forks	Haag	Nelson
Allen, Pierce	Halcrow	Ohnstad

Anderson	Halvorson	Olson, Bowman
Arndt	Haugen	Ostgulen
Bagge	Haugland	Peterson, Bottin'au
Bauer	Heckman	Peterson, Ransom
Baumgartner	Hegge	Pyle
Belzer	Hildre	Rettke
Bergesen	Hofstrand	Rohde
Bjella	Hogoboom	Rohrer
Blair	Holm	Runk
Bolmeier	Hovey	Sailer
Boulden	Jennings	Sandness
Braun	Johnson, Cass	Schmalenberger
Bubel	Johnson, Richland	Schnell
Burau	Johnson, Rolette	Schwartz
Bymers	Kolpin	Sellens
Callahan	Langley	Severson
Carlson	Larson, Ward	Sharpe
Coghlan	Larson, Wells	Shure
Collette	Leet	Starck
Crockett	Levin	Sticka
Dahlen	Lillehaugen	Stormon
Dalzell	Lunde	Tuff
Devlin	Manstrom	Twichell
Drovdal	Marks	Welder
Ekren	McInnes	Welk
Falconer	Mittag	Westby
Fleck	Moe	Williams, Richland
Forseth	Mollet	Williams, Sargent
Fraser	Monson	Williams, Stutsman
Fuglestad	Morland	Wolf, McIntosh
Gackle	Morrison	Wolf, Morton
Gainor	Mortenson	Mr. Speaker

Those voting in the negative were:

Wambheim

Absent and not voting:

Benno	Nystrom	Saumur
Fitch	Olson, Barnes	Stair
Iszler		

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

House Bill No. 41. A Bill for an Act to Provide for the Completion of Code Revision by the Code Revision Commission, Reappropriating Moneys Heretofore Appropriated, Making an Additional 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, 106; nays, 1; absent and not voting, 6.

Those voting in the affirmative were:

Aker	Graham	Nelson
Allen, Grand Forks	Haag	Ohnstad
Allen, Pierce	Halcrow	Olson, Bowman
Anderson	Halvorson	Ostgulen
Arndt	Haugen	Peterson, Bottin'au
Bagge	Haugland	Peterson, Ransom
Bauer	Heckman	Pyle
Baumgartner	Hegge	Rettke
Belzer	Hildre	Rohde
Benno	Hofstrand	Rohrer

Bergesen	Hogoboom	Runk
Bjella	Holm	Sailer
Blair	Hovey	Sandness
Bolmeier	Jennings	Schmalenberger
Boulden	Johnson, Cass	Schnell
Braun	Johnson, Richland	Schwartz
Bubel	Johnson, Rolette	Sellens
Burau	Kolpin	Severson
Bymers	Langley	Sharpe
Callahan	Larson, Ward	Shure
Carlson	Larson, Wells	Starck
Coghlan	Leet	Sticka
Collette	Levin	Stormon
Crockett	Lillehaugen	Tuff
Dahlen	Lunde	Twichell
Dalzell	Manstrom	Wambheim
Devlin	Marks	Welder
Drovdal	McInnes	Welk
Ekren	Mittag	Westby
Falconer	Moe	Williams, Richland
Fleck	Mollet	Williams, Sargent
Forseth	Monson	Williams, Stutsm'n
Fraser	Morland	Wolf, McIntosh
Fuglestad	Morrison	Wolf, Morton
Gackle	Mortenson	Mr. Speaker
Gainor		

Those voting in the negative were:

Myers

Absent and not voting:

Fitch	Nystrom	Saumur
Iszler	Olson, Barnes	Stair

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

#### FIRST READING OF SENATE BILLS

Senate Bill No. 26. A Bill for an Act Making an Appropriation in the Sum of Five Hundred Dollars (\$500.00), to Provide Funds for Payment of Salaries of Operators Employed in the Capitol Telephone Exchange for the Period from January 1, 1943, to June 30, 1943; and Declaring an Emergency.

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

Senate Bill No. 28. A Bill for an Act Making an Appropriation in the Sum of Three Thousand Dollars (\$3,000.00) to Provide Funds for Increasing the Salaries of Those Employed by the Board of Administration in the Maintenance and Operation of the State Capitol Building, the Liberty Memorial Building, and Capitol Grounds, for the Period from January 1, 1943 to June 30, 1943; and Declaring an Emergency.

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

Senate Bill No. 29. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, Equipment and Miscellaneous Expenses of the State Training School, Mandan, North Dakota.

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

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



priation 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.

Senate Bill No. 33. 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.

Senate Bill No. 42. A Bill for an Act to Pay Workmen's Compensation Premiums on the Salaries of the Justices of the Supreme Court, and Declaring an Emergency.

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

Rep. Marks moved that the absent members be excused, which motion prevailed.

#### MESSAGE TO THE SENATE

House Chamber

Bismarck, N. D., January 25, 1943

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

House Bill No. 5. 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 1913, 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. 23. A Bill for an Act Making an Appropriation to the North Dakota Firemen's Association.

Very respectfully,

W. M. SMART, Chief Clerk.

The Speaker announced that House would revert to the eleventh order of business with the understanding no other business will intervene until 1:45 o'clock p. m., tomorrow.

#### SECOND READING OF HOUSE BILLS

House Bill No. 49. A Bill for an Act for the Adoption of the Revised Code of North Dakota for 1943, Consisting of Sixty-five Titles, as a Complete Body of Laws, and Repealing All Laws Not Specifically Excepted.

They began the reading of House Bill No. 49 and continued such reading.

W. M. SMART, Chief Clerk.

CONTINUATION OF THE TWENTY-FIRST DAY  
AND THE TWENTY-SECOND DAY

Bismarck, January 26, 1943

The Speaker announced that the House was still on the eleventh order of business, Second Reading of House Bills, and that the Second Reading of House Bill No. 49 would now be temporarily interrupted but that it would be resumed later on.

The Speaker announced the House would be on the seventh order of business.

Rep. Johnson of Cass moved that House Bill No. 30 be re-referred to the Committee on Appropriations for further amendments.

Rep. Graham seconded the motion, which motion prevailed.

MESSAGE TO THE SENATE

House of Representatives  
Bismarck, January 26, 1943

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

Senate Bill No. 25. A Bill for an Act Making an Appropriation for the Payment of Salaries for Employees of the Grafton State School, and Declaring an Emergency.

Senate Concurrent Resolution "I." A Concurrent Resolution Providing a Special Rule Fixing the Procedure to Govern in the Adoption of the 1943 Revised Codes of North Dakota. Which the House has passed unchanged.

W. M. SMART, Chief Clerk.

PETITIONS AND COMMUNICATIONS

Rep. Collette presented resolutions passed by the Walsh County School Officers Association at their annual convention on June 19, 1942, and the same were read from the desk.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: Your Committee on Cities and Municipal Corporations to whom was referred House Bill No. 39, have had the same under consideration and recommend that the same do pass.

REP. WOLF OF MORTON, Chairman.

Rep. Olson of Barnes moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: 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:

Page 2, Line 3, insert the words—or so much thereof as may be necessary,—after the word Dollars.

And when so amended recommend the same do pass.

REP. JOHNSON OF CASS, Chairman.

Rep. Graham moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: 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:

Sentence prior to Line 1—Strike out the word Resolved and insert in lieu thereof the word Enacted.

And when so amended recommend the same do pass.

REP. JOHNSON OF CASS, Chairman.

Rep. Graham moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Game and Fish to whom was referred House Bill No. 54, have had the same under consideration and recommend that the same do pass.

REP. BENNO, Chairman.

Rep. Starck moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Game and Fish to whom was referred House Bill No. 55, have had the same under consideration and recommend that the same do pass.

REP. BENNO, Chairman.

Rep. Williams of Sargent moved that the report be adopted, which motion prevailed and the report was adopted.

#### FIRST READING OF HOUSE BILLS

Reps. Dahlen and Drovdal introduced:

House Bill No. 63. A Bill for an Act to Amend and Re-enact Section 2 of Chapter 237 of the Session Laws of 1939 to Permit Longer Leases to Cooperative Grazing Associations, Soil Conservation Districts, Mutual Aid Corporations and Individuals, and Providing for the Option to Renew Such Leases, and to Declare an Emergency.

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

Reps. Anderson, Bergesen and Graham introduced:

House Bill No. 64. A Bill for an Act to Amend and Re-enact Chapter 109 of the Session Laws of 1941, by Providing a Penalty for Non-compliance Therewith.

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

The Committee on Livestock introduced:

House Bill No. 65. A Bill for an Act to Amend and Re-enact Section 2596 of the Compiled Laws of North Dakota for 1913, and Sections 2602, 2603, 2604 and 2605, as Amended by Chapter 8 of the Session Laws of 1933, Relating to Cancellation and Re-recording Livestock Brands, Abolishing the Use of Single Figures or Single Letters as Livestock Brands, Providing for Publication and Distribution of Brand Books to Registered Owners of Brands Making an Appropriation of \$12,850.00 to Carry Out the Provisions of This Act.

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

Rep. Braun introduced:

House Bill No. 66. A Bill for an Act to Amend and Re-enact Section 2 of Chapter 238, Session Laws of 1931, Pro-

viding for the Letting of Contracts to Furnish Vehicular Transportation to School Districts to the Lowest Bidder; Requiring a Bond; and Fixing the Qualifications of the Operators of Such Vehicles and the Requirements of Such Vehicle.

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

Reps. Allen of Grand Forks and Boulden introduced:

House Bill No. 67. A Bill for an Act to Amend and Re-enact Subsection two (2) of Section one (1) of Chapter 280 of the Session Laws of North Dakota for the Year 1941, Amending Section 2093 of the 1925 Supplement to the Compiled Laws of North Dakota for 1913, as Amended by Chapter 229 of the Session Laws for the Year 1939, Relating to Time for Listing and Assessing Personal Property. Repealing All Acts or Parts of Acts in Conflict Therewith.

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

#### FIRST READING OF SENATE BILLS

Senate Bill No. 50. A Bill for an Act to Amend and Re-enact Section 30 of Chapter 162 of the 1927 Session Laws Relating to the Duty of the Driver of Any Vehicle Involved in an Accident to Report Such Accident.

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

Rep. Braun requested permission to return to the seventh order of business, which request was granted.

Rep. Braun moved that he be granted permission to withdraw House Bill No. 40.

Which motion prevailed and the request was granted.

Rep. Crockett moved that the House do now adjourn, which motion prevailed.

W. M. SMART, Chief Clerk.

#### TWENTY-SECOND DAY

Bismarck, January 26, 1943

The House was called to order pursuant to adjournment, Speaker Beede presiding.

Prayer was offered by Rev. Albert Krombein.

Roll call: All members present except Representatives Kolpin and Nystrom.

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

Mr. Speaker: Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the nineteenth day after the recess and twenty-first day and recommends that the same be corrected as follows:

On page 181, under "Message to the Senate," line 10, strike out the figures "1915" and insert in lieu thereof the figures "1913."

On page 130, add on line 32, "and the emergency clause was declared carried."

On page 129, add on line 39 "and the emergency clause was declared carried."

And when so corrected recommends that the same be approved.

REP. WELDER, Chairman.

Rep. Forseth moved that the report be adopted, which motion prevailed and the report was adopted.

#### MESSAGES TO THE SENATE

House of Representatives  
Bismarck, N. D., Jan. 26, 1943

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

House Bill No. 29. 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. 38. A Bill for an Act to Amend and Re-enact Sections 5631 and 5632 of the Compiled Laws of North Dakota for the Year 1913, as Amended by Chapter 236 of the Session Laws of 1941, Relating to Homestead Estate, Its Exemption from Debts and Declaring an Emergency.

House Bill No. 41. A Bill for an Act to Provide for the Completion of Code Revision by the Code Revision Commission, Reappropriating Moneys Heretofore Appropriated, Making an Additional Appropriation and Declaring an Emergency.

House Concurrent Resolution "F." Requesting the 78th Congress of the United States to Pass House Resolution 38 Calling for a Study and Investigation of the Present System of Marketing, Transportation, and Distribution of Farm Products from Rural Areas Through the Various Marketing Agencies to the Ultimate Consumer.

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

Very respectfully,

W. M. SMART, Chief Clerk.  
House of Representatives  
Bismarck, January 26, 1943

Mr. President: The House desires to recall House Concurrent Resolution "C," which was recommended for passage by the House Committee on Agriculture, but was not passed by the House.

W. M. SMART, Chief Clerk.

#### SECOND READING OF HOUSE BILLS

House Bill No. 27. A Bill for an Act Making an Appropriation Out of the Motor Patrol Fund in the State Treasury, for the Operation, Maintenance, Equipment, Supplies, Outfitting of Patrolmen, Travel and Miscellaneous Expenses for the Motor Patrol Branch.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 81; nays, 26; absent and not voting, 6.

Those voting in the affirmative were:

Allen, Grand Forks	Gainor	Morland
Allen, Pierce	Graham	Mortenson
Anderson	Haag	Ohnstad
Arndt	Halcrow	Olson, Barnes
Bagge	Halvorson	Olson, Bowman
Bauer	Haugland	Peterson, Ransom

Baumgartner	Heckman	Pyle
Benno	Hegge	Rettke
Bergesen	Hildre	Rohrer
Ejella	Hofstrand	Runck
Blair	Hogoboom	Sailer
Bolmeier	Holm	Sandness
Boulden	Hovey	Saumur
Braun	Johnson, Cass	Schwartz
Burau	Johnson, Richland	Sellens
Bymers	Johnson, Rolette	Severson
Carlson	Langley	Sharpe
Collette	Larson, Ward	Shure
Dahlen	Larson, Wells	Stair
Dalzell	Leet	Sticka
Drovdal	Levin	Stormon
Ekren	Lillehaugen	Twichell
Fleck	Lunde	Wambheim
Forseth	Manstrom	Westby
Fraser	McInnes	Williams, Stutsm'n
Fuglestad	Mittag	Wolf, Morton
Gackle	Monson	Mr. Speaker
Those voting in the negative were:		
Bubel	Moe	Schnell
Callahan	Mollet	Starck
Crockett	Morrison	Tuff
Devlin	Myers	Welder
Falconer	Nelson	Welk
Haugen	Ostgulen	Williams, Richland
Iszler	Peterson, Bottin'au	Williams, Sargent
Jennings	Rohde	Wolf, McIntosh
Marks	Schmalenberger	
Absent and not voting:		
Aker	Coghlan	Kolpin
Belzer	Fitch	Nystrom

So the bill passed and the title was agreed to.

#### MESSAGES FROM THE SENATE

Senate Chamber

Bismarck, January 26, 1943

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

House Concurrent Resolution "C." Memorializing the Office of Price Administration to Establish Local Board in Each Town to Receive Applications in Connection with Rationing Program, Also Empowered in Emergencies Simplify Rationing Forms and Give Farmers Special Consideration in Rationing Gasoline, Tires and Other Materials Vitally Needed in the War.

Which the House has requested to be returned.

Very respectfully,

W. J. TROUT, Secretary.

Senate Chamber

Bismarck, January 26, 1943

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

Senate Concurrent Resolution "G." A Concurrent Resolution Providing and Designating Senate and House Employees and Naming and Fixing Their Salaries.

Senate Concurrent Resolution "I." A Concurrent Resolu-

tion Providing a Special Rule Fixing the Procedure to Govern in the Adoption of the 1943 Revised Codes of North Dakota.

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

Very respectfully,

W. J. TROUT, Secretary.

#### SECOND READING OF HOUSE BILLS

The Speaker announced reading of House Bill No. 49 would be resumed later.

#### GENERAL ORDERS

Rep. McInnes moved that the House resolve itself into a committee of the whole for the consideration of general orders; which motion prevailed, and the House resolved itself into a committee of the whole.

The Speaker called Rep. McInnes to the chair.

When the committee arose it submitted the following report:

Mr. Speaker: The committee of the whole have had under consideration House Bill No. 25.

Line 10 Clerkhire—Strike out the figure \$76,000.00 and insert in lieu thereof the figure \$83,000.00.

Line 17 Total—Strike out the figure \$175,060.00 and insert in lieu thereof the figure \$182,060.00.

Rep. Johnson of Cass moved to further amend House Bill No. 25 by striking out the figures \$175,060.00 in line 4 in section 1, and insert in lieu thereof the figures \$182,060.00, which motion prevailed.

Rep. Johnson of Cass moved that House Bill No. 25 be passed as recommended by the standing committee report and as further amended by the committee of the whole, which motion prevailed.

Rep. Dalzell moved that House Bill No. 48 be deferred for the reason "we have another bill coming in that I think will answer the purpose much better than the bill we are now referring to."

Rep. Crockett seconded the motion, which motion prevailed.

REP. McINNES, Chairman,

Committee of the Whole.

Rep. Crockett moved the adoption of the report of the committee of the whole, which motion prevailed.

#### MESSAGE FROM THE SENATE

Senate Chamber

Bismarck, January 26, 1943

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

Senate Bill No. 40. A Bill for an Act to Amend and Re-enact Sub-section 3 of Section 1 of Chapter 114 of the Session Laws of 1933 Relating to the Propagation and Domestication of Game Birds and Animals, and Declaring an Emergency

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

W. J. TROUT, Secretary.

Rep. Dalzell moved that the rules be suspended and House Bill No. 48 be recommitted to the Committee on Public Health, which motion prevailed.

## SECOND READING OF HOUSE RESOLUTION

House Concurrent Resolution "C." Memorializing the Office of Price Administration to Establish Local Board in Each Town to Receive Applications in Connection with Rationing Program, Also Empowered in Emergencies Simplify Rationing Forms and Give Farmers Special Consideration in Rationing Gasoline, Tires and Other Materials Vitally Needed in the War.

Was read the second time.

Rep. Rohde moved that House Concurrent Resolution "C" be adopted, which motion prevailed and House Concurrent Resolution "C" was adopted.

## SIGNING OF RESOLUTIONS

The Chief Clerk announced that the Speaker was about to sign:

Senate Concurrent Resolution "G." A Concurrent Resolution Providing and Designating Senate and House Employees and Naming and Fixing Their Salaries.

And the Speaker signed the same in the presence of the House.

The Chief Clerk announced that the Speaker was about to sign:

Senate Concurrent Resolution "I." A Concurrent Resolution Providing a Special Rule Fixing the Procedure to Govern in the Adoption of the 1943 Revised Codes of North Dakota.

And the Speaker signed the same in the presence of the House.

The Speaker announced that the House will be on the eleventh order of business, Second Reading of House Bills, until 1:45 o'clock p. m., tomorrow and directed the clerk to continue the reading of House Bill No. 49. The Clerk continued the reading of House Bill No. 49.

W. M. SMART, Chief Clerk.



CONTINUATION OF THE TWENTY-SECOND DAY  
AND TWENTY-THIRD DAY

Bismarck, January 27, 1943

The Speaker announced that the House was still on the eleventh order of business, second reading of House Bills, and that the Second Reading of House Bill No. 49 would now be temporarily interrupted but that it would be resumed later on.

The Speaker announced the House would be on the fifth order of business.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bill and find the same correctly Engrossed:

House Bill No. 25.

REP. MORLAND, Chairman.

Rep. Bubel moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Tax and Tax Laws to whom was referred House Bill No. 42, have had the same under consideration and recommend that the same be amended as follows:

In the title of the bill after the word "year" strike out the period and insert the words, "and declaring an emergency."

And when so amended recommend the same do pass.

REP. McINNES, Chairman.

Rep. Arndt moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Tax and Tax Laws to whom was referred House Bill No. 53, have had the same under consideration and recommend that the same be indefinitely postponed.

REP. McINNES, Chairman.

Rep. Langley moved that the report be adopted.

Rep. Myers moved, as a substitute motion, that House Bill No. 53 be placed on the calendar, which motion was lost.

Rep. Levin moved, as a substitute motion, that House Bill No. 53 be re-referred to the Committee on Tax and Tax Laws, which motion prevailed and House Bill No. 53 was re-referred to the Committee on Tax and Tax Laws.

Mr. Speaker: 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:

Line 3—Strike out the figures \$30,575.00 and insert in lieu thereof the figures "\$33,575.00".

Insert new line "24½ International Peace Gardens \$2,500.00".

Line 25—Strike out the figures \$500.00 and insert in lieu thereof the figures "\$1,000.00".

Line 27—Strike out the figures \$11,950.00 and insert in lieu thereof the figures "\$14,950.00".

Line 28—Strike out the figures \$30,575.00 and insert in lieu thereof the figures "\$33,575.00".

And when so amended recommend the same do pass.

REP. JOHNSON OF CASS, Chairman.

Rep. Graham moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Game and Fish to whom was referred House Bill No. 58, have had the same under consideration and recommend that the same be amended as follows:

Section 1, Line 10 after the words "pursuing and shooting," add, "on his premises".

And when so amended recommend the same do pass.

REP. BENNO, Chairman.

Rep. Bolmeier moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Education to whom was referred House Bill No. 66, have had the same under consideration and recommend that the same do pass.

REP. HOFSTRAND, Chairman.

Rep. Holm moved that the report be adopted.

Rep. Johnson of Cass informed the House that House Bill No. 66 has not yet been printed and requested that action thereon be deferred. There being no objection action was deferred.

#### FIRST READING OF HOUSE BILLS

Rep. Johnson of Cass introduced:

House Bill No. 68. A Bill for an Act Removing Statutory Limitations on Salaries to Be Paid to the State Highway Commissioner, Chief Engineer, Engineers, Assistant Engineers and Draftsmen in the Highway Department Between July 1, 1943 and June 30, 1945; Repealing All Acts and Parts of Acts in Conflict Herewith.

Was read the first time and referred to the Committee on Highways and Bridges.

The Committee on Drainage and Irrigation introduced:

House Bill No. 69. A Bill for an Act to Repeal Section 8270, Compiled Laws of North Dakota for 1913, Providing for the Appropriation of Water by the Proper Officers of the United States; and Declaring an Emergency.

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

Reps. Ostgulen, Hofstrand, Marks and Dalzell introduced:

House Bill No. 70. A Bill for an Act Requiring Owners of Certain Motor Vehicles and Trailers to Furnish Security for Their Civil Liability on Account of Personal Injuries and

Property Damage Caused by Their Motor Vehicles and Trailers.

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

Reps. Welder and Haag introduced:

House Bill No. 71. A Bill for an Act to License Roller Skating Rinks; Defining the Same; Requiring an Application to Be Made and Fixing the License Fee; Granting the Right to Revoke the License; Providing the Policing of the Same; Permitting Roller Skating Rinks to Operate on the First Day of the Week Under Certain Conditions; and Providing a Penalty.

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

The Committee on Education introduced:

House Bill No. 72. A Bill for an Act Authorizing School Districts to Set Up and Maintain a Special Reserve Fund; Providing for the Expenditures Which May Be Made from Said Special Reserve Fund, Providing for the Transfer of Present Funds Into a Special Reserve Fund; and Authorizing a Three Mill Tax Levy for the Establishment and Maintenance of Said Special Reserve Fund; Repealing All Acts or Parts of Acts in Conflict; and Declaring an Emergency.

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

The Committee on Education introduced:

House Concurrent Resolution "G." A Concurrent Resolution Providing for the Amendment of the Constitution of the State of North Dakota, Creating a State Equalization Fund, and Providing for a State Tax Levy for School Purposes.

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

Reps. Saumur, Braun, Sandness, Wolf of McIntosh, Benno and Johnson of Cass introduced:

House Bill No. 73. A Bill for an Act to Repeal Chapter 196 of the Session Laws of 1933, Relating to Salaries of Appointive State Officers and Declaring an Emergency.

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

#### FIRST READING OF SENATE BILLS

Senate Bill No. 40. A Bill for an Act to Amend and Re-enact Sub-section 3 of Section 1 of Chapter 114 of the Session Laws of 1933 Relating to the Propagation and Domestication of Game Birds and Animals, and Declaring an Emergency

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

Rep. Braun moved that the absent members be excused, which motion prevailed.

Rep. Braun moved that the House do now adjourn, which motion prevailed.

W. M. SMART, Chief Clerk.

#### TWENTY-THIRD DAY

Bismarck, January 27, 1943

The House convened pursuant to adjournment, Speaker Beede presiding.

Prayer was offered by Rev. Albert Krombeim.

Roll call: All members present except Representatives Crockett, Nystrom, Ohnstad and Pyle.

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

Mr. Speaker: Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the continuation of the twenty-first day and the twenty-second day and find the same correct.

And recommends that the same be approved.

REP. WELDER, Chairman.

Rep. Bauer moved that the report be adopted, which motion prevailed and the report was adopted.

#### MESSAGES TO THE SENATE

House of Representatives

Bismarck, January 27, 1943

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

House Bill No. 27. 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 Concurrent Resolution "C." Memorializing the Office of Price Administration to Establish Local Board in Each Town to Receive Applications in Connection with Rationing Program, Also Empowered in Emergencies Simplify Rationing Forms and Give Farmers Special Consideration in Rationing Gasoline, Tires and Other Materials Vitally Needed in the War.

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

Very respectfully,

W. M. SMART, Chief Clerk.

House of Representatives

Bismarck, January 27, 1943

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

Senate Concurrent Resolution "G." A Concurrent Resolution Providing and Designating Senate and House Employees and Naming and Fixing Their Salaries.

Senate Concurrent Resolution "I." A Concurrent Resolution Providing a Special Rule Fixing the Procedure to Govern in the Adoption of the 1943 Revised Codes of North Dakota.

Which the Speaker and the Chief Clerk have signed.

Very respectfully,

W. M. SMART, Chief Clerk.

Rep. Schnell presented a House Resolution "H," introduced by Reps. Schnell, Bymers, Kolpin and Anderson.

And moved the same be printed in the Journal and referred to the Committee of State Affairs.

Rep. Aker offered as a substitute motion that House Resolution "H," presented by Rep. Schnell be referred to the Committee on State Affairs.

Which motion was lost.

Rep. Fitch demanded a roll call on the original motion.

Which request was granted.

## ROLL CALL

The question being on the motion of Rep. Schnell, the roll was called and there were ayes, 69; nays, 40; absent and not voting, 4.

Those voting in the affirmative were:

Aker	Hegge	Ostgulen
Anderson	Hildre	Peterson, Bottin'au
Bagge	Hofstrand	Rettke
Bauer	Hovey	Rohde
Baumgartner	Iszler	Rohrer
Belzer	Jennings	Sailer
Benno	Johnson, Richland	Sandness
Bergesen	Kolpin	Schmalenberger
Braun	Larson, Ward	Schnell
Bubel	Larson, Wells	Schwartz
Bureau	Levin	Sellens
Bymers	Lillehaugen	Stair
Devlin	McInnes	Starck
Drovdal	Marks	Sticka
Falconer	Mittag	Tuff
Forseth	Mollet	Wambheim
Fraser	Monson	Welder
Graham	Morland	Welk
Haag	Morrison	Williams, Richland
Halvorson	Mortenson	Williams, Sargent
Haugen	Myers	Wolf, McIntosh
Haugland	Nelson	Wolf, Morton
Heckman	Olson, Bowman	Mr. Speaker

Those voting in the negative were:

Allen, Grand Forks	Fitch	Manstrom
Allen, Pierce	Fleck	Moe
Arndt	Fuglestad	Olson, Barnes
Bjella	Gackle	Peterson, Ransom
Blair	Gainor	Runck
Bolmeier	Halcrow	Saumur
Boulden	Hogoboom	Severson
Callahan	Holm	Sharpe
Carlson	Johnson, Cass	Shure
Coghlan	Johnson, Rolette	Stormon
Collette	Langley	Twichell
Dahlen	Leet	Westby
Dalzell	Lunde	Williams, Stutsm'n
Ekren		

Absent and not voting:

Crockett	Ohnstad	Pyle
Nystrom		

So the motion passed and the resolution was ordered printed in the Journal and referred to the State Affairs Committee.

Rep. Twichell: "I vote 'No' because I do not see any necessity of printing this resolution in the Journal at this time."

Rep. Morland moved that the resolution presented by Rep. Schnell, which is House Resolution "H," be not printed as a bill.

Which motion prevailed.

## HOUSE RESOLUTION "H"

Introduced by Reps. Schnell, Bymers, Kolpin, Anderson  
A House Resolution calling for an investigation of the

North Dakota State Taxpayers Association; appointment of a special House Committee consisting of four Members, to make a thorough investigation of the said North Dakota Taxpayers Association with all the necessary power of procuring legal assistance, accounting experts, and other experts, stenographers and any other aid and assistance needed, and with power to summon witnesses, within and without this State, and take their testimony under oath, and to require the production of all necessary records of every nature and description, and to make a report of their findings and a transcript of all testimony and records so taken and to have printed thereof such number of copies as the Committee may deem necessary for the use of the Legislative Members.

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF NORTH DAKOTA:

WHEREAS, it has been brought to the attention of the Members of the Twenty-eighth Legislative Assembly of the State of North Dakota, and to the people in general, that there are many complaints and charges relative to the conduct, methods, activities and practices of the organization known as the North Dakota State Taxpayers Association, and

WHEREAS, among other complaints and charges it is particularly charged that the said North Dakota State Taxpayers Association is maintaining a large and expensive delegation of paid lobbyists at the Twenty-Eighth Legislative Assembly of the State of North Dakota, such paid delegation consisting of at least eight individuals as shown by the Legislative docket maintained in the office of the Secretary of State of North Dakota, and

WHEREAS, further charges have been made at many times and on many occasions at the North Dakota State capital and throughout the State of North Dakota that the said North Dakota State Taxpayers Association is now being and has been financed for a number of years by large corporations and other financial interests from within and outside of the State of North Dakota, and also by some of the large railroad and utility companies, and

WHEREAS, it has been stated on many occasions and in many places in this State that huge sums of money have been donated by such corporations and other financial interests from within and from outside of the State of North Dakota, for the sole purpose of maintaining the said North Dakota State Taxpayers Association in order that such organization may try to influence legislation pending before the State Legislature and to interfere with the work of officials of the many taxing districts of the State of North Dakota, and

WHEREAS, it is the belief of many of the Members of the Twenty-eighth Legislative Assembly and many thousands of other citizens of North Dakota that the bold methods of operation and unhealthy practices by the said North Dakota State Taxpayers Association is very detrimental to the best interests and welfare of the people of the great State of North Dakota, and

WHEREAS, there is at the present time no way of knowing exactly the make-up and operation of the said North Dakota

State Taxpayers Association and who keeps it operating with abundant funds to operate on, and that under present conditions there is no way of safeguarding the interests and welfare of the people of North Dakota against the unfair practices of said organization,

NOW, THEREFORE, BE IT RESOLVED that the Speaker of the House appoint a special Committee to consist of four Members of the body to consider and to investigate fully the North Dakota State Taxpayers Association as to its organization, management, control, membership, finances, conduct, practices and activities, and all other matters and things tending to show all facts and details regarding the organization, operation and control of the said North Dakota State Taxpayers Association; said Committee to be authorized, empowered and directed to procure an audit and inventory of all the records and property under the control of such organization, and to procure such other and further information and data from any and all sources relating to the said North Dakota State Taxpayers Association, as said Committee may deem necessary to a full and complete investigation thereof; said Committee is also hereby authorized, empowered and directed to procure such legal assistance, such accounting experts and such other experts, stenographers and other aid and assistance as they shall deem advisable to such full and complete investigation, and to procure any and all information, and that such Committee is further empowered to summon witnesses, within and without this State, and require testimony under oath, if the Committee so desires, take testimony and require the giving of any information, that will aid the said Committee, by any official or any employee of any department, institution, or industry of this State, and from any official or citizen of this State; and said Committee is hereby given the power to require any and all books and records of any department, institution, industry or official of this State and of the said North Dakota State Taxpayers Association, or of any citizen of this State, or of any corporation doing business within this State, to be produced before said Committee for examination with respect to any matter concerning the said North Dakota State Taxpayers Association, its organization, management, control, membership, finances, conduct, practices and activities, and all other matters and things tending to show all facts and details regarding the organization, management and control of such Association; and such Committee is hereby authorized and empowered to have printed such number of copies of all proceedings had and taken before it, including a transcript of the testimony and records produced before it, if any, together with their recommendations and findings based thereon, as the Committee deems necessary for the use of the Members of the Legislative Assembly, and

BE IT FURTHER RESOLVED that the necessary expenses incurred by this Committee in conducting this investigation shall be defrayed by Legislative appropriation.

Referred to Committee on State Affairs.

#### SECOND READING OF HOUSE BILLS

House Bill No. 39. A Bill for an Act to Amend and Re-enact Section 6 of Chapter 235 of the Session Laws of the State of North Dakota for the Year 1929 as Amended by Chapter 176 of the Session Laws of 1939 and Further Amended

by Chapter 206 of the Session Laws of 1941, Relating to Park District Tax Levies and Providing a Method for Raising Money by the Park District for Specific Purposes in Excess of the Amount Allowed by Law and Providing for a Levy by Park Districts Owning and Maintaining Airports, Purchasing or Acquiring Lands for Airports and for Operating and Maintaining the Same.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 105; nays, 2; absent and not voting, 6.

Those voting in the affirmative were:

Aker	Gainor	Mortenson
Allen, Grand Forks	Graham	Myers
Allen, Pierce	Haag	Nelson
Anderson	Halcrow	Olson, Barnes
Arndt	Halvorson	Olson, Bowman
Bagge	Haugen	Ostgulen
Bauer	Haugland	Peterson, Bottin'au
Baumgartner	Heckman	Peterson, Ransom
Belzer	Hegge	Rettke
Benno	Hildre	Rohde
Bergesen	Hofstrand	Rohrer
Bjella	Hogoboom	Runck
Blair	Holm	Sailer
Bolmeier	Hovey	Sandness
Boulden	Iszler	Saumur
Braun	Jennings	Schmalenberger
Bubel	Johnson, Cass	Schnell
Burau	Johnson, Richland	Schwartz
Bymers	Johnson, Rolette	Sellens
Callahan	Kolpin	Severson
Carlson	Langley	Sharpe
Coghlan	Larson, Ward	Shure
Collette	Larson, Wells	Stair
Dahlen	Leet	Starck
Dalzell	Levin	Sticka
Devlin	Lillehaugen	Stormon
Drovdal	Lunde	Tuff
Ekren	Manstrom	Wambheim
Falconer	Marks	Welk
Fitch	McInnes	Westby
Fleck	Mittag	Williams, Richland
Forseth	Moe	Williams, Sargent
Fraser	Monson	Williams, Stutsm'n
Fuglestad	Morland	Wolf, McIntosh
Gackle	Morrison	Wolf, Morton

Those voting in the negative were:

Mr. Speaker

Absent and not voting:

Crockett	Ohnstad	Twichell
Nystrom	Pyle	Welder

So the bill passed and the title was agreed to.

Rep. Morland moved that the rules be suspended for the purpose of permitting him to offer an amendment to House Bill No. 55, which motion prevailed.

Rep. Morland moved to amend House Bill No. 55 as follows:



In line 1 of the title, after the word "re-enact", insert—  
Section 1 of

After the enacting clause, insert the following:

Section 1. AMENDMENT.) Section 1 of Chapter 160 of the Session Laws of 1941 is hereby amended and re-enacted to read as follows:

Which motion prevailed.

Rep. Morland moved that the rules be suspended and House Bill No. 55 be considered properly engrossed and placed on second reading and final passage, which motion prevailed.

Rep. Johnson of Cass moved that House Bill No. 55 be re-referred to the Committee on Game and Fish.

Rep. Belzer moved the previous question.

The chair was in doubt and a rising vote called for which revealed the motion carried.

The question now being on the motion of Rep. Johnson of Cass, which motion was lost.

House Bill No. 55. A Bill for an Act to Amend and Re-enact Section 1 of Chapter 160 of the Session Laws of 1941 Providing for Retention by County Auditors of a Part of the Resident and Non-Resident Hunting, Fishing and Trapping Licenses Fees.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 100; nays, 8; absent and not voting, 5.

Those voting in the affirmative were:

Allen, Pierce	Halcrow	Nelson
Anderson	Halvorson	Olson, Barnes
Arndt	Haugen	Olson, Bowman
Bagge	Haugland	Ostgulen
Bauer	Heckman	Peterson, Bottin'au
Baumgartner	Hegge	Peterson, Ransom
Belzer	Hildre	Rettke
Benno	Hogboom	Rohde
Bergesen	Holm	Rohrer
Bjella	Hovey	Runck
Blair	Iszler	Sailer
Bolmeier	Jennings	Sandness
Braun	Johnson, Richland	Saumur
Bubel	Johnson, Rolette	Schmalenberger
Bureau	Kolpin	Schnell
Bymers	Langley	Schwartz
Callahan	Larson, Ward	Sellens
Carlson	Larson, Wells	Sharpe
Collette	Leet	Stair
Dahlen	Levin	Starck
Dalzell	Lillehaugen	Sticka
Devlin	Lunde	Stormon
Drovdal	Manstrom	Tuff
Ekren	Marks	Twichell
Falconer	McInnes	Welder
Fitch	Mittag	Welk
Fleck	Moe	Westby
Forseth	Mollet	Williams, Richland
Fraser	Monson	Williams, Sargent
Fuglestad	Morland	Williams, Stutsm'n
Gackle	Morrison	Wolf, McIntosh

Gainor	Mortenson	Wolf, Morton
Graham	Myers	Mr. Speaker
Haag		

Those voting in the negative were:

Aker	Coghlan	Shure
Allen, Grand Forks	Johnson, Cass	Wambheim
Boulden	Severson	

Absent and not voting:

Crockett	Nystrom	Pyle
Hofstrand	Ohnstad	

So the bill passed as amended and the title was agreed to.

Rep. Morland moved that the rules be suspended for the purpose of offering an amendment to the title of House Bill No. 54.

Which motion prevailed.

Rep. Morland moved to amend House Bill No. 54 as follows:

In line 3 of the title, strike out the period and add: Providing for Permits and Fees.

After the enacting clause, insert the following:

Section 1. AMENDMENT.) Section 26 of Chapter 148 of the Session Laws of 1931 as amended by Chapter 157 of the Session Laws, of 1941, is hereby amended and re-enacted to read as follows:

Rep. Morland moved that the rules be suspended and House Bill No. 54 be considered properly engrossed and be placed on second reading and final passage, which motion prevailed.

House Bill No. 54. A Bill for an Act to Amend and Re-enact Section 26 of Chapter 148 of the Session Laws of 1931 as Amended by Chapter 157 of the Session Laws of 1941; Providing for Permits and Fees.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 97; nays, 6; absent and not voting, 10.

Those voting in the affirmative were:

Aker	Gainor	Olson, Bowman
Allen, Grand Forks	Graham	Ostgulen
Allen, Pierce	Haag	Peterson, Bottin'au
Anderson	Halcrow	Peterson, Ransom
Arndt	Haugen	Rettke
Bagge	Haugland	Rohde
Bauer	Heckman	Rohrer
Baumgartner	Hegge	Runck
Belzer	Hildre	Sailer
Benno	Hogoboom	Sandness
Bergesen	Holm	Saumur
Bjella	Hovey	Schmalenberger
Blair	Iszler	Schnell
Bolmeier	Jennings	Schwartz
Boulden	Johnson, Cass	Sellens
Braun	Johnson, Rolette	Severson
Bubel	Langley	Sharpe
Bureau	Larson, Ward	Shure
Bymers	Larson, Wells	Stair
Callahan	Leet	Starck
Carlson	Levin	Sticka

Coghlan	Lillehaugen	Stormon
Collette	Lunde	Tuff
Dahlen	Manstrom	Twichell
Dalzell	Marks	Wambheim
Drovdal	McInnes	Westby
Ekren	Mittag	Williams, Richland
Falconer	Mollet	Williams, Sargent
Fitch	Monson	Williams, Stutsm'n
Fleck	Morland	Wolf, McIntosh
Forseth	Mortenson	Wolf, Morton
Fraser	Nelson	Mr. Speaker
Gackle		

Those voting in the negative were:

Devlin	Halvorson	Moe
Fuglestad	Kolpin	Morrison

Absent and not voting:

Crockett	Nystrom	Pyle
Hofstrand	Ohnstad	Welder
Johnson, Richland	Olson, Barnes	Welk
Myers		

So the bill passed as amended and the title was agreed to.

Rep. Bauer moved that House Bill No. 25 be re-referred to the Committee on Appropriations.

Which motion was lost.

Rep. Twichell moved that neither the remarks of Rep. Bauer in connection with House Bill No. 25 nor the communication from Attorney General Strutz be printed in the Journal, which motion prevailed.

House Bill No. 25. 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, 99; nays, 10; absent and not voting, 4.

Those voting in the affirmative were:

Aker	Haag	Olson, Barnes
Allen, Grand Forks	Halcrow	Olson, Bowman
Allen, Pierce	Haugen	Ostgulen
Anderson	Haugland	Peterson, Bottin'au
Arndt	Heckman	Peterson, Ransom
Bagge	Hegge	Rettke
Benno	Hildre	Rohde
Bergesen	Hofstrand	Rohrer
Bjella	Hogoboom	Runk
Blair	Holm	Sailer
Bolmeier	Hovey	Sandness
Boulden	Jennings	Saumur
Bubel	Johnson, Cass	Schmalenberger
Bureau	Johnson, Richland	Schnell
Bymers	Johnson, Rolette	Schwartz
Callahan	Kolpin	Sellens
Carlson	Langley	Severson
Coghlan	Larson, Ward	Sharpe
Collette	Larson, Wells	Shure
Crockett	Leet	Stair

Dahlen	Levin	Starck
Dalzell	Lillehaugen	Sticka
Devlin	Lunde	Stormon
Drovdal	Manstrom	Tuff
Ekren	Marks	Twichell
Fitch	McInnes	Welder
Fleck	Mittag	Welk
Forseth	Moe	Westby
Fraser	Mollet	Williams, Sargent
Fuglestad	Monson	Williams, Stutsm'n
Gackle	Morland	Wolf, McIntosh
Gainor	Mortenson	Wolf, Morton
Graham	Myers	Mr. Speaker
Those voting in the negative were:		
Bauer	Falconer	Morrison
Baumgartner	Halvorson	Nelson
Belzer	Iszler	Williams, Richland
Braun		
Absent and not voting:		
Nystrom	Pyle	Wambheim
Ohnstad		

So the bill passed as amended and the title was agreed to.

Rep. Boulden moved that the vote by which House Bill No. 25 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

#### REPORT OF SELECT COMMITTEE

Mr. Speaker: Your Select Committee on Welfare beg leave to report that, on Tuesday, January 26, 1943, a joint meeting of the House and Senate select committees, appointed for the purpose of investigating the functions of the State Public Welfare setups, was held with all members except Representative Kolpin present. The committees organized into one unit by electing Representative Graham as chairman and Senator Streibel as temporary secretary. After a general discussion of the various problems and grievances that had been brought to their attention, the need for a method of procedure became very apparent. The result was that committees unanimously agreed that notice be given at once to the State Welfare Board as well as the county Welfare Boards to appear before the committee for an interview. The meeting to be conducted in the hearing room so as to provide enough room for all legislators. The chairman upon request accepted the duties of engaging a competent stenographer for meetings to follow, also, to send out notices to the members of the state and County Welfare Boards. The dates of hearings to be Monday and Tuesday. No further business needing immediate attention the meeting recessed subject to the call of the chairman.

F. J. GRAHAM, Chairman  
R. M. STREIBEL, Secretary

#### GENERAL ORDERS

Rep. Levin moved that the House resolve itself into a committee of the whole for the consideration of general orders; which motion prevailed, and the House resolved itself into a committee of the whole.

The Speaker called Rep. Levin to the chair.

When the committee arose it submitted the following report:

Mr. Speaker: The committee of the whole have had under consideration House Bill No. 45.

Page 2, Line 3, insert the words—or so much thereof as may be necessary,—after the word Dollars.

And recommends the adoption of the Standing Committee Report.

And recommends the adoption of the further amendment:

Strike out the words in the Standing Committee Report “page 2, line 3” and insert in lieu thereof “Section 1, line 3.”

House Bill No. 46.

Sentence prior to line 1—Strike out the word Resolved and insert in lieu thereof the word Enacted.

And recommends the adoption of the Standing Committee Report.

And recommend the adoption of the Standing Committee amendments and the further amendments of the Committee of the Whole.

And when so amended recommend the same do pass.

PALMER LEVIN, Chairman,  
Committee of the Whole.

Rep. Johnson of Cass moved the adoption of the report of the Committee of the Whole, which motion prevailed.

#### MESSAGE FROM THE SENATE

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

Senate Bill No. 49. A Bill for an Act Assessing and Levying from July 1, 1943, to July 1, 1945, on All Licensed Dealers of Motor Vehicle Fuels, a Special Additional License Tax of One Cent Per Gallon on 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 on the State Highway Fund for specific Purposes; Making All Provisions of Initiated Measure Approved June 30, 1926, and Amendments Thereto and Known as the “Motor Vehicle Fuel Tax Law,” Other Than Division of Proceeds Between the State and Counties and Other Than for Costs of Administration and Collection of Other Than Penalties for Violation Applicable to Said Special License Tax; Providing for Exemption of Motor Vehicle Fuels Sold and Used for Agricultural and Industrial Purposes; and Fixing Fines and Penalties for the Violation of the Provisions of This Act.

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

Very respectfully,

W. J. TROUT, Secretary.

Rep. Sellens moved that the vote by which the House adopted the report of the joint Committee on Printing be reconsidered, which motion prevailed.

Rep. Sellens moved that the report of the joint Committee on Printing be amended by reducing the number of printed journals from 3,500 to 2,500, which motion prevailed.

Rep. Sellens moved that the report of the Joint Committee

on Printing be adopted as amended, which motion prevailed and the report was adopted.

The Speaker announced that the House will be on the eleventh order of business, Second Reading of House Bills, until 1:45 o'clock p. m., tomorrow and directed the clerk to continue the reading of House Bill No. 49. The clerk continued the reading of House Bill No. 49.

W. M. SMART, Chief Clerk.

CONTINUATION OF THE TWENTY-THIRD DAY AND  
THE TWENTY-FOURTH DAY

Bismarck, January 28, 1943

The Speaker announced that the House was still on the eleventh order of business, second reading of House Bills, and that the second reading of House Bill No. 49 would now be temporarily interrupted but that it would be resumed later on.

The Speaker announced the House would be on the fifth order of business.

REPORT OF STANDING COMMITTEE

Mr. Speaker: Your Committee on Appropriations to whom was referred House Bill No. 37 have had the same under consideration and recommend that the same be amended as follows:

Line 3—Strike out the figures "\$10,630.00" and insert in lieu thereof the figures "\$11,130.00."

Line 7—Strike out the words "in making of topographic" and insert in lieu thereof the word "for."

Line 8—Strike out the words "maps and."

Line 11—Strike out the figures "\$2,500.00" and insert in lieu thereof the figures "\$3,000.00."

Line 20—Strike out the figures "\$10,630.00" and insert in lieu thereof the figures "\$11,130.00."

And when so amended recommend the same do pass.

REP. JOHNSON OF CASS, Chairman.

Rep. Mittag moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: 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.

REP. JOHNSON OF CASS, Chairman.

Rep. Carlson moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Agriculture to whom was referred House Concurrent Resolution "D," have had the same under consideration and recommend that the same do pass.

REP. OLSON OF BOWMAN, Chairman.

Rep. Haag moved that the report be adopted, which motion prevailed and the report was adopted.

HOUSE COMMITTEE ON ENROLLMENT AND  
ENGROSSMENT

Mr. Speaker: Your Committee on Enrollment and En-

grossment respectfully report that they have examined the following bills and find the same correctly engrossed:

House Bill No. 45.  
House Bill No. 46.  
House Bill No. 54.  
And House Bill No. 55.

REP. MORLAND, Chairman.

Rep. Bureau moved that the report be adopted, which motion prevailed, and the report was adopted.

#### FIRST READING OF HOUSE BILLS AND RESOLUTION

The Committee on Appropriations introduced:

House Bill No. 75. 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.

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

Reps. Schwartz and Hegge introduced:

House Bill No. 76. A Bill for an Act to Amend and Re-enact Section 3 of Chapter 242 of the 1939 Session Laws for North Dakota, as Amended and Re-enacted by Section 2 of Chapter 290 of the 1941 Session Laws of North Dakota, Relating to the Filing of Quarterly Price Lists by the Wholesale Liquor Dealers, and Declaring an Emergency.

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

The Committee on Appropriations introduced:

House Bill No. 77. A Bill for an Act Making an Appropriation Into the "Administrative Fund" for the State Water Conservation Commission for General Administration Expenses, Partial Guarantee of Construction Bonds, Maintenance of Existing Dams, Planning and Surveying Projects, and Expenses of State Compacts.

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

The Committee on Drainage and Irrigation introduced:

House Bill No. 78. A Bill for an Act Requiring the Teaching of the Conservation of Natural Resources in the Public Schools of the State of North Dakota.

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

The Committee on Agriculture introduced:

House Concurrent Resolution "I." A Concurrent Resolution Memorializing Congress to Revise Farm Prices to Permit Reasonable Profit.

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

#### FIRST READING OF SENATE BILLS

Senate Bill No. 49. A Bill for an Act Assessing and Levying from July 1, 1943, to July 1, 1945, on All Licensed Dealers of Motor Vehicle Fuels, a Special Additional License Tax of One Cent Per Gallon on 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 on the



State Highway Fund for specific Purposes; Making All Provisions of Initiated Measure Approved June 30, 1926, and Amendments Thereto and Known as the "Motor Vehicle Fuel Tax Law," Other Than Division of Proceeds Between the State and Counties and Other Than for Costs of Administration and Collection of Other Than Penalties for Violation Applicable to Said Special License Tax; Providing for Exemption of Motor Vehicle Fuels Sold and Used for Agricultural and Industrial Purposes; and Fixing Fines and Penalties for the Violation of the Provisions of This Act.

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

The Speaker announced that House Bill No. 66 on which the Standing Committee Report was read yesterday and action on which was deferred until such time as the bill was printed, was now before the House.

Rep. Holm renewed his motion that the report of the Committee be adopted, which motion prevailed.

Rep. Starck moved that the absent members be excused, which motion prevailed.

Rep. Starck moved that the House do now adjourn, which motion prevailed.

W. M. SMART, Chief Clerk.

#### TWENTY-FOURTH DAY

Bismarck, January 28, 1943

The House convened pursuant to adjournment, Speaker Beede presiding.

Prayer was offered by Rev. R. R. Strutz.

Roll call: All members present except Representatives Nystrom, Ohnstad and Pyle.

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

Mr. Speaker: Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the continuation of the twenty-second day and twenty-third day and finds that the same is correct.

And recommends that the same be approved.

REP. WELDER, Chairman.

Rep. Lunde moved that the report be adopted, which motion prevailed and the report was adopted.

#### MESSAGE TO THE SENATE

House of Representatives

Bismarck, January 28, 1943

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

House Bill No. 25. 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.

House Bill No. 39. A Bill for an Act to Amend and Re-enact Section 6 of Chapter 235 of the Session Laws of the State of North Dakota for the Year 1929 as Amended by Chapter 176 of the Session Laws of 1939 and Further Amended by Chapter 206 of the Session Laws of 1941, Relating to Park District Tax Levies and Providing a Method for Raising Money by the Park District for Specific Purposes in Excess

of the Amount Allowed by Law and Providing for a Levy by Park Districts Owning and Maintaining Airports, Purchasing or Acquiring Lands for Airports and for Operating and Maintaining the Same.

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

Very respectfully,

W. M. SMART, Chief Clerk.

MESSAGE FROM THE SENATE

Senate Chamber

Bismarck, January 28, 1943

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

Senate Bill No. 47. A Bill for an Act to Amend and Re-enact Section 3 of Chapter 267 of the Session Laws of 1927, as Amended by Chapter 282 of the Session Laws of 1931 and Chapter 251 of the Session Laws of 1933, Pertaining to the Estate Tax.

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

Very respectfully,

W. J. TROUT, Secretary.

Rep. Schnell moved that the House request the Senate to return House Bill No. 27.

Which motion was seconded.

Rep. Aker moved that the motion of Rep. Schnell be tabled, which motion was lost on a viva voce vote.

Division was called for, which revealed 52 ayes and 53 nays, so the motion was declared lost.

Rep. Fitch demanded a roll call on the motion of Rep. Aker and a roll call was granted.

ROLL CALL

The question being on the motion of Rep. Aker, the roll was called and there were ayes, 53; nays, 55; absent and not voting, 5.

Those voting in the affirmative were:

Aker	Fitch	Morland
Allen, Grand Forks	Fleck	Olson, Barnes
Allen, Pierce	Fuglestad	Olson, Bowman
Arndt	Gackle	Peterson, Ransom
Bagge	Gainor	Runk
Benno	Halcrow	Sailer
Bergesen	Haugland	Sandness
Bjella	Hildre	Saumur
Blair	Hogoboom	Sellens
Bolmeier	Holm	Severson
Boulden	Hovey	Sharpe
Callahan	Johnson, Cass	Shure
Carlson	Johnson, Richland	Stormon
Coghlan	Johnson, Rolette	Twichell
Collette	Langley	Wambheim
Dahlen	Leet	Westby
Dalzell	Lunde	Williams, Stutsm'n
Ekren	McInnes	

Those voting in the negative were:

Anderson	Iszler	Peterson, Bottin'au
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Bauer	Jennings	Rettke
Baumgartner	Kolpin	Rohde
Braun	Larson, Ward	Rohrer
Bubel	Larson, Wells	Schwartz
Bureau	Levin	Schmalenberger
Bymers	Lillehaugen	Schnell
Crockett	Manstrom	Stair
Devlin	Marks	Starck
Drovdal	Mittag	Sticka
Falconer	Moe	Tuff
Forseth	Mollet	Welder
Fraser	Monson	Welk
Graham	Morrison	Williams, Richland
Haag	Mortenson	Williams, Sargent
Halvorson	Myers	Wolf, McIntosh
Haugen	Nelson	Wolf, Morton
Heckman	Ostgulen	Mr. Speaker
Hegge		

Absent and not voting:

Belzer	Nystrom	Pyle
Hofstrand	Ohnstad	

So the motion was declared lost.

Rep. Marks: "I would like to explain my vote. As a member of the Appropriations Committee I was opposed to the abolition of the Highway Patrol and the way some of these patrolmen operate. I think Mr. Johnson would bear me out on that. I wanted to bring in a minority report at that time but I was the only one in favor of a minority report there at the time, so I am going to vote 'no' at this time."

The Speaker announced the House was now on the original motion of Rep. Schnell.

Rep. Fitch demanded a call of the house.

A call of the house was ordered and the Clerk proceeded to call the roll.

The roll call revealed all present except Reps. Belzer, Nystrom, Ohnstad and Pyle.

Rep. Bolmeier informed the House that Rep. Pyle is at his home at West Fargo.

Rep. Sharpe informed the House that Rep. Nystrom is at his home and will not return today.

Rep. Schnell moved that the call of the house be dispensed with, which motion prevailed.

The Speaker announced that the question now before the House was the original motion of Rep. Schnell, which motion prevailed.

Rep. Bergesen demanded a roll call on the motion of Rep. Schnell and a roll call was granted.

#### ROLL CALL

The question being on the motion of Rep. Schnell, the roll was called and there were ayes, 56; nays, 54; absent and not voting, 3.

Those voting in the affirmative were:

Anderson	Hegge	Peterson, Bottin'au
Bauer	Hofstrand	Rettke
Baumgartner	Iszler	Rohde
Belzer	Jennings	Rohrer
Braun	Kolpin	Schwartz

Bubel	Larson, Ward	Schmalenberger
Bureau	Larson, Wells	Schnell
Bymers	Levin	Stair
Crockett	Lillehaugen	Starck
Devlin	Manstrom	Sticka
Drovdal	Marks	Tuff
Falconer	Mittag	Welder
Forseth	Mollet	Welk
Fraser	Monson	Williams, Richland
Graham	Morrison	Williams, Sargent
Haag	Mortenson	Wolf, McIntosh
Halvorson	Myers	Wolf, Morton
Haugen	Nelson	Mr. Speaker
Heckman	Ostgulen	

Those voting in the negative were:

Aker	Fitch	Moe
Allen, Grand Forks	Fleck	Morland
Allen, Pierce	Fuglestad	Olson, Barnes
Arndt	Gackle	Olson, Bowman
Bagge	Gainor	Peterson, Ransom
Benno	Halcrow	Runck
Bergesen	Haugland	Sailer
Bjella	Hildre	Sandness
Blair	Hogoboom	Saumur
Bolmeier	Holm	Sellens
Boulden	Hovey	Severson
Callahan	Johnson, Cass	Sharpe
Carlson	Johnson, Richland	Shure
Coghlan	Johnson, Rolette	Stormon
Collette	Langley	Twichell
Dahlen	Leet	Wambheim
Dalzell	Lunde	Westby
Ekren	McInnes	Williams, Stutsm'n

Absent and not voting:

Nystrom	Ohnstad	Pyle
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So the motion was declared carried.

MESSAGE TO THE SENATE

House of Representatives  
Bismarck, January 28, 1943

Mr. President: I have the honor to inform you that the House has requested the return of:

House Bill No. 27. 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.

W. M. SMART, Chief Clerk.

SECOND READING OF HOUSE BILLS

House Bill No. 45. A Bill for an Act Making an Appropriation to Reimburse Griggs County in the Sum of Nine Thousand Eight Hundred Forty-nine and 85/100 (\$9,849.85) Dollars, Penalty and Interest Belonging to Griggs County, But Erroneously and Inadvertently Remitted to the State and Declaring an Emergency

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as

amended, the roll was called and there were ayes, 109; nays, 0; absent and not voting, 4.

Those voting in the affirmative were:

Aker	Graham	Myers
Allen, Grand Forks	Haag	Nelson
Allen, Pierce	Halcrow	Olson, Barnes
Anderson	Halvorson	Olson, Bowman
Arndt	Haugen	Ostgulen
Bagge	Haugland	Peterson, Bottin'au
Bauer	Heckman	Peterson, Ransom
Baumgartner	Hegge	Rettke
Belzer	Hildre	Rohde
Benno	Hofstrand	Rohrer
Bergesen	Hogoboom	Runk
Bjella	Holm	Sailer
Blair	Hovey	Sandness
Bolmeier	Iszler	Saumur
Boulden	Jennings	Schmalenberger
Braun	Johnson, Cass	Schnell
Bubel	Johnson, Richland	Schwartz
Burau	Johnson, Rolette	Sellens
Bymers	Kolpin	Severson
Callahan	Langley	Sharpe
Carlson	Larson, Ward	Shure
Coghlan	Larson, Wells	Stair
Collette	Leet	Starck
Crockett	Levin	Sticka
Dahlen	Lillehaugen	Stormon
Dalzell	Lunde	Tuff
Devlin	Manstrom	Twichell
Drovdal	Marks	Wambheim
Ekren	McInnes	Welk
Falconer	Mittag	Westby
Fitch	Moe	Williams, Richland
Fleck	Mollet	Williams, Sargent
Forseth	Monson	Williams, Stutsman
Fraser	Morland	Wolf, McIntosh
Fuglestad	Morrison	Wolf, Morton
Gackle	Mortenson	Mr. Speaker
Gainor		

Absent and not voting:

Nystrom	Pyle	Welder
Ohnstad		

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

House Bill No. 46. A Bill for an Act Making an Appropriation to Reimburse Dickey County in the Sum of Eleven Thousand, Nine Hundred Sixty-six and no/100 (\$11,966.00) Dollars, Penalty and Interest Belonging to Dickey County, But Erroneously and Inadvertently Remitted to the State and Declaring an Emergency.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 108; nays, 0; absent and not voting, 5.

Those voting in the affirmative were:

Aker	Graham	Nelson
Allen, Grand Forks	Haag	Olson, Barnes

Allen, Pierce	Halcrow	Olson, Bowman
Anderson	Haugen	Ostgulen
Arndt	Haugland	Peterson, Bottin'au
Bagge	Heckman	Peterson, Ransom
Bauer	Hegge	Rettke
Baumgartner	Hildre	Rohde
Belzer	Hofstrand	Rohrer
Benno	Hogoboom	Runck
Bergesen	Holm	Sailer
Bjella	Hovey	Sandness
Blair	Iszler	Saumur
Bolmeier	Jennings	Schmalenberger
Boulden	Johnson, Cass	Schnell
Braun	Johnson, Richland	Schwartz
Bubel	Johnson, Rolette	Sellens
Burau	Kolpin	Severson
Bymers	Langley	Sharpe
Callahan	Larson, Ward	Shure
Carlson	Larson, Wells	Stair
Coghlan	Leet	Starck
Collette	Levin	Sticka
Crockett	Lillehaugen	Stormon
Dahlen	Lunde	Tuff
Devlin	Manstrom	Twichell
Drovdal	Marks	Wambheim
Ekren	McInnes	Welder
Falconer	Mittag	Welk
Fitch	Moe	Westby
Fleck	Mollet	Williams, Richland
Forseth	Monson	Williams, Sargent
Fraser	Morland	Williams, Stutsm'n
Fuglestad	Morrison	Wolf, McIntosh
Gackle	Mortenson	Wolf, Morton
Gainor	Myers	Mr. Speaker
Absent and not voting:		
Dalzell	Nystrom	Pyle
Halvorson	Ohnstad	

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

Rep. Bergesen moved that the vote by which House Bill No. 46 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

#### GENERAL ORDERS

Rep. Crockett moved that the House resolve itself into a committee of the whole for the consideration of general orders; which motion prevailed, and the House resolved itself into a committee of the whole.

The Speaker called Rep. Crockett to the chair.

When the committee arose it submitted the following report:

Mr. Speaker: The committee of the whole have had under consideration:

House Bill No. 42.

And recommend the same be re-referred to the Tax and Tax Laws Committee.

House Bill No. 10.

Line 3—Strike out the figures \$30,575.00 and insert in lieu thereof the figures "\$33,575.00".

Insert new line "24½ International Peace Gardens \$2,500.00".

Line 25—Strike out the figures \$500.00 and insert in lieu thereof the figures "\$1,000.00".

Line 27—Strike out the figures \$11,950.00 and insert in lieu thereof the figures "\$14,950.00".

Line 28—Strike out the figures \$30,575.00 and insert in lieu thereof the figures "\$33,575.00".

And when so amended recommend the same do pass.  
House Bill No. 58.

Section 1, Line 10 after the words "pursuing and shooting", add, "on his premises".

And when so amended recommend the same do pass.

REP. CROCKETT, Chairman,  
Committee of the Whole.

Rep. Haugen moved the adoption of the report of the committee of the whole, which motion prevailed.

#### REPORTS OF STANDING COMMITTEES

Mr. Speaker: 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:

Lines 2 and 3—After the word "Treasury" strike out the words "collected from Coal Mine License fees".

Line 4—Strike out the figures "\$9,810.00" and insert the figures "\$11,560.00".

Line 10—Strike out the figures "\$4,200.00" and insert the figures "\$4,500.00".

Line 11—Strike out the figures "\$2,160.00" and insert the figures "\$2,760.00".

Line 12—Strike out the figures "\$1,250.00" and insert the figures "\$1,500.00".

Line 13—Strike out the figures "\$200.00" and insert the figures "\$300.00".

Line 14—Strike out the figures "\$1,500.00" and insert the figures "\$2,000.00".

Line 17—Strike out the figures "\$9,810.00" and insert the figures "\$11,560.00".

And when so amended recommend the same do pass.

REP. JOHNSON OF CASS, Chairman.

Rep. Olson of Barnes moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Appropriations to whom was referred House Bill No. 30, have had the same under consideration and recommend that the same be amended as follows:

After the word "appropriation" in line 1 of the title, add "and an additional appropriation" and at the end of the title strike out the period after the word "Fund" and insert the words "and declaring an emergency".

Line 3—Strike out the figures "\$10,295.00" and insert the figures "\$14,295.00" and after the figures in line 3, insert "and an additional appropriation of \$600.00".

Line 9—Strike out the figures "\$3,000.00" and insert the figures "\$7,000.00".

Line 16—Strike out the figures "\$10,295.00" and insert the figures "\$14,295.00".

Add the following:

"17 Section 2. ADDITIONAL APPROPRIATION FOR  
18 JANUARY 1, 1943 TO JUNE 30, 1943.)  
19 Salaries .....\$600.00  
20 EMERGENCY.) It is hereby declared an emer-  
21 gency to make an additional appropriation to the general  
22 appropriation available salaries for employees of the  
23 Teachers Retirement Fund from January 1, 1943 to June  
24 30, 1943. An emergency is hereby declared to exist and  
25 this act shall be in full force and effect after its  
25a passage and approval."

And when so amended recommend the same do pass.

REP. JOHNSON OF CASS, Chairman.

Rep. Graham moved that the report be adopted, which motion prevailed and the report was adopted.

The Speaker announced that the House will be on the eleventh order of business, second reading of House Bills, until 1:45 o'clock p. m., tomorrow and directed the Clerk to continue the reading of House Bill No. 49. The Clerk continued the reading of House Bill No. 49.

W. M. SMART, Chief Clerk.



CONTINUATION OF THE TWENTY-FOURTH DAY  
AND THE TWENTY-FIFTH DAY

Bismarck, January 29, 1943

The Speaker announced that the House was still on the eleventh order of business, Second Reading of House Bills, and that the second reading of House Bill No. 49 would now be temporarily interrupted but that it would be resumed later on.

The Speaker announced the House would be on the fifth order of business.

## REPORTS OF STANDING COMMITTEES

Mr. Speaker: 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:

Line 3—Strike out the figures "\$134,300.00" and insert the figures "135,500.00".

Line 10—Strike out the figures "\$6,000.00" and insert the figures "\$6,600.00".

Line 11—Strike out the figures "\$2,400.00" and insert the figures "\$3,000.00".

Line 19—Strike out the figures "\$34,300.00" and insert the figures "\$35,500.00".

Line 24—Strike out the figures "\$134,300.00" and insert the figures "\$135,500.00".

And when so amended recommend the same do pass.

REP. JOHNSON OF CASS, Chairman.

Rep. Stormon moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Game and Fish to whom was referred House Bill No. 59, have had the same under consideration and recommend that the same do pass.

REP. BENNO, Chairman.

Rep. Bymers moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Livestock to whom was referred House Bill No. 65, have had the same under consideration and recommend that the same do pass.

REP. HALVORSON, Chairman.

Rep. Hofstrand moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on State Affairs to whom was referred House Concurrent Resolution "E," have had the

same under consideration and recommend that the same do pass.

REP. TWICHELL, Chairman.

Rep. Sandness moved that the report be adopted, which motion prevailed and the report was adopted.

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

House Bill No. 10.

House Bill No. 58.

And find the same correctly Engrossed.

REP. MORLAND, Chairman.

Rep. Monson moved that the report be adopted, which motion prevailed, and the report was adopted.

#### FIRST READING OF HOUSE BILLS

Rep. Bauer introduced:

House Bill No. 79. A Bill for an Act to Amend and Re-enact Sections 5 and 9 of Chapter 111 Session Laws of 1941, Relating to the Disposition of and Bounty Paid for Rattlesnake Tails and Making an Appropriation for the Payment of Bounty.

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

Reps. Dahlen, Severson, Bergesen, Welk and Starck introduced:

House Bill No. 80. A Bill for an Act to Amend and Re-enact Section 17 of Chapter 162 of the Session Laws of North Dakota for the Year 1919, as Amended and Re-enacted by Section 6 of Chapter 286 of the Session Laws of North Dakota for the Year 1935, Relating to Decisions of the Workmen's Compensation Bureau, and Providing for Appeals from Such Decisions.

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

Reps. Anderson and Rohde introduced:

House Bill No. 81. A Bill for an Act Authorizing the Board of University and School Lands to Sell and Dispose of Both Dead and Standing Timber Grown Upon Lands Belonging to the Permanent School and Institutional Funds of the State of North Dakota for Fuel, Fence Posts, or Lumber, If and When, in the Discretion of Such Board, Such Sale Shall Be for the Best Interests of Such Funds; and Authorizing Said Board to Make Rules and Regulations Necessary to Effect the Purposes of This Act:

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

The Committee on Drainage and Irrigation introduced:

House Bill No. 82. A Bill for an Act to Ratify and Approve the Compact Between the States of Montana, North Dakota and Wyoming, Providing for an Equitable Apportionment of the Waters in the Yellowstone River Basin Among Said States.

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

Reps. Hofstrand, Langley, Heckman, Dahlen, Starck and Bagge introduced:

House Bill No. 83. A bill for an Act to Equalize Taxation

and Replace in Part the Tax on Property; to Provide the Public Revenue to Be Used for Such Replacement by Imposing a Tax on the Gross Receipts from Retail Sales as Defined Herein; to Provide for the Collection of Such Tax, the Distribution and Use of the Revenue Derived Therefrom, and the Administration of Said Law; to Provide for Certain Deductions and Exemptions; Establishing a Lien for the Payment of Such Tax; to Fix Fines and Penalties for the Violation of the Provisions of This Act; to Repeal All Laws or Parts of Laws in Conflict Herewith, and Declaring an Emergency.

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

Rep. Johnson of Cass introduced:

House Bill No. 84. A Bill for an Act Amending and Re-enacting Section 4 of Chapter 168 of the Laws of 1919 and Acts Amendatory Thereof, Pertaining to Salary of Clerical Help.

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

The Committee on Drainage and Irrigation introduced:

House Concurrent Resolution "J." A Concurrent Resolution Regarding the Policy of the State of North Dakota to Maintain Its Jurisdiction and Control Over the Rights to the Use of the Waters in This State.

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

The Committee on Education introduced:

House Bill No. 85. A Bill for an Act Making an Appropriation to Pay for a Portion of the Current Operating Expenses of Our Public School System as Provided in the State Equalization Fund Law.

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

Reps. Anderson, Ostgulen and Callahan introduced:

House Bill No. 86. A Bill for an Act to Amend and Re-enact Section 10248 of the 1925 Supplement to the 1913 Compiled Laws of North Dakota Relating to the Removal, Concealing, Selling or Disposing of Chattels Subject to Liens.

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

Rep. Bauer introduced:

House Bill No. 87. A Bill for an Act Making an Appropriation for the Purpose of Returning to the State Hail Insurance Fund the Balance of the Money, Amounting to \$900,000 (Nine Hundred Thousand Dollars) Diverted Therefrom by Chapter 155 of the Session Laws for 1935, With Interest Thereon, and Repealing All Acts or Parts of Acts in Conflict Herewith.

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

Reps. Saumur and Bergesen introduced:

House Bill No. 88. A Bill for an Act to Amend and Re-enact Section 2346a18 of the 1925 Supplement to the Compiled Laws of North Dakota, as Amended by Section 4 of

Chapter 283, Session Laws of 1931, as Further Amended by Section 2 of Chapter 241, Session Laws of 1937, and as Further Amended by Section 1 of Chapter 228, Session Laws of 1939; Providing Additional Deductions in Computing Net Income for Income Tax Purposes, and Declaring an Emergency.

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

Reps. Schnell, Bymers, Kolpin and Anderson introduced:

House Bill No. 89. A Bill for an Act to appropriate the Sum of \$5,000.00 (Five Thousand Dollars) or so Much Thereof as May Be Needed, for the Purpose of Paying the Per Diem and Expenses of Investigators and Employees, the Per Diem and Mileage of Witnesses and Expenses for Printing and Supplies, to Be Incurred by the Special Committee of the House of Representatives Appointed Under the Authority and Provisions of House Resolution "H" of the 28th Legislative Assembly of the State of North Dakota, to Investigate the North Dakota State Taxpayers Association.

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

#### FIRST READING OF SENATE BILLS

Senate Bill No. 47. A Bill for an Act to Amend and Re-enact Section 3 of Chapter 267 of the Session Laws of 1927, as Amended by Chapter 282 of the Session Laws of 1931 and Chapter 251 of the Session Laws of 1933, Pertaining to the Estate Tax.

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

Rep. Wolf of McIntosh moved that the absent members be excused, which motion prevailed.

Rep. Wolf of McIntosh moved that the House do now adjourn, which motion prevailed.

W. M. SMART, Chief Clerk.

#### TWENTY-FIFTH DAY

Bismarck, January 29, 1943

The House convened pursuant to adjournment, Speaker Beede presiding.

Prayer was offered by Rev. R. R. Strutz.

Roll call: All members were present except Representatives Blair and Nystrom.

#### MESSAGE TO THE SENATE

House of Representatives

Bismarck, January 29, 1943

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

House Bill No. 55. A Bill for an Act to Amend and Re-enact Section 1 of Chapter 160 of the Session Laws of 1941 Providing for Retention by County Auditors of a Part of the Resident and Non-Resident Hunting, Fishing and Trapping Licenses Fees.

House Bill No. 54. A Bill for an Act to Amend and Re-enact Section 26 of Chapter 148 of the Session Laws of 1931 as Amended by Chapter 157 of the Session Laws of 1941; Providing for Permits and Fees.

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

Very respectfully,

W. M. SMART, Chief Clerk.

MESSAGE FROM THE SENATE

Senate Chamber

Bismarck, January 29, 1943

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

Senate Bill No. 14. A Bill for an Act Making an Appropriation to Defray the Expenses for the Bee Keepers Act.

Senate Bill No. 46. 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. 53. A Bill for an Act to Amend and Re-enact Chapter 118 of the Session Laws of 1933 as Amended by Chapter 158 of the Session Laws of 1941.

Senate Bill No. 24. A Bill for an Act Authorizing the Board of Administration to Sell and Convey to the Baptist Old People's Home, a North Dakota Corporation, a Certain Tract in the Southeast Corner of the Capitol Grounds.

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

Very respectfully,

W. J. TROUT, Secretary.

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

Mr. Speaker: Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the continuation of the twenty-third day and the twenty-fourth day and finds that the same is correct.

And recommends that the same be approved.

REP. WELDER, Chairman.

Rep. Lunde moved that the report be adopted, which motion prevailed and the report was adopted.

SECOND READING OF HOUSE BILLS

House Bill No. 34. A Bill for an Act Making an Appropriation for the Financing of the Operations of the State Soil Conservation Committee or the Activities of the State Soil Conservation Districts.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 110; nays, 0; absent and not voting, 3.

Those voting in the affirmative were:

Aker	Haag	Olson, Barnes
Allen, Grand Forks	Halcrow	Olson, Bowman
Allen, Pierce	Halvorson	Ostgulen
Anderson	Haugen	Peterson, Bottin'au
Arndt	Haugland	Peterson, Ransom
Bagge	Heckman	Pyle

Bauer	Hegge	Rettke
Baumgartner	Hildre	Rohde
Belzer	Hofstrand	Rohrer
Benno	Hogoboom	Runk
Bergesen	Holm	Sailer
Bjella	Hovey	Sandness
Bolmeier	Iszler	Saumur
Boulder	Jennings	Schmalenberger
Braun	Johnson, Cass	Schnell
Bubel	Johnson, Richland	Schwartz
Burau	Kolpin	Sellens
Bymers	Langley	Severson
Callahan	Larson, Ward	Sharpe
Carlson	Larson, Wells	Shure
Coghlan	Leet	Stair
Collette	Levin	Starck
Crockett	Lillehaugen	Sticka
Dahlen	Lunde	Stormon
Dalzell	Manstrom	Tuff
Devlin	Marks	Twichell
Drovdal	McInnes	Wambheim
Ekren	Mittag	Welder
Falconer	Moe	Welk
Fitch	Mollet	Westby
Fleck	Monson	Williams, Richland
Forseth	Morland	Williams, Sargent
Fraser	Morrison	Williams, Stutsm'n
Fuglestad	Mortenson	Wolf, McIntosh
Gackle	Myers	Wolf, Morton
Gainor	Nelson	Mr. Speaker
Graham	Ohnstad	

Absent and not voting:

Blair Johnson, Rolette Nystrom

So the bill passed and the title was agreed to.

Rep. Fitch moved that the vote by which House Bill No. 34 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

House Bill No. 66. A Bill for an Act to Amend and Re-enact Section 2 of Chapter 238, Session Laws of 1931, Providing for the Letting of Contracts to Furnish Vehicular Transportation to School Districts to the Lowest Bidder; Requiring a Bond; and Fixing the Qualifications of the Operators of Such Vehicles and the Requirements of Such Vehicle.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 104; nays, 6; absent and not voting, 3.

Those voting in the affirmative were:

Aker	Haag	Ostgulen
Allen, Grand Forks	Halcrow	Peterson, Bottin'au
Allen, Pierce	Haugen	Peterson, Ransom
Anderson	Haugland	Pyle
Arndt	Heckman	Rettke
Bagge	Hegge	Rohde
Bauer	Hildre	Rohrer

Baumgartner	Hofstrand	Runk
Belzer	Hogoboom	Sailer
Benno	Holm	Sandness
Bergesen	Hovey	Saumur
Bjella	Iszler	Schmalenberger
Bolmeier	Jennings	Schnell
Boulden	Johnson, Cass	Schwartz
Braun	Johnson, Richland	Sellens
Bubel	Langley	Severson
Burau	Larson, Ward	Sharpe
Bymers	Larson, Wells	Shure
Callahan	Leet	Stair
Carlson	Lillehaugen	Starck
Coghlan	Lunde	Sticka
Collette	Manstrom	Stormon
Crockett	Marks	Tuff
Dahlen	McInnes	Twichell
Dalzell	Mittag	Wambheim
Devlin	Mollet	Welder
Drovdal	Monson	Welk
Ekren	Morland	Westby
Falconer	Morrison	Williams, Richland
Fitch	Mortenson	Williams, Sargent
Fleck	Myers	Williams, Stutsm'n
Forseth	Nelson	Wolf, McIntosh
Gackle	Ohnstad	Wolf, Morton
Gainor	Olson, Barnes	Mr. Speaker
Graham	Olson, Bowman	
Those voting in the negative were:		
Fraser,	Halvorson	Levin
Fuglestad	Kolpin	Moe

Absent and not voting:

Blair Johnson, Rolette Nystrom

So the bill passed and the title was agreed to.

House Bill No. 10. A Bill for an Act Making an Appropriation to the State Historical Society, for Salary and General Expenses and Maintenance of State Parks.

Was read the second time,

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 109; nays, 0; absent and not voting, 4.

Those voting in the affirmative were:

Aker	Haag	Ohnstad
Allen, Grand Forks	Halcrow	Olson, Barnes
Allen, Pierce	Halvorson	Olson, Bowman
Anderson	Haugen	Ostgulen
Arndt	Haugland	Peterson, Bottin'au
Bagge	Heckman	Peterson, Ransom
Bauer	Hegge	Pyle
Baumgartner	Hildre	Rettke
Belzer	Hofstrand	Rohde
Benno	Hogoboom,	Rohrer
Bergesen	Holm	Runk
Bjella	Hovey	Sailer
Bolmeier	Iszler	Sandness
Boulden	Jennings	Schmalenberger
Braun	Johnson, Cass	Schnell
Bubel	Johnson, Richland	Schwartz

Burau	Kolpin	Sellens
Bymers	Langley	Severson
Callahan	Larson, Ward	Sharpe
Carlson	Larson, Wells	Shure
Coghlan	Leet	Stair
Collette	Levin	Starck
Crockett	Lillehaugen	Sticka
Dahlen	Lunde	Stormon
Dalzell	Manstrom	Tuff
Devlin	Marks	Twichell
Drovdal	McInnes	Wambheim
Ekren	Mittag	Welder
Falconer	Moe	Welk
Fitch	Mollet	Westby
Fleck	Monson	Williams, Richland
Forseth	Morland	Williams, Sargent
Fraser	Morrison	Williams, Stutsm'n
Fuglestad	Mortenson	Wolf, McIntosh
Gackle	Myers	Wolf, Morton
Gainor	Nelson	Mr. Speaker
Graham		

Absent and not voting:

Blair	Nystrom	Saumur
Johnson, Rolette		

So the bill passed as amended, and the title was agreed to.

House Bill No. 58. A Bill for an Act to Amend and Re-nact Chapter 156 of the Session Laws of 1941, Making It a Misdemeanor for Any Person to Hunt and Pursue Any Wild Life With the Aid of a Spot Light or Any Other Kind of Artificial Light, Except Under Certain Conditions.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 106; nays, 1; absent and not voting, 6.

Those voting in the affirmative were:

Aker	Halcrow	Ohnstad
Allen, Grand Forks	Halvorson	Olson, Barnes
Allen, Pierce	Haugen	Olson, Bowman
Anderson	Haugland	Ostgulen
Arndt	Heckman	Peterson, Bottin'au
Bagge	Hegge	Peterson, Ransom
Bauer	Hildre	Pyle
Baumgartner	Hofstrand	Rettke
Belzer	Hogoboom	Rohde
Benno	Holm	Rohrer
Bergesen	Hovey	Runk
Bjella	Iszler	Sailer
Bolmeier	Jennings	Sandness
Boulden	Johnson, Cass	Saumur
Braun	Johnson, Richland	Schmalenberger
Bubel	Kolpin	Schnell
Burau	Langley	Schwartz
Bymers	Larson, Ward	Sellens
Callahan	Larson, Wells	Sharpe
Carlson	Leet	Shure
Coghlan	Levin	Starck
Collette	Lillehaugen	Sticka
Crockett	Lunde	Stormon



Dalzell	Manstrom	Tuff
Devlin	Marks	Twichell
Drovdal	McInnes	Wambheim
Ekren	Mittag	Welder
Falconer	Moe	Welk
Fitch	Mollet	Westby
Fleck	Monson	Williams, Richland
Forseth	Morland	Williams, Sargent
Fraser	Morrison	Williams, Stutsm'n
Gackle	Mortenson	Wolf, McIntosh
Gainor	Myers	Wolf, Morton
Graham	Nelson	Mr. Speaker
Haag		

Those voting in the negative were:

Fuglestad

Absent and not voting:

Blair	Johnson, Rolette	Severson
Dahlen	Nystrom	Stair

So the bill passed as amended, and the title was agreed to.

House Concurrent Resolution "D" was read the second time.

Rep. Graham moved that House Concurrent Resolution "D" be adopted, which motion prevailed and House Concurrent Resolution "D" was adopted.

Rep. Falconer requested that the House revert to the fifth order of business.

Which request was granted.

#### REPORT OF STANDING COMMITTEE

Whereas the House of Representatives of the State of North Dakota on January 20, 1943 received a communication signed by Arthur W. Link who claims to have been employed by the State Highway Department for some considerable length of time and who left that department for service in the United States military forces. He further claims that when he left the above mentioned department it was with the understanding that the job he was leaving would be open for him on his return. And furthermore, that after having received an honorable discharge from the military forces of our Nation that he returned and found his former position filled by another person and that he now finds himself walking the streets looking for work. The above communication was referred to the Military Affairs Committee for consideration.

On January 21 that committee requested the appearance of Mr. Lamb, Highway Commissioner, and Mr. Robinson, under whom Mr. Link worked. At that meeting, Mr. Lamb presented from the records of the Highway Department the case history of the employment of Mr. Arthur W. Link, which portended to show that Mr. Link had been employed for some considerable length of time prior to his entry into military service and Mr. Lamb stated that after Mr. Link's return after he had been honorably discharged from the Nation's military service that he appeared for re-employment but because of the curtailment of Highway Department activities that the mail carrying position which Mr. Link formerly held was no longer a full time job but had been consolidated with other work under another employee. For this reason, Mr. Link was employed in the Highway shops and after a little over two months of employment in that position Mr. Link volun-

tarily left his work to seek employment in some war industry.

Mr. Fitch read Section 51 of Chapter 221 of the Military Code of 1941 which required that ex-servicemen on return from military service be taken back into employment without loss of status and asked Mr. Lamb if he believed that he had conformed to that law. Mr. Lamb said that, in his opinion he had, for Mr. Link earned more money per month in the new position than he had earned in the one he left. Mr. Lamb was excused and the committee, after some discussion decided that whether Mr. Lamb complied or not with the provision of the Military Code depended to a large extent on the definition of the word "status". A motion was made by Mr. Fitch and seconded by Mr. Starck and approved that the Chairman of the Military Affairs Committee be appointed as a committee of one to contact the Attorney General's Office for a legal definition of the word "status" as it applies to Section 51 of Chapter 221 of the 1941 Session Laws.

At a meeting of the Military Affairs Committee held on the 27th day of January, the Chairman of that committee reported that he had received a written opinion in regard to the matter which was read by the Secretary, and after some discussion, the Chairman was authorized to prepare a letter covering the committee action and to be sent to the State Highway Commissioner together with a copy of opinion of the Attorney General's Office respectfully requesting the Highway Commissioner to re-employ Mr. Link in his former position in accordance with the law as explained by the Attorney General's office, notwithstanding the fact that it may be necessary to discharge the man now holding the position.

Mr. Speaker, I move the adoption of this report for the reason that our committee firmly believes that unless the ex-service men are very strictly protected in their rights to re-employment, the morale of all or a great portion of our boys in active military service will be very seriously affected.

WILLIAM B. FALCONER,  
Chairman of Military Affairs  
Committee.

C O P Y  
State of North Dakota  
OFFICE OF ATTORNEY GENERAL  
Bismarck  
January 21, 1943

Hon. W. B. Falconer, Chairman  
Military Affairs Committee,  
House of Representatives,  
Bismarck, North Dakota.

Dear Mr. Falconer:

This is in reply to your request for the opinion of this office as to the signification of the word "status", as it appears in Section 51 of Chapter 221 of the Session Laws of 1941, known as the "Military Code", as to its application to officers and employees enumerated in said section, and who are called or who volunteer for service in the armed forces of the United States.

Said Section 51 reads as follows:

"STATE AND MUNICIPAL OFFICERS AND EMPLOYEES NOT TO LOSE PAY WHILE ON DUTY.) ALL officers and employees of the State, or a subdivision

thereof, or a municipality therein, who are members of the National Guard, or members of the Officers' Reserve Corps of the United States of America, or who shall be subject to call or induction into the Federal service by the President of the United States, or who shall volunteer for such service, shall, when ordered by proper authority to active non-civilian service, be entitled to a leave of absence from such civil employment for the period of such active service, without loss of status or efficiency rating, and without loss of pay during the first thirty days of such leave of absence."

The word "status" has several times been defined by the Courts. For instance in the case of *Duryea -v- Durves*, 269 Pac. 987, the definition is given thus:

"Status of individual in a legal sense being legal relation in which that individual stands to the rest of the community."

In the case of *Holzer -v- Deutsche Reichsbahn Gesellschaft* (290 N. Y. S. 181) "status" is held to mean:

"Legal personal relationship not temporary in its nature nor terminable at the mere will of the parties with which third persons and the State are concerned."

Webster's International Dictionary defines "status" as; "The condition of a person by which the nature of his legal personality is determined, and therefore, the nature of his legal relations to the state or to other persons into which he may enter, including as commonly used, a person's condition arising out of \*\*\*\*\* public station."

By way of illustration, we will suppose that "A" is a deputy in a State office. He is called into the armed forces of the United States. During his absence the position is filled by "B". After service, "A" is honorably discharged and returns. Upon his return, under said Section 51, supra, "A" has the privilege and it is the duty of the State officer whose deputy he was, to re-instate him as such deputy.

You further suggested the following situation: "B" who took "A's" place, also was called into service, and he likewise, was honorably discharged. "A" and "B" return at the same time. Which one is entitled to first consideration? It seems to me, that the priority rule would apply here. "A" was first called into service, and when "B" took his place, he took it subject to the right of "A", and therefore, "A" would have priority and have the choice of accepting or rejecting the position first held by him.

In view of the definition by the Courts of the word "status" as it applies to the relationship of persons to the State and privileges extended by the State, the foregoing would be the legal and logical conclusion as to the meaning and signification of the word "status" as used in Section 51, supra.

Respectfully submitted,

(signed) P. O. SATHRE,

Assistant Attorney General.

Rep. Falconer moved that the report of the Committee on Military Affairs be adopted, which motion prevailed.

#### GENERAL ORDERS

Rep. Sandness moved that the House resolve itself into a committee of the whole for the consideration of general

orders; which motion prevailed, and the House resolved itself into a committee of the whole.

The Speaker called Rep. Sandness to the chair.

When the committee arose it submitted the following report:

Mr. Speaker: The committee of the whole have had under consideration:

House Bill No. 37:

Line 3—Strike out the figures "\$10,630.00" and insert in lieu thereof the figures "\$11,130.00."

Line 7—Strike out the words "in making of topographic" and insert in lieu thereof the word "for."

Line 8—Strike out the words "maps and."

Line 11—Strike out the figures "\$2,500.00" and insert in lieu thereof the figures "\$3,000.00."

Line 20—Strike out the figures "\$10,630.00" and insert in lieu thereof the figures "\$11,130.00."

And when so amended recommend the same do pass.

House Bill No. 17.

Lines 2 and 3—After the word "Treasury" strike out the words "collected from Coal Mine License fees."

Line 4—Strike out the figures "\$9,810.00" and insert the figures "\$11,560.00".

Line 10—Strike out the figures "\$4,200.00" and insert the figures "\$4,500.00".

Line 11—Strike out the figures "\$2,160.00" and insert the figures "\$2,760.00".

Line 12—Strike out the figures "\$1,250.00" and insert the figures "\$1,500.00".

Line 13—Strike out the figures "\$200.00" and insert the figures "\$300.00".

Line 14—Strike out the figures "\$1,500.00" and insert the figures "\$2,000.00".

Line 17—Strike out the figures "\$9,810.00" and insert the figures "\$11,560.00".

And when so amended recommend the same do pass.

House Bill No. 30.

After the word "appropriation" in line 1 of the title, add "and an additional appropriation" and at the end of the title strike out the period after the word "Fund" and insert the words "and declaring an emergency".

Line 3—Strike out the figures "\$10,295.00" and insert the figures "\$14,295.00" and after the figures in line 3, insert "and an additional appropriation of \$600.00".

Line 9—Strike out the figures "\$3,000.00" and insert the figures "\$7,000.00".

Line 16—Strike out the figures "\$10,295.00" and insert the figures "\$14,295.00".

Add the following:

"17	Section 2. ADDITIONAL APPROPRIATION FOR	
18	JANUARY 1, 1943 TO JUNE 30, 1943.)	
19	Salaries .....	\$600.00
20	EMERGENCY.) It is hereby declared an emer-	

21 gency to make an additional appropriation to the general  
 22 appropriation available salaries for employees of the  
 23 Teachers Retirement Fund from January 1, 1943 to June  
 24 30, 1943. An emergency is hereby declared to exist and  
 25 this act shall be in full force and effect after its  
 25a passage and approval."

And when so amended recommend the same do pass.

REP. SANDNESS, Chairman,  
 Committee of the Whole.

Rep. Westby moved the adoption of the report of the Committee of the Whole, which motion prevailed.

#### MESSAGE FROM THE SENATE

Senate Chamber  
 Bismarck, January 29, 1943

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

Senate Bill No. 36. A Bill for an Act to Divide the State of North Dakota Into Two (2) Congressional Districts, and Defining the Boundaries of Each of Said Congressional Districts.

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

Very respectfully,

W. J. TROUT, Secretary.

Rep. Braun reported that the committee selected to purchase flowers for the funeral of our former member, Mr. A. J. Loudenbeck of McLean County have fulfilled their duties. The sum of \$19.00 was collected. \$9.00 of which was used for the purchase of flowers and the remaining \$10.00 was presented to Mrs. Loudenbeck.

Rep. Braun moved that the committee be now discharged.

Rep. Schnell offered as a substitute motion that this special committee be given an honorable discharge.

Which motion was unanimously carried and the committee honorably discharged.

The Speaker announced that the House will be on the eleventh order of business, second reading of House Bills, until 1:45 o'clock p. m., tomorrow and directed the Clerk to continue the reading of House Bill No. 49. The Clerk continued the reading of House Bill No. 49.

W. M. SMART, Chief Clerk.

CONTINUATION OF THE TWENTY-FIFTH DAY  
AND THE TWENTY-SIXTH DAY

Bismarck, January 30, 1943

The Speaker announced that the House was still on the eleventh order of business, Second Reading of House Bills, and that the second reading of House Bill No. 49 would now be temporarily interrupted but that it would be resumed later on.

The Speaker announced the House would be on the fifth order of business.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: Your Committee on Drainage and Irrigation to whom was referred House Bill No. 69, have had the same under consideration and recommend that the same do pass.

REP. SANDNESS, Chairman.

Rep. Crockett moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Tax and Tax Laws to whom was referred House Bill No. 42, have had the same under consideration and recommend that the same be indefinitely postponed.

REP. McINNES, Chairman.

Rep. Mollet moved that the report be adopted.

Rep. Morland offered as a substitute motion that House Bill No. 42 be placed in General Orders, which motion was seconded.

The motion was declared lost on a viva voce vote.

Rep. Morland demanded a roll call.

A roll call was granted.

ROLL CALL

The question being on the motion of Rep. Morland, the roll was called and there were ayes, 56; nays, 43; absent and not voting, 14.

Those voting in the affirmative were:

Allen, Pierce	Haugland	Olson, Barnes
Anderson	Hildre	Olson, Bowman
Bagge	Hogoboom	Peterson, Ransom
Bjella	Hovey	Runck
Boulden	Jennings	Sailer
Braun	Johnson, Cass	Sandness
Bymers	Johnson, Richland	Saumur
Carlson	Langley	Schnell
Coghlan	Larson, Ward	Sellens
Dahlen	Leet	Severson
Dalzell	Levin	Sharpe
Drovdal	Lillehaugen	Starck

Falconer	Lunde	Sticka
Fleck	McInnes	Stormon
Fuglestad	Manstrom	Wambheim
Gackle	Mittag	Williams, Stutsm'n
Halcrow	Moe	Wolf, Morton
Halvorson	Morland	Mr. Speaker
Haugen	Ohnstad	
Those voting in the negative were:		
Allen, Grand Forks	Graham	Rettke
Arndt	Haag	Rohde
Bauer	Heckman	Rohrer
Baumgartner	Hegge	Schwartz
Belzer	Kolpin	Shure
Benno	Larson, Wells	Stair
Bubel	Marks	Twitchell
Bureau	Mollet	Tuff
Callahan	Morrison	Welder
Collette	Mortenson	Welk
Crockett	Myers	Westby
Devlin	Nelson	Williams, Richland
Ekren	Ostgulen	Williams, Sargent
Fraser	Pyle	Wolf, McIntosh

## Absent and not voting:

Aker	Forseth	Mønson
Bergesen	Hofstrand	Nystrom
Blair	Holm	Peterson, Bottin'au
Bolmeier	Iszler	Schmalenberger
Fitch	Johnson, Rolette	

So the motion was declared carried and House Bill No. 42 was ordered placed in General Orders.

Rep. Rettke: "I would like to explain my vote. The way it seems to me—two years ago the legislature allowed the farmer a year's exemption when he bought a tractor and the way this bill is written, now they are taking away part of that benefit, therefore I vote 'No'."

Mr. Speaker: 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:

Line 3—Strike out the figures "\$214,650.00" and insert the figures "\$263,500.00".

Line 8—Strike out the figures "\$4,800.00" and insert the figures "\$5,000.00".

Line 9—Strike out the figures "\$5,400.00" and insert the figures "\$6,600.00".

Line 10—Strike out the figures "\$141,450.00" and insert the figures "\$165,000.00".

Line 11—Strike out the figures "\$19,000.00" and insert the figures "\$22,500.00".

Line 14—Strike out the figures "\$1,100.00" and insert the figures "\$3,000.00".

Line 15—Strike out the figures "\$4,000.00" and insert the figures "\$6,000.00".

Line 20—Strike out the figures "\$700.00" and insert the figures "\$1,000.00".

Line 22—Strike out the figures "\$214,650.00" and insert the figures "\$263,500.00".

And when so amended recommend the same do pass.

REP. JOHNSON OF CASS, Chairman.

Rep. Stormon moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: 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.

REP. JOHNSON OF CASS, Chairman.

Rep. Haag moved that the report be adopted, which motion prevailed and the report was adopted.

#### FIRST READING OF HOUSE BILLS

Rep. Bauer introduced:

House Bill No. 74. A Bill for an Act to Amend and Re-enact Sub-section (9) of Section 3 Chapter 9, Session Laws of 1937; Sub-division (a) of Section 6 of Chapter 9, Session Laws of 1937 as Amended by Section 2 of Chapter 6, Session Laws of 1939; Sub-division (b) of Section 6 of Chapter 9 Session Laws of 1937; Relating to Soil Conservation Districts; Defining "Land Occupier", or "Occupier of Land"; the Election, Qualification and Tenure of Supervisors Thereof; Placing Duties Upon the County Commissioners; Locating Soil Conservation District Records and Making Them Available for Public Inspection; and Declaring an Emergency.

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

Reps. Fitch and Dahlen introduced:

House Bill No. 90. A Bill for an Act to Amend and Re-enact Section 7 of Chapter 297 of the Session Laws of North Dakota for 1941, Relating to the Confidential Character of Birth Records, and Who May Inspect the Same and to Whom Information Concerning the Same May Be Given.

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

The Committee on Education introduced:

House Bill No. 91. A Bill for an Act Relating to Taxation in School Districts, Providing That the Voters of School District May Authorize Levies in Excess of the Legal Limitations for Certain Periods, and Providing for the Time and Manner of Holding Such Elections, and Repealing That Portion of Section 13 of Chapter 235 of the Session Laws for North Dakota for 1929 Relating to School Districts, and All Other Acts or Parts of Acts in Conflict Herewith.

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

Reps. Levin and Halvorson introduced:

House Bill No. 92. A Bill for an Act to Establish a State Program of Chemurgic Research: Providing for the Administration and Maintenance Thereof, and Making an Appropriation Therefor.

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

Rep. Olson of Bowman introduced:

House Bill No. 93. A Bill for an Act to Amend and Re-enact Section 1390a of the Supplement to the 1913 Compiled Laws of North Dakota, Providing for the Erection and Equipping of Teacherages and Dormitories, and Repealing All Acts or Parts of Acts in Conflict Herewith.



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

The Committee on Appropriations introduced:

House Bill No. 94. A Bill for an Act Creating a Veteran's Aid Commission, Specifying Its Powers and Duties; and Appropriating the Sum of \$100,000 as a Veteran's Aid Fund and Providing for the Manner of Its Use and Defining Those Entitled to Aid from Such Fund, and Declaring an Emergency.

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

The Committee on Appropriations introduced:

House Bill No. 95. A Bill for an Act Creating a Veterans' Emergency Fund, and Providing an Appropriation Therefor, and Providing for the Use of Such Fund by the Veterans' Service Commissioner, and the Manner of Its Disbursement.

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

Reps. Welder, Wolf of McIntosh and Devlin introduced:

House Bill No. 96. A Bill for an Act to Prohibit the Operation of Motion Picture Theaters Which Are Owned, Controlled, Managed, or Operated, in Whole or in Part, by Producers or Distributors of Motion Picture Films, or in Which Such Producers or Distributors Have Any Interest.

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

Reps. Bjella and Dahlen introduced:

House Bill No. 97. A Bill for an Act to Amend and Re-enact Section 189b7 of the 1925 Supplement to the Compiled Laws, as Amended by Section 3 of Chapter 137 of the 1933 Session Laws, Relating to State Hail Insurance, Providing for the Collection of Hail Indemnity Insurance, and Giving Notice of Priority of Hail Indemnity Tax Liens; Providing for Certain Exemptions from Such Priority of Hail Tax Liens.

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

Reps. Belzer and Dahlen introduced:

House Bill No. 98. A Bill for an Act to Provide for Participation in the North Dakota Teachers' Insurance and Retirement Fund by Members of the Armed Forces of the United States During the Period of Their Service, and Fixing the Period Within Which Such Persons May Withdraw from Participation and Receive Refund.

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

The Committee on Military Affairs introduced:

House Bill No. 99. A Bill for an Act Making an Appropriation to Provide Funds for the Maintenance of the North Dakota State Guard, as Provided for Under Chapter 230 of the North Dakota Session Laws of 1941, and to Meet Other Requirements Prescribed by the Federal Statutes, and Declaring an Emergency.

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

The Committee on Military Affairs introduced:

House Bill No. 100. A Bill for an Act Creating a Veterans' Post-War Rehabilitation Reserve Fund, and Providing for the Transfer of Monies Thereto and for the Maintenance and Investment Thereof.

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

The Committee on Military Affairs introduced:

House Bill No. 101. A Bill for an Act Relating to National and State Defense, Granting Emergency War Powers to the Governor and the Political Subdivisions of the State, Authorizing the Creation of State and Local Defense Agencies, and Making an Appropriation Therefor.

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

Rps. Fleck, Falconer and Sellens introduced:

House Concurrent Resolution "K." To the Honorable William H. Jeffers, United States Rubber Administrator, War Production Board, Washington, D. C. Urging the Establishment of a Plant at Bismarck, North Dakota, for the Production of Synthetic Rubber from Grain Alcohol.

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

Reps. Haugen, Graham, Ohnstad, Bubel and Myers introduced:

House Concurrent Resolution "L." Memorializing Congress to Establish a Soy Bean Utilization Plant in Connection with the State Mill and Elevator.

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

The Committee on Education introduced:

House Bill No. 102. A Bill for an Act to Repeal Section 2 of Chapter 255 of the Session Laws of North Dakota for 1941, Relating to High School Correspondence Work, and to Amend and Re-enact Section 6 of Chapter 255 of the Session Laws of North Dakota for 1941, Relating to High School Tuition and Fixing the Amounts of Such Tuition.

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

Rep. Sticka moved that the absent members be excused, which motion prevailed.

Rep. Sticka moved that the House do now adjourn, which motion prevailed.

W. M. SMART, Chief Clerk.

#### TWENTY-SIXTH DAY

Bismarck, January 30, 1943

The House convened pursuant to adjournment, Speaker Beede presiding.

Prayer was offered by Rev. R. R. Strutz.

Roll call: All members were present except Reps. Aker, Bergesen, Blair, Bolmeier, Fitch, Forseth, Hofstrand, Hovey, Iszler, Johnson of Rolette, Monson, Nystrom, Peterson of Bottineau and Schmalenberger.

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

Mr. Speaker: Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the Continuation of the Twenty-fourth Day and Twenty-fifth Day and recommends that the same be corrected as follows:

On page 169, strike out lines 23, 24 and 25.

And when so corrected recommends that the same be approved.

REP. WELDER, Chairman.

Rep. Welder moved that the report be adopted, which motion prevailed and the report was adopted.

#### MESSAGE FROM THE SENATE

Senate Chamber

Bismarck, January 30, 1943

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 11. A Bill for an Act Making an Appropriation for the Enforcement and Administration of the Attorney General Licensing Department.

Senate Bill No. 39. A Bill for an Act Making an Appropriation to Make Up the Deficit in the Fund Known as "The Insurance Tax to Fire Departments" for the Purpose of Paying Insurance Tax to the Various Fire Departments of the State in Compliance with the Provisions of Sections 3993 to 3998 Inclusive of the Compiled Laws of 1913, and Declaring an Emergency.

Senate Bill No. 52. A Bill for an Act Amending and Re-enacting Section 396d3 of the 1925 Supplement as Amended and Re-enacted by Chapter 189, Session Laws of 1933 Relating to the Qualifications, Salary and Duties of the State Health Officer.

Senate Bill No. 59. A Bill for an Act to Amend and Re-enact Section 1 of Chapter 204 of the Session Laws of North Dakota for 1933, Relating to Signatures on Chattel Mortgages and Bills of Sale of Household Goods, and Repealing All Acts in Conflict Herewith.

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

W. J. TROUT, Secretary.

#### PETITIONS AND COMMUNICATIONS

Rep. Baumgartner presented a communication signed by Mrs. A. L. Maxwell, Turtle Lake, North Dakota, member of the Legislative Committee of the Nonpartisan League Women's Club No. 172, McLean County. The communication which was read from the desk recommended an increase in old age pensions.

#### REPORT OF STANDING COMMITTEE

Mr. Speaker: Your Committee on Drainage and Irrigation to whom was referred House Bill No. 82, have had the same under consideration and recommend that the same do pass.

REP. SANDNESS, Chairman.

Rep. Drovdal moved that the report be adopted, which motion prevailed and the report was adopted.

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

Line 4—Strike out the figures "\$201,315.00" and insert the figures "\$197,315.00".

Line 18—Strike out the figures "\$12,000.00" and insert the figures "\$8,000.00".

Line 23—After the words "Emergency Fund" insert the words "for War Industries".

Line 24—Strike out the figures "\$201,315.00" and insert the figures "\$197,315.00".

And when so amended recommend the same do pass.

REP. JOHNSON OF CASS, Chairman.

Rep. Gackle moved that the report be adopted; which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Drainage and Irrigation to whom was referred House Concurrent Resolution "J", have had the same under consideration and recommend that the same do pass.

REP. SANDNESS, Chairman.

Rep. Belzer moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Game and Fish to whom was referred House Concurrent Resolution "B", have had the same under consideration and recommend that the same be amended as follows:

In Line 3 of the Title, after the word "Permit" insert the following:

"Farmers and Stockmen to keep predatory animals under control and to Permit".

After the Enabling Clause, insert the following paragraphs:

"WHEREAS, Predatory animals such as wolves and coyotes have increased to an alarming extent in recent years; and

"WHEREAS, If such animals are not kept under control, tremendous damage results to flocks of sheep and poultry; and"

In Line 23, after the word "permit" insert the following: "farmers and stockmen to keep predatory animals under control and to permit".

And when so amended recommend the same do pass.

REP. BENNO, Chairman.

Rep. Williams of Sargent moved that the report be adopted.

#### HOUSE COMMITTEE ON ENROLLMENT AND ENGROSSMENT

Mr. Speaker: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bills and find the same correctly engrossed:

House Bill No. 17.

House Bill No. 30.

House Bill No. 37.

REP. MORLAND, Chairman.

Rep. Stair moved that the report be adopted, which motion prevailed, and the report was adopted.

#### MESSAGE TO THE SENATE

House of Representatives

Bismarck, January 30, 1943

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

House Bill No. 45. A Bill for an Act Making an Appropriation to Reimburse Griggs County in the Sum of Nine Thousand Eight Hundred Forty-nine and 85/100 (\$9,849.85) Dollars, Penalty and Interest Belonging to Griggs County, But Erroneously and Inadvertently Remitted to the State and Declaring an Emergency.

House Bill No. 46. A Bill for an Act Making an Appropriation to Reimburse Dickey County in the Sum of Eleven Thousand Nine Hundred Sixty-six and no/100 (\$11,966.00) Dollars, Penalty and Interest Belonging to Dickey County, But Erroneously and Inadvertently Remitted to the State and Declaring an Emergency.

House Bill No. 34. A Bill for an Act Making an Appropriation for the Financing of the Operations of the State Soil Conservation Committee or the Activities of the State Soil Conservation Districts.

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

Very respectfully,

W. M. SMART, Chief Clerk.

#### SECOND READING OF HOUSE BILLS

House Bill No. 59. A Bill for an Act to Amend and Re-enact Subsection 4 of Section 32 of Chapter 148 of the Session Laws of 1931, Providing for an Open Season on Mink, Weasel, Raccoon and Fox.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 98; nays, 0; absent and not voting, 15.

Those voting in the affirmative were:

Allen, Grand Forks	Halvorson	Olson, Bowman
Allen, Pierce	Haugen	Ostgulen
Anderson	Haugland	Peterson, Ransom
Arndt	Heckman	Pyle
Bagge	Hegge	Rettke
Bauer	Hildre	Rohde
Baumgartner	Hofstrand	Rohrer
Belzer	Hogboom	Runck
Benno	Hovey	Sailer
Bjella	Jennings	Sandness
Boulden	Johnson, Cass	Schnell
Braun	Johnson, Richland	Schwartz
Bubel	Kolpin	Sellens
Burau	Langley	Severson
Bymers	Larson, Ward	Sharpe
Callahan	Larson, Wells	Shure
Carlson	Leet	Stair
Coghlan	Levin	Starck
Collette	Lillehaugen	Sticka
Crockett	Lunde	Stormon
Dahlen	Manstrom	Tuff
Dalzell	Marks	Twichell
Devlin	McInnes	Wambheim
Drovdal	Mittag	Welder
Ekren	Moe	Welk
Falconer	Mollet	Westby
Fleck	Morland	Williams, Richland
Fraser	Morrison	Williams, Sargent

Fuglestad	Mortenson	Williams, Stutsm'n
Gainor	Myers	Wolf, McIntosh
Graham	Nelson	Wolf, Morton
Haag	Ohnstad	Mr. Speaker
Halcrow	Olson, Barnes	
Absent and not voting:		
Aker	Forseth	Monson
Bergesen	Gackle	Nystrom
Blair	Holm	Peterson, Bottin'au
Bolmeier	Iszler	Saumur
Fitch	Johnson, Rolette	Schmalenberger

So the bill passed and the title was agreed to.

Rep. Johnson of Cass moved that House Bill No. 65 be re-referred to the Committee on Appropriations.

Rep. Lillehaugen seconded the motion.

Which motion prevailed and House Bill No. 65 was re-referred to the Committee on Appropriations.

House Bill No. 37. 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, 96; nays, 2; absent and not voting, 15.

Those voting in the affirmative were:

Allen, Grand Forks	Halcrow	Ohnstad
Allen, Pierce	Halvorson	Ostgulen
Anderson	Haugen	Peterson, Ransom
Arndt	Haugland	Pyle
Bagge	Heckman	Rettke
Bauer	Hegge	Rohde
Baumgartner	Hildre	Rohrer
Belzer	Hofstrand	Runk
Benno	Hogoboom	Sailer
Bjella	Hovey	Sandness
Boulden	Jennings	Schwartz
Braun	Johnson, Cass	Schnell
Bubel	Johnson, Richland	Sellens
Burau	Kolpin	Severson
Bymers	Langley	Sharpe
Callahan	Larson, Ward	Shure
Carlson	Larson, Wells	Stair
Collette	Leet	Starck
Crockett	Levin	Sticka
Danlen	Lillehaugen	Stormon
Dalzell	Lunde	Tuff
Devlin	McInnes	Twichell
Drovdal	Manstrom	Wambheim
Ekren	Marks	Welder
Falconer	Mittag	Welk
Fleck	Mollet	Westby
Fraser	Morland	Williams, Richland
Fuglestad	Mortenson	Williams, Sargent
Gackle	Myers	Williams, Stutsm'n
Gainor	Nelson	Wolf, McIntosh
Graham	Olson, Barnes	Wolf, Morton
Haag	Olson, Bowman	Mr. Speaker

Those voting in the negative were:

Moe Morrison

Absent and not voting:

Aker	Fitch	Monson
Bergesen	Forseth	Nystrom
Blair	Holm	Peterson, Bottin'au
Bolmeier	Iszler	Saumur
Coghlan	Johnson, Rolette	Schmalenberger

So the bill passed as amended and the title was agreed to.

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

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 95; nays, 1; absent and not voting, 17.

Those voting in the affirmative were:

Allen, Grand Forks	Haugen	Ostgulen
Allen, Pierce	Haugland	Peterson, Ransom
Anderson	Heckman	Pyle
Arndt	Hegge	Rettke
Bagge	Hildre	Rohde
Bauer	Hofstrand	Rohrer
Baumgartner	Hogoboom	Runk
Belzer	Hovey	Sailer
Benno	Jennings	Sandness
Bjella	Johnson, Cass	Schnell
Boulden	Johnson, Richland	Schwartz
Braun	Kolpin	Sellens
Bureau	Langley	Severson
Bymers	Larson, Ward	Sharpe
Callahan	Larson, Wells	Shure
Carlson	Leet	Stair
Collette	Levin	Starck
Dahlen	Lillehaugen	Sticka
Dalzell	Lunde	Stormon
Devlin	Manstrom	Tuff
Drovdal	Marks	Twichell
Ekren	McInnes	Wambheim
Falconer	Mittag	Welder
Fleck	Mollet	Welk
Fraser	Morland	Westby
Fuglestad	Morrison	Williams, Richland
Gackle	Mortenson	Williams, Sargent
Gainor	Myers	Williams, Stutsm'n
Graham	Nelson	Wolf, McIntosh
Haag	Ohnstad	Wolf, Morton
Halcrow	Olson, Barnes	Mr. Speaker
Halvorson	Olson, Bowman	

Those voting in the negative were:

Moe

Absent and not voting:

Aker	Crockett	Monson
Bergesen	Fitch	Nystrom
Blair	Forseth	Peterson, Bottin'au
Bolmeier	Holm	Saumur

Bubel Iszler Schmalenberger  
 Coghlan Johnson, Rolette

So the bill passed as amended and the title was agreed to.  
 House Bill No. 30. A Bill for an Act Making an Appropriation and an Additional 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 Declaring an Emergency.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 93; nays, 3; absent and not voting, 17.

Those voting in the affirmative were:

Allen, Grand Forks	Halvorson	Ostgulen
Allen, Pierce	Haugen	Peterson, Ransom
Anderson	Haugland	Pyle
Arndt	Heckman	Rettke
Bagge	Hegge	Rohrer
Bauer	Hildre	Runk
Baumgartner	Hofstrand	Sailer
Benno	Hogoboom	Sandness
Bjella	Jennings	Saumur
Boulden	Johnson, Cass	Schwartz
Braun	Johnson, Richland	Schnell
Bubel	Kolpin	Sellens
Burau	Langley	Severson
Bymers	Larson, Ward	Sharpe
Callahan	Larson, Wells	Shure
Collette	Leet	Stair
Crockett	Levin	Starck
Dahlen	Lillehaugen	Sticka
Dalzell	Lunde	Stormon
Devlin	McInnes	Tuff
Drovdal	Manstrom	Twichell
Ekren	Marks	Wambheim
Falconer	Mittag	Welder
Fleck	Moe	Welk
Fraser	Morland	Westby
Fuglestad	Morrison	Williams, Richland
Gackle	Mortenson	Williams, Sargent
Gainor	Myers	Williams, Stutsm'n
Graham	Nelson	Wolf, McIntosh
Haag	Olson, Bowman	Wolf, Morton
Halcrow	Ohnstad	Mr. Speaker

Those voting in the negative were:

Hovey Mollet Rohde

Absent and not voting:

Aker	Coghlan	Monson
Belzer	Fitch	Nystrom
Bergesen	Forseth	Olson, Barnes
Blair	Holm	Peterson, Bottin'au
Bolmeier	Iszler	Schmalenberger
Carlson	Johnson, Rolette	

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

Rep. Westby moved that the vote by which House Bill



No. 30 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

House Concurrent Resolution "E" was read the second time.

Rep. Myers moved that House Concurrent Resolution "E" be adopted, which motion prevailed and the Resolution adopted.

#### FIRST READING OF SENATE BILLS

Senate Bill No. 36. A Bill for an Act to Divide the State of North Dakota Into Two (2) Congressional Districts, and Defining the Boundaries of Each of Said Congressional Districts.

Was read for the first time and referred to the Committee on Re-apportionment.

Senate Bill No. 14. A Bill for an Act Making an Appropriation to Defray the Expenses for the Bee Keepers Act.

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

Senate Bill No. 53. A Bill for an Act to Amend and Re-enact Chapter 118 of the Session Laws of 1933 as Amended by Chapter 158 of the Session Laws of 1941.

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

Senate Bill No. 24. A Bill for an Act Authorizing the Board of Administration to Sell and Convey to the Baptist Old People's Home, a North Dakota Corporation, a Certain Tract in the Southeast Corner of the Capitol Grounds.

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

Senate Bill No. 46. 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 for the first time and referred to the Committee on Appropriations.

#### GENERAL ORDERS

Rep. Myers moved that the House resolve itself into a committee of the whole for the consideration of general orders; which motion prevailed, and the House resolved itself into a committee of the whole.

The Speaker called Rep. Myers to the chair.

When the committee arose it submitted the following report:

Mr. Speaker: The committee of the whole have had under consideration:

House Bill No. 8.

And recommend that the same be amended as follows:

Line 3—Strike out the figures "\$134,300.00" and insert the figures "\$135,500.00".

Line 10—Strike out the figures "\$6,000.00" and insert the figures "\$6,600.00".

Line 11—Strike out the figures "\$2,400.00" and insert the figures "\$3,000.00".

Line 19—Strike out the figures "\$34,300.00" and insert the figures "\$35,500.00".

Line 24—Strike out the figures "\$134,300.00" and insert the figures "\$135,500.00".

And when so amended recommend the same do pass.

REP. MYERS, Chairman.  
Committee of the Whole.

Rep. Fuglestad moved the adoption of the report of the Committee of the Whole, which motion prevailed.

The Speaker announced that the House will be on the eleventh order of business, second reading of House bills, until 1:45 o'clock p. m., Monday and directed the Clerk to continue the reading of House Bill No. 49. The Clerk continued the reading of House Bill No. 49.

W. M. SMART, Chief Clerk.

CONTINUATION OF THE TWENTY-SIXTH DAY  
AND THE TWENTY-EIGHTH DAY

Bismarck, February 1, 1943

The Speaker announced that the House was still on the eleventh order of business, Second Reading of House Bills, and that the second reading of House Bill No. 49 would now be temporarily interrupted but that it would be resumed later on.

The Speaker announced the House would be on the fifth order of business.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: Your Committee on School and Public Lands to whom was referred House Bill No. 81, have had the same under consideration and recommend that the same do pass.

REP. ANDERSON, Chairman.

Rep. Sellens moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on School and Public Lands to whom was referred House Bill No. 43, have had the same under consideration and recommend that the same do pass.

REP. ANDERSON, Chairman.

Rep. Beifno moved that the report be adopted, which motion prevailed and the report was adopted.

Rep. Benno moved that House Bill No. 43 be re-referred to the Committee on Appropriations, which motion prevailed and House Bill No. 43 was re-referred to the Committee on Appropriations.

Mr. Speaker: Your Committee on Employment recommends the name of Thelma L. Vantine of Bismarck for the position of Assistant Desk Clerk.

REP. DALZELL, Chairman.

Rep. Dalzell moves the adoption of the report.

ROLL CALL

The question being on the adoption of the report of the Employment Committee, the roll was called and there were ayes, 99; nays, 0; absent and not voting, 14.

Those voting in the affirmative were:

Allen, Grand Forks	Gainor	Nystrom
Allen, Pierce	Graham	Ohnstad
Anderson	Haag	Olson, Bowman
Arndt	Halcrow	Ostgulen
Bagge	Halvorson	Peterson, Bottin'au
Bauer	Haugen	Peterson, Ransom
Baumgartner	Haugland	Pyle
Belzer	Heckman	Rettke

Benno	Hegge	Rohde
Bjella	Hildre	Rohrer
Blair	Hofstrand	Runk
Bolmeier	Iszler	Sailer
Braun	Jennings	Sandness
Bubel	Johnson, Cass	Saumur
Burau	Johnson, Richland	Schnell
Bymers	Kolpin	Schwartz
Callahan	Langley	Severson
Carlson	Larson, Ward	Sharpe
Coghlan	Larson, Wells	Shure
Collette	Leet	Stair
Crockett	Levin	Sticka
Dahlen	Lillehaugen	Stormon
Dalzell	Lunde	Tuff
Devlin	Manstrom	Twichell
Drovdal	Marks	Welder
Ekren	McInnes	Welk
Falconer	Moe	Westby
Fitch	Mollet	Williams, Richland
Fleck	Monson	Williams, Sargent
Forseth	Morrison	Williams, Stuts'm'n
Fraser	Mortenson	Wolf, McIntosh
Fuglestad	Myers	Wolf, Morton
Gackle	Nelson	Mr. Speaker
Absent and not voting:		
Aker	Hovey	Schmalenberger
Bergesen	Johnson, Rolette	Sellens
Boulden	Mittag	Starck
Hogoboom	Morland	Wambheim
Holm	Olson, Barnes	

So the report was adopted and Thelma L. Vantine was declared duly elected.

The oath of office was duly administered to Thelma L. Vantine by the Speaker.

#### REPORT OF STANDING COMMITTEE

Mr. Speaker: 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:

Line 3—Strike out the figures "\$217,140.00" and insert the figures "\$233,008.00".

Line 12—Strike out the figures "\$6,400.00" and insert the figures "\$7,200.00".

Line 13—Strike out the figures "\$84,400.00" and insert the figures "\$90,000.00".

Line 21—Strike out the figures "\$128,120.00" and insert the figures "\$134,520.00".

Insert line "31½ Dentist-Director .....\$7,200.00".

Line 32—Strike out the figures "\$22,680.00" and insert the figures "\$24,948.00".

Line 37—Strike out the figures "\$41,380.00" and insert the figures "\$50,848.00".

Line 38—Strike out the figures "\$217,140.00" and insert the figures "\$233,008.00".

And when so amended recommend the same do pass.

REP. JOHNSON OF CASS, Chairman.

Rep. Mittag moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Appropriations to whom was referred Senate Bill No. 38, have had the same under consideration and recommend that the same do pass.

REP. JOHNSON OF CASS, Chairman.

Rep. Collette moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Appropriations to whom was referred Senate Bill No. 42, have had the same under consideration and recommend that the same do pass.

REP. JOHNSON OF CASS, Chairman.

Rep. Allen of Grand Forks moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Appropriations to whom was referred Senate Bill No. 27, have had the same under consideration and recommend that the same do pass.

REP. JOHNSON OF CASS, Chairman.

Rep. Bjella moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Appropriations to whom was referred Senate Bill No. 28, have had the same under consideration and recommend that the same do pass.

REP. JOHNSON OF CASS, Chairman.

Rep. Severson moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Appropriations to whom was referred Senate Bill No. 26, have had the same under consideration and recommend that the same do pass.

REP. JOHNSON OF CASS, Chairman.

Rep. Collette moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Appropriations to whom was referred House Bill No. 56, have had the same under consideration and recommend that the same do pass.

REP. JOHNSON OF CASS, Chairman.

Rep. Graham moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Appropriations to whom was referred House Bill No. 85, have had the same under consideration and recommend that the same do pass.

REP. JOHNSON OF CASS, Chairman.

Rep. Carlson moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Appropriations to whom was referred House Bill No. 6, have had the same under consideration and recommend that the same do pass.

REP. JOHNSON OF CASS, Chairman.

Rep. Gackle moved that the report be adopted, which motion prevailed and the report was adopted.

#### HOUSE COMMITTEE ON ENROLLMENT AND ENGROSSMENT

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

following bill and find the same correctly engrossed:

House Bill No. 8.

REP. BUBEL, Acting Chairman.

Rep. Johnson of Richland moved that the report be adopted, which motion prevailed, and the report was adopted.

Rep. Stormon moved that the absent members be excused, which motion prevailed.

Rep. Stormon moved that the House do now adjourn, which motion prevailed.

W. M. SMART, Chief Clerk.

#### TWENTY-EIGHTH DAY

Bismarck, February 1, 1943

The House convened pursuant to adjournment, Speaker Beede presiding.

Prayer was offered by Rev. N. E. Ellsworth.

Roll call: All members were present except Representatives Bergesen, Hogoboom, Holm, Johnson of Rolette, Olson of Barnes, Schmalenberger, Starck and Wambheim.

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

Mr. Speaker: Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the continuation of the twenty-fifth day and the twenty-sixth day and recommends that the same be corrected as follows:

Immediately preceding General Orders insert the following: "Senate Bill No. 46. 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 for the first time and referred to the Committee on Appropriations."

And when so corrected recommends that the same be approved.

REP. WELDER, Chairman.

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

#### MESSAGES FROM THE SENATE

Senate Chamber

Bismarck, February 1, 1943

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 35. A Bill for an Act to Repeal Section 10322a51 of Chapter 158 of the Session Laws of 1941.

Senate Concurrent Resolution "L." A Concurrent Resolution Memorializing Congress and the President to Take Immediate Steps Toward Production of Synthetic Rubber from Farm Products.

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

W. J. TROUT, Secretary.

Senate Chamber

Bismarck, February 1, 1943

Mr. Speaker: I have the honor to return:

House Concurrent Resolution "C." Memorializing the Office of Price Administration to Establish Local Board in Each Town to Receive Applications in Connection with Rationing Program, Also Empowered in Emergencies Simplify

Rationing Forms and Give Farmers Special Consideration in Rationing Gasoline, Tires and Other Materials Vitally Needed in the War.

House Concurrent Resolution "F." Requesting the 78th Congress of the United States to Pass House Resolution 38 Calling for a Study and Investigation of the Present System of Marketing, Transportation, and Distribution of Farm Products from Rural Areas Through the Various Marketing Agencies to the Ultimate Consumer.

Which the Senate has passed unchanged.

W. J. TROUT, Secretary.

#### PETITIONS AND COMMUNICATIONS

A communication was read from the desk addressed to the Honorable Ralph Beede, Speaker of the House of Representatives from the Honorable John Moses, Governor, and accompanied thereto was the report of the Special Examining Commissioner.

Rep. Graham moved that the report of the Special Examining Commissioner be referred to the Committee on Insurance.

Which motion prevailed.

#### FIRST READING OF HOUSE BILLS

Reps. Twichell, Crockett, Shure, Levin and Blair introduced:

House Bill No. 103. A Bill for an Act to Repeal Chapter 229 of the Session Laws for the Year 1941 Relating to the Establishment and Government of a Correctional Institution, to Be Known as the North Dakota State Farm.

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

Reps. Sellens, Fleck and Falconer introduced:

House Bill No. 104. A Bill for an Act to Provide for the Payment of a Pension to State Employees.

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

Reps. Ohnstad and Pyle introduced:

House Bill No. 105. A Bill for an Act to Amend and Re-enact Section 9115 of the Compiled Laws of North Dakota for 1913, Relating to the Issuance of Executions on Judgments in Justice Court.

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

Rep. Crockett introduced:

House Bill No. 106. A Bill for an Act to Amend and Re-enact Section 1 of Chapter 220 of the Session Laws of North Dakota for the Year 1935, Relating to Expense Accounts of Public Officers, Specifying the Amount to Be Allowed for Personal Sustenance of Officers, Agents and Employees, Exempting the Governor, of the State of North Dakota, or of Any of Its Subdivisions, While Upon Public Expense Account, Repealing All Acts or Parts of Acts in Conflict Herewith, and Declaring an Emergency.

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

Reps. Callahan and Crockett introduced:

House Bill No. 107. A Bill for an Act to Amend and Re-enact Subsections 1 and 2 of Section 1, Chapter 273, Session Laws of North Dakota for the Year 1941; Providing for an

**Adjustment of Delinquent Taxes for 1939 and Prior Years, and Declaring an Emergency.**

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

Reps. Aker and Blair introduced:

House Bill No. 108. A Bill for an Act to Amend and Re-enact Subdivision 8 of Section 7 of Chapter 94 of the Session Laws of 1931, as Amended by Chapter 78 of the Session Laws of 1933, Relating to Building and Loan Associations of the State of North Dakota, and Voiding Provisions for Withdrawals Made by Means Other Than By-Laws.

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

Reps. Haugland and Hovey introduced:

House Bill No. 109. A Bill for an Act to Amend and Re-enact Section 3610 of Article 7, of Chapter 44 of the 1913 Compiled Laws, by Adding Thereto a Provision that in Cities that Have Adopted the City Manager Form of Government, the City Manager Shall Appoint and Remove the City Treasurer with the Approval of the City Council, and that in Cities Having Adopted the Provisions of Chapter 173 of the Session Laws of North Dakota for the Year 1937, Known as the Civil Service Act, the City Treasurer Shall Be Appointed as Other Full-time City Employees, and Providing that Such City Treasurer May Be Included Within and Under the Provisions of the Civil Service Act, and Repealing All Acts and Parts of Acts in Conflict Herewith.

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

#### MESSAGE TO THE SENATE

House of Representatives  
Bismarck, February 1, 1943

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

House Bill No. 10. A Bill for an Act Making an Appropriation to the State Historical Society, for Salary and General Expenses and Maintenance of State Parks.

House Bill No. 58. A Bill for an Act to Amend and Re-enact Chapter 156 of the Session Laws of 1941, Making It a Misdemeanor for Any Person to Hunt and Pursue Any Wild Life With the Aid of a Spot Light or Any Other Kind of Artificial Light, Except Under Certain Conditions.

House Bill No. 66. A Bill for an Act to Amend and Re-enact Section 2 of Chapter 238, Session Laws of 1931, Providing for the Letting of Contracts to Furnish Vehicular Transportation to School Districts to the Lowest Bidder; Requiring a Bond; and Fixing the Qualifications of the Operators of Such Vehicles and the Requirements of Such Vehicle.

House Concurrent Resolution "D." Memorializing the United States Senate Committee on Agriculture to Investigate Utilization of Manpower in Agriculture.

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

Very respectfully,

W. M. SMART, Chief Clerk.



## SECOND READING OF HOUSE BILLS

House Bill No. 69. A Bill for an Act to Repeal Section 8270, Compiled Laws of North Dakota for 1913, Providing for the Appropriation of Water by the Proper Officers of the United States; and Declaring an Emergency.

Was read the second time.

## ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 101; nays, 3; absent and not voting, 9.

Those voting in the affirmative were:

Allen, Grand Forks	Haag	Olson, Bowman
Allen, Pierce	Halcrow	Ostgulen
Anderson	Hølvorson	Peterson, Bottin'au
Arndt	Haugen	Peterson, Ransom
Bagge	Haugland	Pyle
Baumgartner	Heckman	Rettke
Belzer	Hegge	Rohde
Benno	Hildre	Rohrer
Bjella	Hofstrand	Runk
Blair	Hovey	Sailer
Bolmeier	Iszler	Sandness
Boulden	Jennings	Saumur
Bubel	Johnson, Cass	Schnell
Bureau	Johnson, Richland	Schwartz
Bymers	Kolpin	Sellens
Callahan	Langley	Severson
Carlson	Larson, Ward	Sharpe
Coghlan	Larson, Wells	Shure
Collette	Leet	Stair
Crockett	Levin	Starck
Dahlen	Lillehaugen	Sticka
Dalzell	Lunde	Stormon
Devlin	Manstrom	Twichell
Drovdal	Marks	Tuff
Ekren	Mittag	Welder
Falconer	Mollet	Welk
Fitch	Monson	Westby
Fleck	Morland	Williams, Richland
Forseth	Morrison	Williams, Sargent
Fraser	Mortenson	Williams, Stutsm'n
Fuglestad	Myers	Wolf, McIntosh
Gackle	Nelson	Wolf, Morton
Gainor	Nystrom	Mr. Speaker
Graham	Ohnstad	

Those voting in the negative were:

Bauer	Braun	Moe
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Absent and not voting:

Aker	Holm	Olson, Barnes
Bergesen	Johnson, Rolette	Schmalenberger
Hogoboom	McInnes	Wambheim

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

Rep. Schnell moved that House Bill No. 26 be re-referred to the Committee on Appropriations.

Which motion was seconded.

Rep. Shure offered as a substitute motion that House Bill No. 26 be placed in General Orders.

Which motion was seconded.

Rep. Johnson of Cass moved that the substitute motion be laid on the table.

Which motion was lost.

A division was called for and revealed a tie so the motion was declared lost.

The question was on the substitute motion of Rep. Shure, which motion prevailed.

Rep. Johnson of Cass requested a roll call, which request was granted.

ROLL CALL

The question being on the substitute motion of Rep. Shure, the roll was called and there were ayes, 50; nays, 55; absent and not voting, 8.

Those voting in the affirmative were:

Anderson	Hofstrand	Peterson, Bottin'au
Bauer	Iszler	Rettke
Baumgartner	Jennings	Rohde
Belzer	Kolpin	Rohrer
Braun	Larson, Ward	Schwartz
Bubel	Larson, Wells	Schnell
Bureau	Levin	Stair
Crockett	Lillehaugen	Starck
Drovdal	Marks	Sticka
Falconer	Mittag	Tuff
Forseth	Mollet	Welder
Fraser	Monson	Welk
Graham	Morrison	Williams, Richland
Haag	Myers	Williams, Sargent
Halvorson	Nelson	Wolf, McIntosh
Haugen	Ohnstad	Mr. Speaker
Hegge	Ostgulen	

Those voting in the negative were:

Allen, Grand Forks	Fleck	Mortenson
Allen, Pierce	Fuglestad	Nystrom
Arndt	Gackle	Olson, Bowman
Bagge	Gainor	Peterson, Ransom
Benno	Halcrow	Pyle
Bjella	Haugland	Runck
Blair	Heckman	Sailer
Bolmeier	Hildre	Sandness
Boulden	Hovey	Saumur
Bymers	Johnson, Cass	Sellens
Callahan	Johnson, Richland	Severson
Carlson	Langley	Sharpe
Coghlan	Leet	Shure
Collette	Lunde	Stormon
Dahlen	McInnes	Twichell
Dalzell	Manstrom	Westby
Devlin	Moe	Williams, Stutsman
Ekren	Morland	Wolf, Morton
Fitch		

Absent and not voting:

Aker	Holm	Schmalenberger
Bergesen	Johnson, Rolette	Wambheim
Hogboom	Olson, Barnes	

So the substitute motion was declared lost.

Rep. Bauer: "I think it is getting to a point on these appropriations where we have a champagne appetite. We may

take the champagne today, but we will have a real pain tomorrow and when we go to work and get this thing around to a point where some hired-man is drawing more salary than the Governor, it don't go down with "Bill" and I vote 'Aye'."

The Speaker announced the question was on the original motion of Rep. Schnell.

Rep. Fitch offered as a substitute motion that House Bill No. 26 be laid over one legislative day.

The chair was in doubt. A rising vote revealed 57 Ayes and 39 Nays so House Bill No. 26 was deferred one day.

House Bill No. 8. A Bill for an Act Making an Appropriation to the Livestock Sanitary Board, for Its Operating and Maintenance Expense and for Indemnifying Owners of Animals, to the Bangs Disease Fund and to the Bovine Tuberculosis Fund.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 102; nays, 0; absent and not voting, 11.

Those voting in the affirmative were:

Allen, Grand Forks	Gainor	Ohnstad
Allen, Pierce	Graham	Olson, Bowman
Anderson	Haag	Ostgulen
Arndt	Halcrow	Peterson, Bottin'au
Bagge	Halvorson	Peterson, Ransom
Bauer	Haugen	Pyle
Baumgartner	Haugland	Rettke
Belzer	Heckman	Rohde
Benno	Hegge	Rohrer
Bjella	Hildre	Runck
Blair	Hofstrand	Sailer
Bolmeier	Hovev	Sandness
Boulden	Izler	Saumur
Braun	Jennings	Schwartz
Bubel	Johnson, Cass	Schnell
Bureau	Kolpin	Sellens
Bymers	Langley	Severson
Callahan	Larson, Ward	Sharpe
Carlson	Larson, Wells	Shure
Coghlan	Leet	Stair
Collette	Lillehaugen	Starck
Crockett	Lunde	Sticka
Dahlen	McInnes	Stormon
Dalzell	Manstrom	Twichell
Devlin	Marks	Tuff
Drovdal	Mittag	Welder
Ekren	Mollet	Welk
Falconer	Monson	Westby
Fitch	Morland	Williams, Richland
Fleck	Morrison	Williams, Sargent
Forseth	Mortenson	Williams, Stutsm'n
Fraser	Myers	Wolf, McIntosh
Fuglestad	Nelson	Wolf, Morton
Gackle	Nystrom	Mr. Speaker
Absent and not voting:		
Aker	Johnson, Richland	Olson, Barnes

Bergesen	Johnson, Rolette	Schmalenberger
Hogboom	Levin	Wambheim
Holm	Moe	

So the bill passed as amended and the title was agreed to.

Rep. Rohde moved that the vote by which House Bill No. 8 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 82. A Bill for an Act to Ratify and Approve the Compact Between the States of Montana, North Dakota and Wyoming, Providing for an Equitable Apportionment of the Waters in the Yellowstone River Basin Among Said States.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 95; nays, 2; absent and not voting, 16.

Those voting in the affirmative were:

Allen, Grand Forks	Graham	Nystrom
Allen, Pierce	Haag	Ohnstad
Arndt	Halcrow	Olson, Bowman
Bagge	Halvorson	Ostgulen
Bauer	Haugen	Peterson, Ransom
Baumgartner	Haugland	Pyle
Belzer	Heckman	Rettke
Benno	Hildre	Rohde
Bjella	Hofstrand	Rohrer
Blair	Hovey	Runk
Bolmeier	Iszler	Sailer
Boulder	Jennings	Sandness
Braun	Johnson, Cass	Schnell
Bubel	Kolpin	Schwartz
Bymers	Langley	Sellens
Callahan	Larson, Ward	Severson
Carlson	Larson, Wells	Sharpe
Collette	Leet	Shure
Crockett	Levin	Stair
Dahlen	Lillehaugen	Sticka
Dalzell	Lunde	Stormon
Devlin	Manstrom	Tuff
Drovdal	McInnes	Welder
Ekren	Mittag	Welk
Falconer	Moe	Westby
Fitch	Mollet	Williams, Richland
Fleck	Monson	Williams, Sargent
Forseth	Morland	Williams, Stutsm'n
Fraser	Morrison	Wolf, McIntosh
Fuglestad	Mortenson	Wolf, Morton
Gackle	Myers	Mr. Speaker
Gainor	Nelson	

Those voting in the negative were:

Hegge Marks

Absent and not voting:

Aker	Holm	Saumur
Anderson	Johnson, Richland	Schmalenberger
Bergesen	Johnson, Rolette	Starck
Burau	Olson, Barnes	Twichell
Coghlan	Peterson, Bottin'au	Wambheim
Hogboom		

So the bill passed and the title was agreed to.

Rep. Boulden moved that the vote by which House Bill No. 82 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Concurrent Resolution "J." A Concurrent Resolution Regarding the Policy of the State of North Dakota to Maintain Its Jurisdiction and Control Over the Rights to the Use of the Waters in This State.

Was read the second time.

Rep. Sandness moved that House Concurrent Resolution "J" be adopted, which motion prevailed.

#### FIRST READING OF SENATE BILLS

Senate Bill No. 39. A Bill for an Act Making an Appropriation to Make Up the Deficit in the Fund Known as "The Insurance Tax to Fire Departments" for the Purpose of Paying Insurance Tax to the Various Fire Departments of the State in Compliance with the Provisions of Sections 3993 to 3998 Inclusive of the Compiled Laws of 1913, and Declaring an Emergency.

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

Senate Bill No. 52. A Bill for an Act Amending and Re-enacting Section 396d3 of the 1925 Supplement as Amended and Re-enacted by Chapter 189, Session Laws of 1933 Relating to the Qualifications, Salary and Duties of the State Health Officer.

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

Senate Bill No. 11. A Bill for an Act Making an Appropriation for the Enforcement and Administration of the Attorney General Licensing Department.

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

Senate Bill No. 59. A Bill for an Act to Amend and Re-enact Section 1 of Chapter 204 of the Session Laws of North Dakota for 1933, Relating to Signatures on Chattel Mortgages and Bills of Sale of Household Goods, and Repealing All Acts in Conflict Herewith.

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

#### GENERAL ORDERS

Rep. Westby moved that the House resolve itself into a committee of the whole for the consideration of general orders; which motion prevailed, and the House resolved itself into a committee of the whole.

The Speaker called Rep. Westby to the chair.

When the committee arose it submitted the following report:

Mr. Speaker: The committee of the whole have had under consideration:

House Bill No. 42.

Line four of bill, strike out the word "New".

Line five of bill after the comma, insert the following: "on which sales or use tax is paid".

Lines six and seven of bill, strike out the words, "and purchased after October 1st of any year".

And correct the numbering of the lines.

Line two of title, strike out the word "New".

Last two lines of title, strike out the words "When the Same is Purchased after October 1st of Any Year" and the period; then add the following: "On which sales or use tax is paid and declaring an emergency".

And when so amended recommend the same do pass.

House Bill No. 33.

Line 3—Strike out the figures "\$214,650.00" and insert the figures "\$247,300.00".

Line 8—Strike out the figures "\$4,800.00" and insert the figures "\$5,000.00".

Line 9—Strike out the figures "\$5,400.00" and insert the figures "\$6,600.00".

Line 10—Strike out the figures "\$141,450.00" and insert the figures "\$165,000.00".

Line 11—Strike out the figures "\$19,000.00" and insert the figures "\$22,500.00".

Line 14—Strike out the figures "\$1,100.00" and insert the figures "\$3,000.00".

Line 15—Strike out the figures "\$4,000.00" and insert the figures "\$6,000.00".

Line 20—Strike out the figures "\$700.00" and insert the figures "\$1,000.00".

Line 22—Strike out the figures "\$214,650.00" and insert the figures "\$247,300.00".

And when so amended recommend the same do pass.

House Bill No. 28.

Line 4—Strike out the figures "\$201,315.00" and insert the figures "\$197,315.00".

Line 18—Strike out the figures "\$12,000.00" and insert the figures "\$8,000.00".

Line 23—After the words "Emergency Fund" insert the words "for War Industries".

Line 24—Strike out the figures "\$201,315.00" and insert the figures "\$197,315.00".

And when so amended recommend the same do pass.

House Concurrent Resolution "B."

In Line 3 of the Title, after the word "Permit" insert the following:

"Farmers and Stockmen to keep predatory animals under control and to Permit".

After the Enabling Clause, insert the following paragraphs:

"WHEREAS, Predatory animals such as wolves and coyotes have increased to an alarming extent in recent years; and

"WHEREAS, If such animals are not kept under control, tremendous damage results to flocks of sheep and poultry; and".

In Line 23, after the word "permit" insert the following: "farmers and stockmen to keep predatory animals under control and to permit".

And when so amended recommend the same do pass.

And recommend the adoption of the following further amendments:

That the lines in House Concurrent Resolution "B" be renumbered correctly.

REP. WESTBY, Chairman.  
Committee of the Whole.

Rep. Bolmeier moved the adoption of the report of the Committee of the Whole, which motion prevailed.

The Speaker announced the appointment of Reps. Fleck, Falconer, Allen of Grand Forks and Monson as a committee of four to make the necessary arrangements for a Memorial program to be held on Washington's birthday.

The Speaker announced that the House will be on the eleventh order of business, second reading of House bills, until 1:45 o'clock p. m., tomorrow and directed the Clerk to continue the reading of House Bill No. 49. The Clerk continued the reading of House Bill No. 49.

W. M. SMART, Chief Clerk.

CONTINUATION OF THE TWENTY-EIGHTH DAY  
AND THE TWENTY-NINTH DAY

Bismarck, February 2, 1943

The Speaker announced that the House was still on the eleventh order of business, second reading of House bills, and that the second reading of House Bill No. 49 would now be temporarily interrupted but that it would be resumed later on.

The Speaker announced the House would be on the fifth order of business.

## REPORT OF STANDING COMMITTEES

Mr. Speaker: Your Committee on Appropriations to whom was referred House Bill No. 24, have had the same under consideration and recommend that the same be amended as follows:

In line 14 strike out the word "immediately", all of lines 15, 16, 17, 18, 19, and the first 7 words of line 20, and insert in lieu thereof the following:

"shall immediately upon the effective date of this Act pay to the State Treasurer of the State of North Dakota to the account of the State Board of Auditors and to be deposited by the State Treasurer in a special fund to be known as the 'State Board of Auditors Fund' fifty percent (50%) of the sum appropriated for each annual audit of each of said departments, and the remaining fifty percent (50%) of each of the sums appropriated for each annual audit, or so much thereof as may be necessary, shall be so paid into the State Board of Auditors Fund immediately upon receipt of a statement of the actual expense of auditing such departments or institutions." and further amended by renumbering the lines.

And when so amended recommend the same do pass.

REP. JOHNSON OF CASS, Chairman.

Rep. Collette moved that the report be adopted, which motion prevailed and the report was adopted.

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

REP. BENNO, Chairman.

Rep. Williams of Sargent moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Tax and Tax Laws to whom was referred House Bill No. 88, have had the same under consideration and recommend that the same do pass.

REP. McINNES, Chairman.



Rep. Arndt moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Appropriations to whom was referred House Bill No. 75, have had the same under consideration and recommend that the same do pass.

REP. JOHNSON OF CASS, Chairman.

Rep. Bjella moved that the report be adopted, which motion prevailed and the report was adopted.

#### HOUSE COMMITTEE ON ENROLLMENT AND ENGROSSMENT

Mr. Speaker: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following resolutions and find the same correctly enrolled:

House Concurrent Resolution "C."

House Concurrent Resolution "F."

REP. MORLAND, Chairman.

Rep. Bjella moved that the report be adopted, which motion prevailed, and the report was adopted.

Mr. Speaker: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following resolution and find the same correctly engrossed:

House Concurrent Resolution "B."

REP. MORLAND, Chairman.

Rep. Bjella moved that the report be adopted, which motion prevailed, and the report was adopted.

Mr. Speaker: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bills and find the same correctly engrossed:

House Bill No. 28.

House Bill No. 33.

House Bill No. 42.

REP. MORLAND, Chairman.

Rep. Bjella moved that the report be adopted, which motion prevailed, and the report was adopted.

#### FIRST READING OF HOUSE BILLS

Reps. Fitch and Schnell introduced:

House Bill No. 110. A Bill for an Act Fixing the Salaries or Compensation of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, Attorney General, Superintendent of Public Instruction, Commissioner of Insurance, Commissioner of Agriculture and Labor, and Each Commissioner of the Public Service Commission to Be Elected After the Effective Date of This Act and All Subsequent Elections and Amending and Re-enacting the Initiated Act Known as, Reduction Salaries of State Officials, Approved by the People of the State of North Dakota November 8, 1932.

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

Reps. Fleck, Graham and Twichell introduced:

House Bill No. 111. A Bill for an Act to Amend and Re-enact Section 2 of Chapter 177, Laws of North Dakota for 1927, as Amended by Chapter 182, Laws of North Dakota for 1931, as Amended by Chapter 146, Laws of North Da-

kota for 1935, Relating to the Coloring of Gasoline by the use of Harmless Dye, and Permitting the State Food Commissioner and Chemist by Regulation to Lower Such Requirements for the Duration of the War, and Declaring an Emergency.

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

Reps. Williams of Richland, Lillehaugen, Halcrow and Langley introduced:

House Bill No. 112. A Bill for an Act Prohibiting the Advertising of Intoxicating Liquors Within the State of North Dakota.

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

Reps. Dahlen, Marks, Heckman and Williams of Sargent introduced:

House Concurrent Resolution "M." Memorializing Congress to Take Action for the Speedy Enactment Into Law of Senate Bill 860 Now Pending in the United States Congress.

Was read the first time and referred to the Committee on Federal Relations.

Reps. Mollet, Rohde, Morland and Sticka introduced:.

House Bill No. 113. A Bill for an Act to Repeal Sections 1903, 1904, 1905, 1906, 1907, 1908, 1909 and 1910 of the Compiled Laws of North Dakota for 1913, and Sections 1905 and 1906 of the 1925 Supplement to the Compiled Laws of North Dakota for 1913, and Chapter 245 of the Session Laws of North Dakota for 1933, Relating to the Duties of Assessors in Taking and Furnishing Statistics.

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

Reps. Fitch and Bergesen introduced:

House Bill No. 114. A Bill for an Act, Providing for Reimbursement for Additional and Extraordinary Expenses of the Justices of the Supreme Court and District Judges and Elective Officials of the State in the Discharge of Their Official Duties; and Making an Appropriation Therefor.

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

#### FIRST READING OF SENATE BILLS AND RESOLUTIONS

Senate Bill No. 35. A Bill for an Act to Repeal Section 10322a51 of Chapter 158 of the Session Laws of 1941.

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

Senate Concurrent Resolution "L." A Concurrent Resolution Memorializing Congress and the President to Take Immediate Steps Toward Production of Synthetic Rubber from Farm Products.

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

#### PETITIONS AND COMMUNICATIONS

Rep. Peterson of Bottineau presented a communication from the State Fire and Tornado Fund which he requested be read from the desk.

Rep. Graham moved that the communication be printed in the Journal, which motion prevailed.

The communication was read from the desk and referred to the Committee on Insurance.

Bismarck, February 2, 1943

Hon. Peter Peterson, Chairman  
Insurance Committee, House of Representatives  
Bismarck, North Dakota

Dear Mr. Peterson:

The Report of the Special Examining Commissioner to the Governor was filed with you on February 1st, 1943.

This report is full of accusations based on the conclusions of some one not familiar with insurance laws and practices.

As Manager of the State Fire and Tornado Fund since 1935, it is my opinion that you should conduct a sweeping investigation of the charges made. Your Committee can ascertain the true facts from experts in this business selected by your committee.

I pledge you any assistance the department can give in arriving at the true facts.

Commissioner of Insurance, Oscar E. Erickson joins with me in this communication, and we respectfully request that it be printed in your journal.

Respectfully submitted,  
O. R. VOLD, Manager  
State Fire and Tornado Fund

A petition signed by 49 residents of Hankinson, Barney and Lidgerwood, North Dakota, with reference to Township Boards, was read from the desk and referred to the Committee on Highways and Bridges.

A letter was read from the Superintendent of Public Instruction requesting the courtesies of the floor for the County Superintendents who are now meeting in Bismarck. He requested these be especially granted for Wednesday afternoon, which request was granted.

A letter of thanks was read from Mrs. A. J. Loudenbeck.

Rep. Schnell moved that the letter from Mrs. A. J. Loudenbeck be printed in the Journal, which motion prevailed.  
House of Representatives:

Thank you very much indeed for the beautiful wreath you sent and for the honor bestowed to the memory of my husband.

I assure you I shall not soon forget this proof of the gracious spirit of these honorable gentlemen.

Thank you again for your kindly sympathy.

Yours sincerely,

MRS. A. J. LOUDENBECK

A petition containing 94 signatures was presented by Rep. Braun.

The petition was read from the desk and referred to the special committee investigating the State Welfare program.

A resolution was read from the United States Spanish War Veterans.

Which resolution was referred to the Committee on Military Affairs.

Rep. Dahlen moved that the absent members be excused, which motion prevailed.

Rep. Dahlen moved that the House do now adjourn, which motion prevailed.

W. M. SMART, Chief Clerk.

TWENTY-NINTH DAY

Bismarck, February 2, 1943

The House convened pursuant to adjournment, Speaker Beede presiding.

Prayer was offered by Rev. Daniel J. Rueb.

Roll call: All members were present except Reps. Bymers, Holm and Johnson of Rolette.

MESSAGES FROM THE SENATE

Senate Chamber

Bismarck, February 2, 1943

Mr. Speaker: I have the honor to return:

House Bill No. 54. A Bill for an Act to Amend and Re-enact Section 26 of Chapter 148 of the Session Laws of 1931 as Amended by Chapter 157 of the Session Laws of 1941; Providing for Permits and Fees.

Which the Senate has passed unchanged.

W. J. TROUT, Secretary.

Senate Chamber

Bismarck, February 2, 1943

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 55. A Bill for an Act to Amend and Re-enact Section 57 of Chapter 148 of the Session Laws of 1931, as Amended by Chapter 154 of the Session Laws of 1941 Giving the Governor Certain Powers Relative to Game and Fish, Limiting Such Power and Authorizing the Governor to Declare Foxes Predatory Animals, in Certain Areas, and Dispensing with Licenses Relative to Foxes When Declared Predatory.

Senate Bill No. 62. A Bill for an Act to Encourage Rural Electrification; Classifying the Personal Property of Rural Electric Companies, and Imposing a Gross Receipts Tax on Such Cooperatives in Lieu of All Other Taxes on Such Personal Property; Providing for Reports of Gross Receipts; Prescribing the Duties of Tax Commissioner With Reference to Levying of the Tax and the Duties of the County Auditor and the County Treasurer With Reference to Allocation, Collection and Distribution of Such Tax; and Repealing Chapter 282, Laws of 1941 and All Acts and Parts of Acts in Conflict Herewith.

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

W. J. TROUT, Secretary.

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

Mr. Speaker: Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the Continuation of the Twenty-sixth Day and the Twenty-eighth Day and recommends that the same be corrected as follows:

On Page 199 line 8 change the name "Johnson of Cass" to read "Fitch".

And when so corrected recommends that the same be approved.

REP. WELDER, Chairman.

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

Rep. Peterson of Bottineau presented a letter from the State Hail Insurance Department, which was read from the desk.

Rep. Myers moved that the letter from the State Hail Insurance Department be printed in the Journal, which motion prevailed.

Bismarck, February 2, 1943

Hon. Peter Peterson, Chairman

Insurance Committee

House of Representatives

Bismarck, North Dakota

Dear Mr. Peterson:

I have been informed that the report of the Special Examining Commissioner to the Governor was filed with you on February 1, 1943. This report is full of accusations and charges based on the conclusions of the Examiner, who, in no way, can consider himself as familiar with the laws and the operation of the State Hail Insurance Department.

As Assistant Manager of the State Hail Insurance Department in 1935 and 1936, and as its Manager from January 1, 1937 to the present date, it is my opinion that your Committee should conduct an investigation of the charges made. Your Committee can ascertain the true facts from experts in the Hail Insurance business as to the conditions existing in the Department, if called by your Committee. I assure you that the employees of this Department and myself, as Manager, will render you any assistance necessary to bring out the true facts.

Commissioner of Insurance, Oscar E. Erickson, joins with me in asking that your Committee conduct any such investigation as it may deem necessary, and further, we respectfully request that this communication be printed in the Journal.

Respectfully submitted,  
STATE HAIL INSURANCE DEPT.  
By C. J. MYERS, Mgr.

MESSAGE TO THE SENATE

House of Representatives

Bismarck, February 2, 1943

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

House Bill No. 8. A Bill for an Act Making an Appropriation to the Livestock Sanitary Board, for Its Operating and Maintenance Expense and for Indemnifying Owners of Animals, to the Bangs Disease Fund and to the Bovine Tuberculosis Fund.

House Bill No. 59. A Bill for an Act to Amend and Re-enact Subsection 4 of Section 32 of Chapter 148 of the Session Laws of 1931, Providing for an Open Season on Mink, Weasel, Raccoon and Fox.

House Bill No. 37. 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. 30. A Bill for an Act Making an Appropriation and an Additional 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 Declaring an Emergency.

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

House Concurrent Resolution "E." Regarding the Manufacturing of Rubber from Agricultural Products.

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

Very respectfully,

W. M. SMART, Chief Clerk.

#### SECOND READING OF HOUSE BILLS

Rep. Myers moved that House Bill No. 26 be referred to General Orders.

Which motion was seconded by Rep. Schnell.

Rep. Westby moved the previous question.

Which motion was lost.

#### MESSAGE FROM THE SENATE

Senate Chamber

Bismarck, February 2, 1943

Mr. Speaker: I have the honor to return:

House Bill No. 41. A Bill for an Act to Provide for the Completion of Code Revision by the Code Revision Commission, Reappropriating Moneys Heretofore Appropriated, Making an Additional Appropriation and Declaring an Emergency.

Which the Senate has passed unchanged.

W. J. TROUT, Secretary.

The Speaker announced the question was on Rep. Myers' motion to place House Bill No. 26 in General Orders.

The chair being in doubt, a rising vote was taken which disclosed 56 ayes and 54 nays. So the motion carried.

A roll call was demanded and granted.

#### ROLL CALL

The question being on the motion of Rep. Myers, the roll was called and there were ayes, 56; nays, 55; absent and not voting, 2.

Those voting in the affirmative were:

Anderson	Hegge	Peterson, Bottin'au
Bauer	Hofstrand	Rettke
Baumgartner	Iszler	Rohde
Belzer	Jennings	Rohrer
Braun	Kolpin	Schmalenberger
Bubel	Larson, Ward	Schwartz
Burau	Larson, Wells	Schnell
Bymers	Levin	Stair
Crockett	Lillehaugen	Starck
Devlin	Marks	Sticka

Drovdal	Mittag	Tuff
Falconer	Mollet	Welder
Forseth	Monson	Welk
Fraser	Morrison	Williams, Richland
Graham	Mortenson	Williams, Sargent
Haag	Myers	Wolf, McIntosh
Halvorson	Nelson	Wolf, Morton
Haugen	Ohnstad	Mr. Speaker
Heckman	Ostgulen	
Those voting in the	negative were:	
Aker	Fleck	Nystrom
Allen, Grand Forks	Fuglestad	Olson, Barnes
Allen, Pierce	Gackle	Olson, Bowman
Arndt	Gainor	Peterson, Ransom
Bagge	Halcrow	Pyle
Benno	Haugland	Runk
Bergesen	Hildre	Sailer
Bjella	Hogoboom	Sandness
Blair	Hovey	Saumur
Bolmeier	Johnson, Cass	Sellens
Boulden	Johnson, Richland	Severson
Callahan	Langley	Sharpe
Carlson	Leet	Shure
Coghlan	Lunde	Stormon
Collette	Manstrom	Twichell
Dahlen	McInnes	Wambheim
Dalzell	Moe	Westb
Ekren	Morland	Williams, Stutsm'n
Fitch		
Absent and not voting:		
Holm	Johnson, Rolette	

So the motion was declared carried and House Bill No. 26 was placed in General Orders.

House Bill No. 81. A Bill for an Act Authorizing the Board of University and School Lands to Sell and Dispose of Both Dead and Standing Timber Grown Upon Lands Belonging to the Permanent School and Institutional Funds of the State of North Dakota for Fuel, Fence Posts, or Lumber, If and When, in the Discretion of Such Board, Such Sale Shall Be for the Best Interests of Such Funds; and Authorizing Said Board to Make Rules and Regulations Necessary to Effect the Purposes of This Act.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 77; nays, 34; absent and not voting, 2.

Those voting in the affirmative were:		
Aker	Haag	Nelson
Allen, Grand Forks	Halcrow	Ohnstad
Allen, Pierce	Halvorson	Olson, Barnes
Anderson	Haugen	Olson, Bowman
Arndt	Haugland	Ostgulen
Bagge	Heckman	Peterson, Bottin'au
Bauer	Hegge	Rettke
Baumgartner	Hildre	Rohde
Belzer	Hofstrand	Rohrer
Benno	Iszler	Sailer
Bergesen	Jennings	Schmalenberger

Braun	Kolpin	Schwartz
Bubel	Larson, Ward	Sellens
Burau	Larson, Wells	Stair
Bymers	Levin	Starck
Crockett	Lillehaugen	Tuff
Dahlen	Manstrom	Twichell
Dalzell	Marks	Wambheim
Devlin	McInnes	Welder
Drovdal	Mittag	Welk
Falconer	Mollet	Westby
Fitch	Monson	Williams, Sargent
Forseth	Morland	Williams, Stutsm'n
Fraser	Morrison	Wolf, Morton
Gainor	Mortenson	Mr. Speaker
Graham	Myers	
Those voting in the negative were:		
Bjella	Hogoboom	Runck
Blair	Hovey	Sandness
Bolmeier	Johnson, Cass	Saumur
Boulden	Johnson, Richland	Schnell
Callahan	Langley	Severson
Carlson	Leet	Sharpe
Coghlan	Lunde	Shure
Collette	Moe	Sticka
Ekren	Nystrom	Stormon
Fleck	Peterson, Ransom	Williams, Richland
Fuglestad	Pyle	Wolf, McIntosh
Gackle		
Absent and not voting:		
Holm	Johnson, Rolette	

So the bill passed and the title was agreed to.

Rep. Schnell: "There is in some places a necessity for thinning out the wooded land but I am afraid that this law would give some people permission to cut timber and valuable shade trees and we do not have too many of these in this State. They would go into a pasture on some land and cut down shade trees which are very important for live-stock, therefore I vote 'No'."

Rep. Morland voted "aye" for the purpose of reconsideration.

Rep. Graham moved that the Special Committee appointed to investigate the Public Welfare program be excused for the purpose of attending a meeting and that no final action be taken on any bill if any member object thereto.

Rep. Twichell seconded the motion, which motion prevailed.

Rep. Boulden indicated his intention to object to all bills.

Rep. Fitch moved that the House continue on the eleventh order of business and that the reading of House Bill No. 49 be continued until 1:45 o'clock p. m., tomorrow, which motion prevailed.

W. M. SMART, Chief Clerk.



CONTINUATION OF THE TWENTY-NINTH DAY AND  
THE THIRTIETH DAY

Bismarck, February 3, 1943

The Speaker announced that the House was still on the eleventh order of business, Second Reading of House Bills, and that the second reading of House Bill No. 49 would now be temporarily interrupted but that it would be resumed later on.

The Speaker announced the House would be on the eighth order of business.

SIGNING OF BILLS

The Chief Clerk announced that the Speaker was about to sign:

House Bill No. 54. A Bill for an Act to Amend and Re-enact Section 26 of Chapter 148 of the Session Laws of 1931 as Amended by Chapter 157 of the Session Laws of 1941; Providing for Permits and Fees.

House Bill No. 41. A Bill for an Act to Provide for the Completion of Code Revision by the Code Revision Commission, Reappropriating Moneys Heretofore Appropriated, Making an Additional Appropriation and Declaring an Emergency.

House Concurrent Resolution "F." Requesting the 78th Congress of the United States to Pass House Resolution 38 Calling for a Study and Investigation of the Present System of Marketing, Transportation, and Distribution of Farm Products from Rural Areas Through the Various Marketing Agencies to the Ultimate Consumer.

House Concurrent Resolution "C." Memorializing the Office of Price Administration to Establish Local Board in Each Town to Receive Applications in Connection with Rationing Program, Also Empowered in Emergencies Simplify Rationing Forms and Give Farmers Special Consideration in Rationing Gasoline, Tires and Other Materials Vitally Needed in the War.

And the Speaker signed the same in the presence of the House.

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

House Bill No. 41.

House Bill No. 54.

And find the same correctly Enrolled.

REP. MORLAND, Chairman.

Rep. Ekren moved that the report be adopted, which motion prevailed, and the report was adopted.

Mr. Speaker: Your Committee on Tax and Tax Laws to whom was referred Senate Bill No. 49, have had the same under consideration and recommend that the same do pass.

REP. McINNES, Chairman.

Rep. Bergesen moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Tax and Tax Laws to whom was referred House Concurrent Resolution "G" have had the same under consideration and recommend that the same do pass.

REP. McINNES, Chairman.

Rep. Langley moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Tax and Tax Laws to whom was referred House Bill No. 72, have had the same under consideration and recommend that the same do pass.

REP. McINNES, Chairman.

Rep. Bymers moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Agriculture to whom was referred House Concurrent Resolution "I," have had the same under consideration and recommend that the same do pass.

REP. OLSON OF BOWMAN, Chairman.

Rep. Fuglestad moved that the report be adopted, which motion prevailed and the report was adopted.

#### FIRST READING OF HOUSE BILLS

Rep. Fitch introduced:

House Bill No. 115. A Bill for an Act to Amend and Re-enact Section 4B of Chapter 286 of the Session Laws of 1935, Fixing the Length of Terms and Salaries of Commissioners of the Workmen's Compensation Bureau.

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

Rep. Bauer introduced:

House Bill No. 116. A Bill for an Act to Prohibit the Use of Tobacco by Smoking in Hotel Beds, Cots or Other Equipment Used, or Useful for Sleeping Purposes and Fixing the Responsibility for Damages Caused by Smoking, and Providing Penalty.

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

Reps. Bubel, Rohde and Sellens introduced:

House Bill No. 117. A Bill for an Act to Amend and Re-enact Section 964 of the Compiled Laws of North Dakota for 1913, Relating to Election Supplies, and Repealing That Portion of the Section Requiring the Posting of Sample Ballots.

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

Reps. Rubel and Rohde introduced:

House Bill No. 118. A Bill for an Act to Amend and Re-enact Section 363 of the 1913 Compiled Laws of North Dakota, as Amended and Re-enacted by Chapter 231 of the

Session Laws of North Dakota for 1931, as Amended and Re-enacted by Chapter 223 of the Session Laws of North Dakota for 1933, Relating to the Fixing and Collecting and Distribution of Fees at the Leasing and Sale of School Lands.

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

Reps. Anderson, Starck, Mortenson and Forseth introduced:

House Bill No. 119. A Bill for an Act to Amend and Re-enact Sections 189b3, 189b5, 189b9, 189b15, of the 1925 Supplement to the Compiled Laws of the State of North Dakota for the Year 1913, as Amended by Chapter 137, Session Laws of North Dakota for 1933, Relating to the Operation of the State Hail Insurance Department, Defining the Duties of the Commissioner of Insurance, Defining the Crops to Be Insured, Relating to the Duty of Assessors, and the Indemnity to Be Paid for Hail Insurance Losses, Repealing Acts in Conflict Herewith, and Declaring an Emergency.

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

Rep. Bauer introduced:

House Bill No. 120. A Bill for an Act to Amend and Re-enact Sub-sections (3) and (4) of Section 32, Chapter 148, Session Laws of 1931, Relating to the Taking and Trapping of Skunk, Badger, Mink, Weasel, Raccoon and Fox.

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

Reps. Fitch, Anderson, Drovdal and Aker introduced:

House Bill No. 121. 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, and Declaring an Emergency.

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

#### FIRST READING OF SENATE BILLS

Senate Bill No. 62. A Bill for an Act to Encourage Rural Electrification; Classifying the Personal Property of Rural Electric Companies, and Imposing a Gross Receipts Tax on Such Cooperatives in Lieu of All Other Taxes on Such Personal Property; Providing for Reports of Gross Receipts; Prescribing the Duties of Tax Commissioner With Reference to Levying of the Tax and the Duties of the County Auditor and the County Treasurer With Reference to Allocation, Collection and Distribution of Such Tax; and Repealing Chapter 282, Laws of 1941 and All Acts and Parts of Acts in Conflict Herewith.

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

Senate Bill No. 55. A Bill for an Act to Amend and Re-enact Section 57 of Chapter 148 of the Session Laws of 1931, as Amended by Chapter 154 of the Session Laws of 1941 Giving the Governor Certain Powers Relative to Game and Fish, Limiting Such Power and Authorizing the Governor to Declare Foxes Predatory Animals in Certain Areas, and

Dispensing with Licenses Relative to Foxes When Declared Predatory.

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

Rep. Halvorson moved that the Committee on Livestock be granted an extension of ten days on House Bill No. 57, which motion prevailed.

Rep. Falconer presented a communication from Harry Ulfers of Arena, North Dakota, which was read from the desk and referred to the Committee on State Affairs.

Rep. Welk moved that the absent members be excused, which motion prevailed.

Rep. Welk moved that the House do now adjourn, which motion prevailed.

W. M. SMART, Chief Clerk.

### THIRTIETH DAY

Bismarck, February 3, 1943

The House convened pursuant to adjournment, Speaker Beede presiding.

Prayer was offered by Rev. Daniel J. Rueb.

Roll call: All members were present.

Rep. Fleck moved that the House recess for fifteen minutes at 2:45 o'clock p. m., for the purpose of hearing a message from Capt. Rockey, who has just returned from Guadalcanal, and that the Speaker appoint a committee to at that time escort Capt. Rockey to the rostrum, which motion prevailed and the Speaker appointed Reps. Fleck, Sellens and Falconer.

#### MESSAGE FROM THE SENATE

Senate Chamber

Bismarck, February 3, 1943

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 58. A Bill for an Act to Amend and Re-enact Section 5 of Chapter 162, Session Laws of 1939 Defining a Standard Serological Test and Providing Where Such Test Shall Be Made, and Declaring an Emergency.

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

W. J. TROUT, Secretary.

#### REPORT OF STANDING COMMITTEE

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

Mr. Speaker: Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the Continuation of the Twenty-eighth Day and the Twenty-ninth Day and finds the same correct.

And recommends that the same be approved.

REP. WELDER, Chairman.

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

#### PETITIONS AND COMMUNICATIONS

A communication was presented from Tollef A. Lee of Kindred, which was referred to the Committee on State Affairs.

Rep. Falconer moved that the House meet in Joint Session with the Senate in the Senate Chamber at 12:30 o'clock p. m., tomorrow afternoon to see the motion picture, "Coal Mine Safety," which will be shown at that time, which motion prevailed.

#### MESSAGE TO THE SENATE

House of Representatives  
Bismarck, February 3, 1943

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

House Bill No. 69. A Bill for an Act to Repeal Section 8270, Compiled Laws of North Dakota for 1913, Providing for the Appropriation of Water by the Proper Officers of the United States; and Declaring an Emergency.

House Bill No. 82. A Bill for an Act to Ratify and Approve the Compact Between the States of Montana, North Dakota and Wyoming, Providing for an Equitable Apportionment of the Waters in the Yellowstone River Basin Among Said States.

House Concurrent Resolution "J." A Concurrent Resolution Regarding the Policy of the State of North Dakota to Maintain Its Jurisdiction and Control Over the Rights to the Use of the Waters in This State.

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

W. M. SMART, Chief Clerk.

#### REPORT OF STANDING COMMITTEE

Mr. Speaker: A Majority of Your Committee on Judiciary to whom was referred House Bill No. 61, have had the same under consideration and recommend that the same be indefinitely postponed.

Signed:  
Representatives  
LOUIS LEET  
WM. H. RETTKE  
VERNON M. JOHNSON  
A. H. SCHMALENBERGER  
BERNT ANDERSON  
A. H. NYSTROM  
ALVA WAMBHEIM  
REP. OHNSTAD, Chairman.

Rep. Johnson of Richland moved that the majority report be adopted.

Mr. Speaker: A minority of Your Committee on Judiciary to whom was referred House Bill No. 61, have had the same under consideration and recommend that the same do pass.

Signed:  
Representatives  
S. N. WELDER  
M. S. AKER  
W. S. SHURE  
J. W. JENNINGS  
REP. OHNSTAD, Chairman.

Rep. Shure offered as a substitute motion that House Bill No. 61 be placed on the calendar as recommended by the minority report.

Which motion prevailed.

## MESSAGE TO THE SENATE

House of Representatives

Bismarck, February 3, 1943

Mr. President: I have the honor to transmit:

House Bill No. 41. A Bill for an Act to Provide for the Completion of Code Revision by the Code Revision Commission, Reappropriating Moneys Heretofore Appropriated, Making an Additional Appropriation and Declaring an Emergency.

House Bill No. 54. A Bill for an Act to Amend and Re-enact Section 26 of Chapter 148 of the Session Laws of 1931 as Amended by Chapter 157 of the Session Laws of 1941; Providing for Permits and Fees.

House Concurrent Resolution "C." Memorializing the Office of Price Administration to Establish Local Board in Each Town to Receive Applications in Connection with Rationing Program, Also Empowered in Emergencies Simplify Rationing Forms and Give Farmers Special Consideration in Rationing Gasoline, Tires and Other Materials Vitally Needed in the War.

House Concurrent Resolution "F." Requesting the 78th Congress of the United States to Pass House Resolution 38 Calling for a Study and Investigation of the Present System of Marketing, Transportation, and Distribution of Farm Products from Rural Areas Through the Various Marketing Agencies to the Ultimate Consumer.

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

W. M. SMART, Chief Clerk.

Rep. Fitch moved that House Bill No. 26 be taken from General Orders and placed upon the calendar.

Which motion was seconded.

In talking on House Bill No. 26, Rep. Schnell referred to telegrams directed to members of Congress and began reading the replies.

Rep. Bergesen called attention of the House to the rule governing the reading of communications from the floor and objected to the reading of certain telegrams from Washington by Rep. Schnell.

Rep. Crockett arose to a point of order.

The chair ruled that Rep. Schnell would be permitted to relay the messages in his own words but stated he would not be permitted to read the same if objection was made.

Rep. Schnell continued his remarks and later continued with the reading of the messages.

Rep. Bergesen again objected whereupon the Speaker ruled that a member must have permission of the House to read communications verbatim from the floor.

Rep. Schnell moved that the telegrams received from our congressional members in Washington be read from the desk.

Rep. Twichell offered as a substitute motion that Rep. Schnell be granted the privilege of reading the telegrams himself from the floor, which motion prevailed and Rep. Schnell proceeded to read the messages.

The Speaker announced that having reached 2:45 o'clock

p. m., the House, pursuant to a previous motion should now recess to hear Capt. Rocky.

Rep. Fitch requested that the House proceed to vote on House Bill No. 26 before standing recessed.

Discussion continued and Rep. Fitch called the attention of the Speaker to House Rule No. 9.

Rep. Bolmeier moved the previous question.

A rising vote disclosed only 57 voting for the motion so the motion was declared lost.

The question then was on the original motion of Rep. Fitch.

Rep. Schnell offered as a substitute motion that House Bill No. 26 be re-referred to the Committee on Appropriations.

On a viva voce vote the chair was in doubt. A rising vote disclosed 56 ayes and 56 nays. So the motion was declared lost.

Rep. Boulden demanded a roll call which was not seconded by the required number so the request was not granted.

The question then was on the original motion of Rep. Fitch.

On the viva voce vote the chair was in doubt.

A rising vote disclosed 56 ayes and 54 nays.

So the motion was declared carried.

Rep. Fitch requested that the House be on the eleventh order of business, which request was granted.

Rep. Fitch moved that House Bill No. 26 be placed on second reading and final passage.

Rep. Bubel called attention of the House to Rule No. 39, requiring all bills to be laid over one day before final passage.

Rep. Fitch thereupon withdrew his motion and House Bill No. 26 was placed on the calendar for the next legislative day.

Rep. Fitch informed the House that Capt. Rocky was now ready to address the House.

Pursuant to motion previously made, the House stood recessed for fifteen minutes.

The House re-convened pursuant to recess taken.

The Speaker announced the House would be on the seventh order of business.

Rep. Ohnstad moved that permission be granted to withdraw House Bill No. 62.

Rep. Bergesen seconded the motion, which motion prevailed.

#### SECOND READING OF HOUSE BILLS

Rep. Bergesen moved that House Bill No. 88 be re-referred to the Committee on Tax and Tax Laws, which motion prevailed.

House Bill No. 75. 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.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 106; nays, 0; absent and not voting, 7.

Those voting in the affirmative were:

Aker	Graham	Olson, Bowman
Allen, Grand Forks	Haag	Ostgulen
Allen, Pierce	Halcrow	Peterson, Bottina'u
Anderson	Halvorson	Peterson, Ransom
Arndt	Haugen	Pyle
Bagge	Haugland	Rettke
Bauer	Heckman	Rohde
Baumgartner	Hegge	Rohrer
Belzer	Hildre	Runk
Benno	Hofstrand	Sailer
Bergesen	Hogoboom	Sandness
Bjella	Holm	Saumur
Blair	Hovey	Schmalenberger
Bolmeier	Iszler	Schnell
Boulden	Jennings	Schwartz
Braun	Johnson, Cass	Sellens
Bubel	Johnson, Rolette	Severson
Burau	Kolpin	Sharpe
Bymers	Langley	Shure
Callahan	Larson, Ward	Stair
Carlson	Leet	Starck
Coghlan	Levin	Sticka
Collette	Lillehaugen	Stormon
Crockett	Lunde	Tuff
Dahlen	Manstrom	Twichell
Dalzell	Marks	Wambheim
Devlin	McInnes	Welder
Drovdal	Mittag	Welk
Ekren	Mollet	Westby
Falconer	Monson	Williams, Richland
Fitch	Morrison	Williams, Sargent
Forseth	Mortenson	Williams, Stutsm'n
Fraser	Nystrom	Wolf, McIntosh
Fuglestad	Ohnstad	Wolf, Morton
Gackle	Olson, Barnes	Mr. Speaker
Gainor		
Absent and not voting:		
Fleck	Moe	Myers
Johnson, Richland	Morland	Nelson
Larson, Wells		

So the bill passed and the title was agreed to.

House Bill No. 56. A Bill for an Act Making an Appropriation for the Payment of Salaries, Postage, Office Supplies and Printing in the State Department of Health, and Declaring an Emergency.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 105; nays, 0; absent and not voting, 8.

Those voting in the affirmative were:

Allen, Grand Forks	Haag	Nelson
Allen, Pierce	Halcrow	Nystrom
Anderson	Halvorson	Ohnstad
Arndt	Haugen	Olson, Bowman
Bagge	Haugland	Ostgulen
Bauer	Heckman	Peterson, Bottina'u



Baumgartner	Hegge	Peterson, Ransom
Belzer	Hildre	Pyle
Benno	Hofstrand	Rettke
Bergesen	Hogoboom	Rohrer
Blair	Holm	Runck
Bolmeier	Hovey	Sailer
Boulden	Iszler	Sandness
Braun	Jennings	Saumur
Bubel	Johnson, Cass	Schmalenberger
Bureau	Johnson, Rolette	Schnell
Bymers	Kolpin	Schwartz
Callahan	Langley	Sellens
Carlson	Larson, Ward	Sharpe
Coghlan	Larson, Wells	Shure
Collette	Leet	Stair
Crockett	Levin	Starck
Dalzell	Lillehaugen	Sticka
Devlin	Lunde	Stormon
Drovdal	Manstrom	Tuff
Ekren	Marks	Twichell
Falconer	McInnes	Wambheim
Fitch	Mittag	Welk
Fleck	Moe	Westby
Forseth	Mollet	Williams, Richland
Fraser	Monson	Williams, Sargent
Fuglestad	Morland	Williams, Stutsm'n
Gackle	Morrison	Wolf, McIntosh
Gainor	Mortenson	Wolf, Morton
Graham	Myers	Mr. Speaker
Absent and not voting:		
Aker	Johnson, Richland	Severson
Bjella	Olson, Barnes	Welder
Dahlen	Rohde	

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

Rep. Hofstrand moved that House Bill No. 85 be re-referred to the Committee on Education.

Rep. Graham seconded the motion, which motion prevailed.

House Bill No. 6. A Bill for an Act Making an Appropriation for the Purpose of Paying Insurance Tax to the Various Fire Departments of the State.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 106; nays, 0; absent and not voting, 7.

Those voting in the affirmative were:

Aker	Haag	Nelson
Allen, Grand Forks	Halcrow	Nystrom
Allen, Pierce	Halvorson	Ohnstad
Anderson	Haugen	Olson, Bowman
Arndt	Haugland	Ostgulen
Bagge	Heckman	Peterson, Bottina'u
Bauer	Hegge	Peterson, Ransom
Baumgartner	Hildre	Pyle
Belzer	Hofstrand	Rettke
Benno	Hogoboom	Rohde
Bergesen	Holm	Rohrer

Blair	Hovey	Runck
Bolmeier	Iszler	Sailer
Boulden	Jennings	Saumur
Braun	Johnson, Cass	Schmalenberger
Bubel	Johnson, Richland	Schnell
Burau	Johnson, Rolette	Schwartz
Bymers	Kolpin	Sellens
Callahan	Langley	Sharpe
Carlson	Larson, Ward	Shure
Collette	Larson, Wells	Stair
Crockett	Leet	Starck
Dahlen	Levin	Sticka
Dalzell	Lillehaugen	Stormon
Devlin	Lunde	Tuff
Drovdal	Manstrom	Twichell
Ekren	Marks	Wambheim
Falconer	Mittag	Welder
Fitch	Moe	Welk
Fleck	Mollet	Williams, Richland
Forseth	Monson	Williams, Sargent
Fraser	Morland	Williams, Stutsm'n
Fuglestad	Morrison	Wolf, McIntosh
Gackle	Mortenson	Wolf, Morton
Gainor	Myers	Mr. Speaker
Graham		
Absent and not voting:		
Bjella	Olson, Barnes	Severson
Coghlan	Sandness	Westby
McInnes		

So the bill passed and the title was agreed to.

Rep. Haugen requested permission to be on the seventh order of business, which request was granted.

Rep. Haugen moved that the House do now recess for fifteen minutes, which motion prevailed and the House stood recessed.

The House was called to order following a fifteen minute recess and continued the second reading of House Bills.

#### SECOND READING OF HOUSE BILLS

House Bill No. 42. A Bill for an Act to Amend and Re-enact Chapter 275 of the Session Laws of 1941, Relating to the Exemptions of Farm Machinery from Personal Property Taxes for the First Year After Its Purchase, on Which Sales or Use Tax Is 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, 82; nays, 15; absent and not voting, 16.

Those voting in the affirmative were:

Aker	Haugland	Olson, Bowman
Allen, Pierce	Heckman	Ostgulen
Anderson	Hegge	Peterson, Ransom
Arndt	Hofstrand	Retke
Bagge	Hovey	Rohde
Bauer	Iszler	Rohrer
Baumgartner	Jennings	Runck
Belzer	Johnson, Cass	Sandness
Bjella	Johnson, Richland	Saumur

Boulden	Johnson, Rolette	Schmalenberger
Braun	Kolpin	Schnell
Bubel	Larson, Wells	Schwartz
Bureau	Leet	Sellens
Callahan	Levin	Severson
Carlson	Lunde	Sharpe
Coghlan	Manstrom	Starck
Collette	Marks	Sticka
Dahlen	McInnes	Stormon
Dalzell	Mittag	Tuff
Devlin	Moe	Twichell
Drovdal	Mollet	Welk
Ekren	Morland	Westby
Falconer	Morrison	Williams, Richland
Fitch	Nelson	Williams, Stutsm'n
Gainor	Nystrom	Wolf, McIntosh
Halcrow	Ohnstad	Wolf, Morton
Halvorson	Olson, Barnes	Mr. Speaker
Haugen		
Those voting in the negative were:		
Bergesen	Fraser	Pyle
Blair	Gackle	Sailer
Bolmeier	Haag	Stair
Bymers	Langley	Wambheim
Crockett	Peterson, Bottina'u	Welder
Absent and not voting:		
Allen, Grand Forks	Hildre	Monson
Benno	Hogoboom	Mortenson
Fleck	Holm	Myers
Forseth	Larson, Ward	Shure
Fuglestad	Lillehaugen	Williams, Sargent
Graham		

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

Rep. Morland moved that the vote by which House Bill No. 42 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Rep. Welder moved that House Bill No. 33 be placed in General Orders, which motion was lost.

House Bill No. 33. 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, 105; nays, 7; absent and not voting, 1.

Those voting in the affirmative were:

Allen, Grand Forks	Halcrow	Olson, Barnes
Allen, Pierce	Halvorson	Olson, Bowman
Anderson	Haugen	Ostgulen
Arndt	Haugland	Peterson, Bottina'u
Bauer	Heckman	Peterson, Ransom
Baumgartner	Hegge	Pyle
Belzer	Hildre	Rettke
Benno	Hofstrand	Rohde
Bergesen	Hogoboom	Rohrer

Bjella	Holm	Runck
Bolmeier	Hovey	Sailer
Boulden	Iszler	Saumur
Braun	Jennings	Schmalenberger
Bubel	Johnson, Cass	Schnell
Burau	Johnson, Richland	Schwartz
Bymers	Kolpin	Sellens
Callahan	Langley	Severson
Carlson	Larson, Ward	Sharpe
Coghlan	Larson, Wells	Shure
Collette	Leet	Stair
Crockett	Levin	Starck
Dahlen	Lillehaugen	Sticka
Dalzell	Lunde	Stormon
Devlin	Manstrom	Tuff
Drovdal	Marks	Twichell
Ekren	McInnes	Wambheim
Falconer	Mollet	Welder
Fitch	Monson	Welk
Forseth	Morland	Westby
Fraser	Morrison	Williams, Richland
Fuglestad	Mortenson	Williams, Sargent
Gackle	Myers	Williams, Stutsm'n
Gainor	Nelson	Wolf, McIntosh
Graham	Nystrom	Wolf, Morton
Haag	Ohnstad	Mr. Speaker
Those voting in the negative were:		
Aker	Johnson, Rolette	Moe
Bagge	Mittag	Sandness
Blair		
Absent and not voting:		
Fleck		

So the bill passed as amended and the title was agreed to.

Rep. Johnson of Cass 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. 28. 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, 110; nays, 2; absent and not voting, 1.

Those voting in the affirmative were:

Aker	Halcrow	Ohnstad
Allen, Grand Forks	Halvorson	Olson, Barnes
Allen, Pierce	Haugen	Olson, Bowman
Anderson	Haugland	Ostgulen
Arndt	Heckman	Peterson, Bottina'u
Bagge	Hegge	Peterson, Ransom
Bauer	Hildre	Pyle
Baumgartner	Hofstrand	Rettke
Belzer	Hogoboom	Rohde
Benno	Holm	Rohrer
Bergesen	Hovey	Runck
Bjella	Iszler	Sailer
Blair	Jennings	Sandness

Bolmeier	Johnson, Cass	Saumur
Boulden	Johnson, Richland	Schmalenberger
Bubel	Johnson, Rolette	Schnell
Burau	Kolpin	Schwartz
Bymers	Langley	Sellens
Callahan	Larson, Ward	Severson
Carlson	Larson, Wells	Sharpe
Coghlan	Leet.	Stair
Collette	Levin	Starck
Crockett	Lillehaugen	Sticka
Dahlen	Lunde	Stormon
Dalzell	Manstrom	Tuff
Devlin	Marks	Twichell
Drovdal	McInnes	Wambheim
Ekren	Mittag	Welder
Falconer	Moe	Welk
Fitch	Mollet	Westby
Forseth	Monson	Williams, Richland
Fraser	Morland	Williams, Sargent
Fuglestad	Morrison	Williams, Stutsm'n
Gackle	Mortenson	Wolf, McIntosh
Gainor	Myers	Wolf, Morton
Graham	Nelson	Mr. Speaker
Haag	Nystrom	
Those voting in the negative were:		
Braun	Shure	
Absent and not voting:		
Fleck		

So the bill passed as amended and the title was agreed to.

Rep. Westby moved that the vote by which House Bill No. 28 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Concurrent Resolution "B." Memorializing the War Production Board of the United States to Release Sufficient Supplies of Metallic Ammunition and Shot Shells to Permit Hunters to Adequately Harvest Surplus Crops of Game Birds and Game Animals for Food During the Period of the War Emergency.

Was read the second time.

Rep. Rohde moved that House Concurrent Resolution "B" be adopted, which motion prevailed and the Resolution was adopted.

#### SECOND READING OF SENATE BILLS

Senate Bill No. 40. A Bill for an Act to Amend and Re-enact Sub-section 3 of Section 1 of Chapter 114 of the Session Laws of 1933 Relating to the Propagation and Domestication of Game Birds and Animals, 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, 109; nays, 2; absent and not voting, 2.

Those voting in the affirmative were:

Aker	Haag	Nystrom
Allen, Grand Forks	Halcrow	Ohnstad
Allen, Pierce	Haugen	Olson, Barnes
Anderson	Haugland	Olson, Bowman
Arndt	Heckman	Ostgulen

Bagge	Hegge	Peterson, Bottina'u
Bauer	Hildre	Peterson, Ransom
Baumgartner	Hofstrand	Pyle
Belzer	Hogoboom	Rettke
Benno	Holm	Rohde
Bergesen	Hovey	Rohrer
Bjella	Iszler	Runck
Blair	Jennings	Sailer
Bolmeier	Johnson, Cass	Saumur
Boulden	Johnson, Richland	Schmalenberger
Braun	Johnson, Rolette	Schnell
Bubel	Kolpin	Schwartz
Bureau	Langley	Sellens
Bymers	Larson, Ward	Severson
Callahan	Larson, Wells	Sharpe
Carlson	Leet	Shure
Coghlan	Levin	Stair
Collette	Lillehaugen	Starck
Crockett	Lunde	Sticka
Dahlen	Manstrom	Stormon
Dalzell	Marks	Tuff
Devlin	McInnes	Twichell
Drovdal	Mittag	Wambheim
Ekren	Moe	Welder
Falconer	Mollet	Welk
Fitch	Monson	Westby
Forseth	Morland	Williams, Richland
Fraser	Morrison	Williams, Sargent
Fuglestad	Mortenson	Williams, Stutsm'n
Gackle	Myers	Wolf, McIntosh
Gainor	Nelson	Wolf, Morton

Those voting in the negative were:

Halvorson Mr. Speaker

Absent and not voting:

Fleck Sandness

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

Senate Bill No. 38. A Bill for an Act Making an Appropriation for the Purchase of Foods, Meats, etc., and for Watermain and Hydrants to Dairy Barn for the State Tuberculosis Sanatorium; 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, 111; nays, 0; absent and not voting, 2.

Those voting in the affirmative were:

Aker	Halcrow	Ohnstad
Allen, Grand Forks	Halvorson	Olson, Barnes
Allen, Pierce	Haugen	Olson, Bowman
Anderson	Haugland	Ostgulen
Arndt	Heckman	Peterson, Bottina'u
Bagge	Hegge	Peterson, Ransom
Bauer	Hildre	Pyle
Baumgartner	Hofstrand	Rettke
Belzer	Hogoboom	Rohde
Benno	Holm	Rohrer
Bergesen	Hovey	Runck

Bjella	Iszler	Sailer
Blair	Jennings	Sandness
Bolmeier	Johnson, Cass	Saumur
Boulden	Johnson, Richland	Schmalenberger
Braun	Johnson, Rolette	Schnell
Bubel	Kolpin	Schwartz
Bureau	Langley	Sellens
Bymers	Larson, Ward	Severson
Callahan	Larson, Wells	Sharpe
Carlson	Leet	Shure
Coghlan	Levin	Stair
Collette	Lillehaugen	Starck
Dahlen	Lunde	Sticka
Dalzell	Manstrom	Stormon
Devlin	Marks	Tuff
Drovdal	McInnes	Twichell
Ekren	Mittag	Wambheim
Falconer	Moe	Welder
Fitch	Mollet	Welk
Forseth	Monson	Westby
Fraser	Morland	Williams, Richland
Fuglestad	Morrison	Williams, Sargent
Gackle	Mortenson	Williams, Stutsm'n
Gainor	Myers	Wolf, McIntosh
Graham	Nelson	Wolf, Morton
Haag	Nystrom	Mr. Speaker
Absent and not voting:		
Crookett	Fleck	

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

Rep. Johnson of Cass moved that the vote by which Senate Bill No. 38 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senate Bill No. 42. A Bill for an Act to Pay Workmen's Compensation Premiums on the Salaries of the Justices of the Supreme Court, and Declaring an Emergency.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 90; nays, 18; absent and not voting, 5.

Those voting in the affirmative were:

Aker	Fuglestad	Nelson
Allen, Grand Forks	Gackle	Nystrom
Allen, Pierce	Gainor	Ohnstad
Anderson	Graham	Olson, Bowman
Arndt	Haag	Ostgulen
Bagge	Halcrow	Peterson, Bottina'u
Bauer	Haugland	Peterson, Ransom
Baumgartner	Heckman	Pyle
Belzer	Hildre	Rohrer
Benno	Hofstrand	Runk
Bergesen	Hogoboom	Sailer
Bjella	Holm	Sandness
Blair	Hovey	Saumur
Bolmeier	Iszler	Schmalenberger
Boulden	Jennings	Schnell
Braun	Johnson, Cass	Schwartz
Bureau	Johnson, Richland	Sellens

Callahan	Johnson, Rolette	Severson
Carlson	Kolpin	Sharpe
Coghlan	Langley	Shure
Collette	Larson, Ward	Stair
Dahlen	Leet	Sticka
Dalzell	Lillehaugen	Stormon
Devlin	Lunde	Twichell
Drovdal	Manstrom	Wambheim
Ekren	Marks	Westby
Falconer	McInnes	Williams, Sargent
Fitch	Mittag	Williams, Stutsm'n
Forseth	Mortenson	Wolf, Morton
Fraser	Myers	Mr. Speaker
Those voting in the negative were:		
Bubel	Moe	Starck
Halvorson	Mollet	Tuff
Haugen	Monson	Welder
Hegge	Morrison	Welk
Larson, Wells	Rettke	Williams, Richland
Levin	Rohde	Wolf, McIntosh
Absent and not voting:		
Bymers	Fleck	Olson, Barnes
Crockett	Morland	

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

Senate Bill No. 27. A Bill for an Act Making an Appropriation in the Sum of Two Thousand Dollars (\$2,000.00) for the Payment of Salaries of "Other Employees" of the State Hospital for the Insane; and of the Sum of Twenty-five Thousand Dollars (\$25,000.00) for the Purchase of Meats and Foods for the State Hospital for the Insane; for the Period from January 1, 1943 to June 30, 1943; and Declaring an Emergency.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 107; nays, 0; absent and not voting, 6.

Those voting in the affirmative were:

Aker	Halvorson	Olson, Barnes
Allen, Grand Forks	Haugen	Olson, Bowman
Allen, Pierce	Haugland	Ostgulen
Anderson	Heckman	Peterson, Bottina'u
Arndt	Hegge	Peterson, Ransom
Bagge	Hildre	Pyle
Bauer	Hofstrand	Rettke
Baumgartner	Hogoboom	Rohde
Belzer	Holm	Rohrer
Benno	Hovey	Runk
Bergesen	Iszler	Sailer
Bjella	Jennings	Sandness
Blair	Johnson, Cass	Saumur
Bolmeier	Johnson, Richland	Schmalenberger
Boulden	Johnson, Rolette	Schnell
Braun	Kolpin	Schwartz
Bubel	Larson, Ward	Sellens
Burau	Larson, Wells	Severson
Callahan	Leet	Sharpe
Carlson	Levin	Shure



Collette	Lillehaugen	Stair
Dahlen	Lunde	Starck
Dalzell	Manstrom	Sticka
Devlin	Marks	Stormon
Drovdal	McInnes	Tuff
Ekren	Mittag	Twichell
Falconer	Moe	Wambheim
Fitch	Mollet	Welder
Forseth	Monson	Welk
Fraser	Morland	Westby
Fuglestad	Morrison	Williams, Richland
Gackle	Mortenson	Williams, Stutsm'n
Gainor	Myers	Wolf, McIntosh
Graham	Nelson	Wolf, Morton
Haag	Nystrom	Mr. Speaker
Halcrow	Ohnstad	
Absent and not voting:		
Bymers	Crockett	Langley
Coghlan	Fleck	Williams, Sargent

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

Rep. Allen of Grand Forks moved that the vote by which Senate Bill No. 28 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senate Bill No. 28. A Bill for an Act Making an Appropriation in the Sum of Three Thousand Dollars (\$3,000.00) to Provide Funds for Increasing the Salaries of Those Employed by the Board of Administration in the Maintenance and Operation of the State Capitol Building, the Liberty Memorial Building, and Capitol Grounds, for the Period from January 1, 1943 to June 30, 1943; and Declaring an Emergency.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 104; nays, 6; absent and not voting, 3.

Those voting in the affirmative were:

Aker	Halcrow	Nystrom
Allen, Grand Forks	Halvorson	Ohnstad
Allen, Pierce	Haugen	Olson, Barnes
Anderson	Haugland	Olson, Bowman
Arndt	Heckman	Ostgulen
Bagge	Hegge	Peterson, Bottina'u
Bauer	Hildre	Peterson, Ransom
Baumgartner	Hofstrand	Pyle
Belzer	Hogoboom	Rettke
Benno	Holm	Rohrer
Bergesen	Hovey	Runk
Bjella	Iszler	Sailer
Blair	Jennings	Sandness
Bolmeier	Johnson, Cass	Saumur
Boulden	Johnson, Richland	Schmalenberger
Braun	Johnson, Rolette	Schnell
Bureau	Kolpin	Schwartz
Callahan	Langley	Sellens
Carlson	Larson, Ward	Severson
Coghlan	Larson, Wells	Sharpe

Collette	Leet	Shure
Dahlen	Levin	Stair
Dalzell	Lillehaugen	Starck
Devlin	Lunde	Sticka
Drovdal	Manstrom	Stormon
Ekren	Marks	Twichell
Falconer	McInnes	Wambheim
Fitch	Mittag	Welk
Forseth	Moe	Westby
Fraser	Monson	Williams, Richland
Fuglestad	Morland	Williams, Sargent
Gackle	Morrison	Williams, Stutsm'n
Gainor	Mortenson	Wolf, Morton
Graham	Myers	Mr. Speaker
Haag	Nelson	
Those voting in the negative were:		
Bubel	Rohde	Welder
Mollet	Tuff	Wolf, McIntosh
Absent and not voting:		
Bymers	Crockett	Fleck

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

Senate Bill No. 26. A Bill for an Act Making an Appropriation in the Sum of Five Hundred Dollars (\$500.00), to Provide Funds for Payment of Salaries of Operators Employed in the Capitol Telephone Exchange for the Period from January 1, 1943, to June 30, 1943; and Declaring an Emergency.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 76; nays, 32; absent and not voting, 5.

Those voting in the affirmative were:

Aker	Graham	Nystrom
Allen, Grand Forks	Halcrow	Ohnstad
Allen, Pierce	Haugland	Olson, Barnes
Arndt	Heckman	Olson, Bowman
Bagge	Hildre	Peterson, Ransom
Bauer	Hofstrand	Pyle
Baumgartner	Hogoboom	Rettke
Benno	Holm	Rohrer
Bergesen	Hovey	Runk
Bjella	Johnson, Cass	Sailer
Blair	Johnson, Richland	Sandness
Bolmeier	Johnson, Rolette	Saumur
Boulden	Kolpin	Schmalenberger
Burau	Langley	Schnell
Callahan	Larson, Ward	Sellens
Coghlan	Leet	Severson
Collette	Levin	Sharpe
Dahlen	Lillehaugen	Shure
Dalzell	Lunde	Stair
Devlin	Manstrom	Sticka
Ekren	Marks	Stormon
Falconer	McInnes	Twichell
Fitch	Moe	Wambheim
Fuglestad	Morland	Westby

Gackle	Mortenson	Williams, Stutsm'n
Gainor		
Those voting in the negative were:		
Anderson	Iszler	Rohde
Belzer	Jennings	Schwartz
Braun	Larson, Wells	Starck
Bubel	Mittag	Tuff
Drovdal	Mollet	Welder
Forseth	Monson	Welk
Fraser	Morrison	Williams, Richland
Haag	Myers	Wolf, McIntosh
Halvorson	Nelson	Wolf, Morton
Haugen	Ostgulen	Mr. Speaker
Hegge	Peterson, Bottina'u	
Absent and not voting:		
Bymers	Crockett	Williams, Sargent
Carlson	Fleck	

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

Rep. Westby 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.

#### GENERAL ORDERS

Rep. Schnell moved that the House resolve itself into a committee of the whole for the consideration of general orders; which motion prevailed, and the House resolved itself into a committee of the whole.

The Speaker called Rep. Schnell to the chair.

When the committee arose it submitted the following report:

Mr. Speaker: The committee of the whole have had under consideration:

House Bill No. 24.

In line 14, strike out the word "immediately", all of lines 15, 16, 17, 18, 19, and the first 7 words of line 20, and insert in lieu thereof the following:

"shall immediately upon the effective date of this Act pay to the State Treasurer of the State of North Dakota to the account of the State Board of Auditors and to be deposited by the State Treasurer in a special fund to be known as the 'State Board of Auditors Fund' fifty percent (50%) of the sum appropriated for each annual audit of each of said departments, and the remaining fifty percent (50%) of each of the sums appropriated for each annual audit, or so much thereof as may be necessary, shall be so paid into the State Board of Auditors Fund immediately upon receipt of a statement of the actual expense of auditing such departments or institutions." and further amended by renumbering the lines.

And when so amended recommend the same do pass.

House Bill No. 16.

Line 3—Strike out the figures "\$217,140.00" and insert the figures "\$225,808.00".

Line 12—Strike out the figures "\$6,400.00" and insert the figures "\$7,200.00".

Line 13—Strike out the figures "\$84,400.00" and insert the figures "\$90,000.00".

Line 21—Strike out the figures "\$128,120.00" and insert the figures "\$134,520.00".

Line 32—Strike out the figures "\$22,680.00" and insert the figures "\$24,948.00".

Line 37—Strike out the figures "\$41,380.00" and insert the figures "\$43,648.00".

Line 38—Strike out the figures "\$217,140.00" and insert the figures "\$225,808.00".

And when so amended recommend the same do pass.

REP. SCHNELL, Chairman  
Committee of the Whole

Rep. Welder moved that the report of the Committee of the Whole be adopted.

The Speaker announced that the House will be on the eleventh order of business, Second Reading of House Bills, until 1:45 o'clock p. m., tomorrow and directed the Clerk to continue the reading of House Bill No. 49. The Clerk continued the reading of House Bill No. 49.

W. M. SMART, Chief Clerk.

CONTINUATION OF THE THIRTIETH DAY AND  
THE THIRTY-FIRST DAY

Bismarck, February 4, 1943

The Speaker announced that the House was still on the eleventh order of business, second reading of House Bills, and that the second reading of House Bill No. 49 would now be temporarily interrupted but that it would be resumed later on.

The Speaker announced the House would be on the fifth order of business.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: Your Committee on Appropriations to whom was referred House Bill No. 2, have had the same under consideration and recommend that the same do pass.

REP. JOHNSON OF CASS, Chairman.

Rep. Collette moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on State Affairs to whom was referred House Bill No. 64, have had the same under consideration and recommend that the same do pass.

REP. TWICHELL, Chairman.

Rep. Westby moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Public Health to whom was referred House Bill No. 48, have had the same under consideration and recommend that the same be amended as follows:

Section 2. Emergency.) This Act is hereby declared to be an emergency measure and shall be in full force and effect from and after the date of its passage and approval.

After officer, "with the exception of the State Registrar."

And when so amended recommend the same do pass.

REP. PETERSON OF RANSOM, Chairman.

Rep. Bagge moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Appropriations to whom was referred House Bill No. 77, have had the same under consideration and recommend that the same be amended as follows:

Line 4—Strike out the figures "\$146,600.00" and insert the figures "\$145,100.00".

Line 17—Strike out the figures "\$20,000.00" and insert the figures "\$10,000.00".

Line 18—Strike out in its entirety and renumber the lines.  
 Line 21—Strike out the figures "\$7,500.00" and insert the figures "\$6,000.00".

Insert following line 31 the words and figures "To promote the maintenance of existing drainage channels in good agricultural lands and to construct any needed channels ....\$50,000.00".

Line 32—Strike out the figures "\$146,600.00" and insert the figures "\$145,100.00".

And when so amended recommend the same do pass.

REP. JOHNSON OF CASS, Chairman.

Rep. Olson of Barnes moved that the report be adopted, which motion prevailed and the report was adopted.

#### HOUSE COMMITTEE ON ENROLLMENT AND ENGROSSMENT

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

House Bill No. 16.

House Bill No. 24.

And find the same correctly Engrossed.

REP. MORLAND, Chairman.

Rep. Moe moved that the report be adopted, which motion prevailed, and the report was adopted.

#### FIRST READING OF HOUSE BILLS

Reps. Bergesen and Severson introduced:

House Bill No. 122. A Bill for an Act Providing for Acknowledgments by Persons in Military or Naval Service, and Declaring an Emergency.

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

Reps. Bergesen and Severson introduced:

House Bill No. 123. A Bill for an Act to Amend and Re-enact Section 1782 of the 1925 Supplement to the Compiled Laws of North Dakota, Relating to Appointment of Commandant and Subordinate Officers of the Soldiers' Home, and Declaring an Emergency.

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

Reps. Bergesen and Severson introduced:

House Bill No. 124. A Bill for an Act to Amend and Re-enact Section 1779 of the Supplement to the Compiled Laws, 1913, as Amended by Chapter 200 of the Session Laws, 1933; Board of Trustees of North Dakota Soldiers' Home, and Declaring an Emergency.

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

Rep. Devlin introduced:

House Bill No. 125. A Bill for an Act Providing for Cutting of Weeds and Grasses Along Township Highways by Owners of Land Adjoining Such Highways, Excepting from the Provisions of This Act County, State and Federal Highways.

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

Reps. Rohde, Callahan, Myers and Mollet introduced:

House Bill No. 126. A Bill for an Act to Amend and Re-enact Section 2 of Chapter 237 of the 1939 Session Laws, Relating to the Terms of Lease by Counties of Real Property Acquired by Tax-Deed, and Declaring an Emergency.

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

Reps. Rohde, Callahan, Myers and Mollet introduced:

House Bill No. 127. A Bill for an Act to Amend and Re-enact Sections 18, 19, and 20 of Chapter 286 of the 1941 Session Laws, Relating to the Terms of Private Sale and Redemption and Repurchase of County Tax Deed Land, Distribution of the Proceeds, Rights of Owner to Repurchase, Disposition of Rental and Landlord's Share of the Crop, Time of Assessment for Taxation, and Declaring an Emergency.

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

Reps. Rohde, Callahan, Myers and Mollet introduced:

House Bill No. 128. A Bill for an Act to Amend and Re-enact Subdivision One (1) of Section 1 of Chapter 280 of the 1941 Session Laws, Relating to Manner and Time of Listing and Assessing Real Property and Declaring an Emergency.

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

Reps. Rohde, Callahan, Myers and Mollet introduced:

House Bill No. 129. A Bill for an Act to Amend and Re-enact Chapter 380 of the 1931 Session Laws, Relating to the Correction of Errors in the Assessment of Property, Relating to the Placing of Omitted Property Including Tax Deed Land When Sold, Repurchased, or Contracted to Be Sold or Repurchased, or Redeemed After May 31st, or Property Which Has Escaped Taxation, Upon the Tax List and Declaring an Emergency.

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

Reps. Fitch, Crockett, Wolf of McIntosh and Bolmeier introduced:

House Bill No. 130. A Bill for an Act to Amend and Re-enact Section 2 of Chapter 271 of the Session Laws of 1941, Relating to Tax Upon Cigarettes and Licensing Sale Thereof, and Declaring an Emergency.

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

The Committee on Public Health introduced:

House Bill No. 131. A Bill for an Act Regulating the Practice of Naturopathy in the State of North Dakota.

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

Reps. Rettke, Welk, Schwartz and Morrison introduced:

House Bill No. 132. A Bill for an Act Making It Unlawful to Give a Mortgage on a Homestead Except for the Purchase Price, Repair or Improvement Thereof; Permitting the Giving of a Renewal Mortgage Thereon, and Permitting the Giving of a Mortgage Thereon to Another Party Other Than the

**Seller Who Has Furnished All or a Portion of Such Purchase Price, or the Giving of a Mortgage for the Repair or Improvement Thereof, Providing a Penalty, and Repealing All Acts or Parts of Acts in Conflict Herewith.**

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

Reps. Bubel and Haugen introduced:

House Bill No. 133. A Bill for an Act to Provide a Uniform Method of Selling or Disposing of Publicly Owned Personal Property; Providing for Notice of Sale, and the Disposition of the Proceeds; and Permitting the Trading in of Property.

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

Reps. Rohde and Mollet introduced:

House Bill No. 134. A Bill for an Act Amending and Re-enacting Chapter 200 of the Session Laws of 1931 Making It Unlawful to Remove Buildings from Lots in Municipal Corporations Unless the Taxes and Special Assessments and Outstanding Bond Issued Thereon Are Paid, Fixing a Penalty for the Violation Thereof and Declaring an Emergency.

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

Rep. Welder introduced:

House Bill No. 135. A Bill for an Act Relating to the Registration of Brands on Dairy Product Containers and to the Use and Possession of Said Containers, Amending Section 2863a1 of the 1925 Supplement to the 1913 Compiled Laws of North Dakota, and Repealing Said Original Section So Amended and All Acts or Parts of Acts in Conflict Herewith; 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 Agriculture.

Reps. Collette, Burau and Olson of Barnes introduced:

House Bill No. 136. A Bill for an Act to Amend and Re-enact Subsection 31 of Section 3514 of the 1913 Compiled Laws, Relating to the Fees to Be Charged by Sheriffs for Boarding Prisoners.

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

Reps. Fitch, Forseth and Belzer introduced:

House Bill No. 137. A Bill for an Act to Amend and Re-enact Section 2839, Compiled Laws of 1913, Defining the Powers and Duties of the State Dairy Commissioner; Authorizing the Promulgation of Rules for the Regulation of the Manufacture of Dairy Products, and the Determination of the Minimum Butterfat Content of Same; 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.

Reps. Myers, Graham and Haugen introduced:

House Bill No. 138. A Bill for an Act to Amend and Re-enact Sections 5 and 8 of Chapter 165 of the Session Laws



of 1939, as Amended and Re-enacted by Chapter 190 of the Session Laws of 1941 of the State of North Dakota, 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 Tenents 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 Providing that the Act Shall Not Be Applicable in Certain Cases Set Forth in This Act; and Repealing All Acts Inconsistent Herewith.

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

Reps. Johnson of Cass and Sandness introduced:

House Bill No. 139. A Bill for an Act to Regulate the Practice of Professional Engineering; Creating a State Board of Registration for Professional Engineers; Defining Its Powers and Duties; Providing for Registration of Professional Engineers; Fixing Fees Therefor; Imposing Certain Duties Upon the State and the Political Subdivisions Thereof in Connection with Public Works; and Providing Penalties for Violation of Its Provisions.

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

#### FIRST READING OF SENATE BILLS

Senate Bill No. 58. A Bill for an Act to Amend and Re-enact Section 5 of Chapter 162, Session Laws of 1939 Defining a Standard Serological Test and Providing Where Such Test Shall Be Made, and Declaring an Emergency.

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

Rep. Bolmeier moved that the House do now adjourn, which motion prevailed.

W. M. SMART, Chief Clerk.

#### THIRTY-FIRST DAY

Bismarck, February 4, 1943

The House convened pursuant to adjournment, Speaker Beede presiding.

Prayer was offered by Rev. O. O. Andvik.

Roll call: All members were present.

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

Mr. Speaker: Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the continuation of the twenty-ninth day and the thirtieth day and finds the same correct.

And recommends that the same be approved.

REP. WELDER, Chairman.

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

#### MESSAGES FROM THE SENATE

Senate Chamber  
Bismarck, February 4, 1943

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 65. A Bill for an Act Making an Appro-

priation to Defray Expenses of the Delegates to National Political Conventions as Prescribed by Section 916 of the Compiled Laws of 1913.

Senate Bill No. 74. A Bill for an Act to Amend and Re-enact Sections 12, 13, 14 and 15 of Chapter 255 of the Session Laws of 1941 Relating to State Equalization Fund Permitting an Appropriation for the Education and Rehabilitation of Returned Soldiers.

Senate Bill No. 79. A Bill for an Act Transferring the Sum of Eighty-Five Thousand Dollars (\$85,000.00) from the Attorney General Licensing Fund to the General Fund of the State.

Senate Bill No. 83. A Bill for an Act to Amend and Re-enact Section 9689 of the 1913 Compiled Laws, Pertaining to Minors Visiting Certain Public Places, and Prescribing Penalties for Violation Thereof.

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

W. J. TROUT, Secretary.

Senate Chamber

Bismarck, February 4, 1943

Mr. Speaker: I have the honor to return:

House Bill No. 39. A Bill for an Act to Amend and Re-enact Section 6 of Chapter 235 of the Session Laws of the State of North Dakota for the Year 1929 as Amended by Chapter 176 of the Session Laws of 1939 and Further Amended by Chapter 206 of the Session Laws of 1941, Relating to Park District Tax Levies and Providing a Method for Raising Money by the Park District for Specific Purposes in Excess of the Amount Allowed by Law and Providing for a Levy by Park Districts Owning and Maintaining Airports, Purchasing or Acquiring Lands for Airports and for Operating and Maintaining the Same.

House Bill No. 23. A Bill for an Act Making an Appropriation to the North Dakota Firemen's Association.

Which the Senate has passed unchanged.

W. J. TROUT, Secretary.

#### MESSAGES TO THE SENATE

House of Representatives

Bismarck, February 4, 1943

Mr. President: I have the honor to transmit:

House Bill No. 28. 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. 33. A Bill for an Act Making an Appropriation for Salaries, Operation, Maintenance, General and Miscellaneous Expenses for the State Laboratories Department.

House Bill No. 42. A Bill for an Act to Amend and Re-enact Chapter 275 of the Session Laws of 1941, Relating to the Exemptions of Farm Machinery from Personal Property Taxes for the First Year After Its Purchase, on Which Sales or Use Tax Is Paid, and Declaring an Emergency.

House Bill No. 81. A Bill for an Act Authorizing the

Board of University and School Lands to Sell and Dispose of Both Dead and Standing Timber Grown Upon Lands Belonging to the Permanent School and Institutional Funds of the State of North Dakota for Fuel, Fence Posts, or Lumber, If and When, in the Discretion of Such Board, Such Sale Shall Be for the Best Interests of Such Funds; and Authorizing Said Board to Make Rules and Regulations Necessary to Effect the Purposes of This Act.

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

W. M. SMART, Chief Clerk.  
House of Representatives  
Bismarck, February 4, 1943

Mr. President: I have the honor to return:

Senate Bill No. 26. A Bill for an Act Making an Appropriation in the Sum of Five Hundred Dollars (\$500.00), to Provide Funds for Payment of Salaries of Operators Employed in the Capitol Telephone Exchange for the Period from January 1, 1943, to June 30, 1943; and Declaring an Emergency.

Senate Bill No. 27. A Bill for an Act Making an Appropriation in the Sum of Two Thousand Dollars (\$2,000.00) for the Payment of Salaries of "Other Employees" of the State Hospital for the Insane; and of the Sum of Twenty-five Thousand Dollars (\$25,000.00) for the Purchase of Meats and Foods for the State Hospital for the Insane; for the Period from January 1, 1943 to June 30, 1943; and Declaring an Emergency.

Senate Bill No. 38. A Bill for an Act Making an Appropriation for the Purchase of Foods, Meats, etc., and for Watermain and Hydrants to Dairy Barn for the State Tuberculosis Sanatorium; and Declaring an Emergency.

Which the House has passed unchanged.

W. M. SMART, Chief Clerk.

#### REPORTS OF STANDING COMMITTEES

Mr. Speaker: Your Committee on State Affairs to whom was referred House Resolution "H," have had the same under consideration and recommend that the same be indefinitely postponed.

REP. TWICHELL, Chairman.

Rep. Wambheim moved that the report be adopted.

Mr. Speaker: A minority of Your Committee on State Affairs to whom was referred House Resolution "H," have had the same under consideration and recommend that the same do pass.

DONNELL HAUGEN  
RAY SCHNELL  
W. B. FALCONER  
PALMER LEVIN  
S. N. WELDER  
ANDREW HALVORSON  
GEO. SCHWARTZ  
W. M. CROCKETT

Rep. Crockett moved that the report of the minority be substituted for the report of the majority.

Which motion was seconded.

Rep. Wambheim moved the previous question.

Rep. Crockett arose to a point of order.

The chair ruled that no member can move the previous question while any member is talking or has the floor.

Rep. Fitch moved that debate be limited to two minutes for each side.

Which motion prevailed.

Rep. Fitch demanded a roll call on the motion of Rep. Crockett.

Which request was granted.

ROLL CALL

The question being on the motion of Rep. Crockett, the roll was called and there were ayes, 57; nays, 56; absent and not voting, 0.

Those voting in the affirmative were:

Anderson	Heckman	Olson, Bowman
Bauer	Hegge	Ostgulen
Baumgartner	Hofstrand	Peterson, Bottina'u
Belzer	Iszler	Rettke
Braun	Jennings	Rohde
Bubel	Kolpin	Rohrer
Bureau	Larson, Ward	Schmalenberger
Bymers	Larson, Wells	Schnell
Crockett	Levin	Schwartz
Devlin	Lillehaugen	Stair
Drovdal	Marks	Starck
Falconer	Mittag	Tuff
Fitch	Mollet	Welder
Forseth	Monson	Welk
Fraser	Morrison	Williams, Richland
Graham	Mortenson	Williams, Sargent
Haag	Myers	Wolf, McIntosh
Halvorson	Nelson	Wolf, Morton
Haugen	Ohnstad	Mr. Speaker
Those voting in the negative were:		
Aker	Fuglestad	Nystrom
Allen, Grand Forks	Gackle	Olson, Barnes
Allen, Pierce	Gainor	Peterson, Ransom
Arndt	Halcrow	Pyle
Bagge	Haugland	Runck
Benno	Hildre	Sailer
Bergesen	Hogoboom	Sandness
Bjella	Holm	Saumur
Blair	Hovey	Sellens
Bolmeier	Johnson, Cass	Severson
Boulden	Johnson, Richland	Sharpe
Callahan	Johnson, Rolette	Shure
Carlson	Langley	Sticka
Coghlan	Leet	Stormon
Collette	Lunde	Twichell
Dahlen	Manstrom	Wambheim
Dalzell	McInnes	Westby
Ekren	Moe	Williams, Stutsm'n
Fleck	Morland	

So the motion was declared carried and the report of the minority was ordered substituted for the report of the majority.

Rep. Crockett: "I am going to vote 'Aye' on this resolution not for any personal reasons against any member but

the Taxpayers Association itself. I want to find out who is back of this association and if there is anybody back of it from outside the State of North Dakota. There have been accusations made that they were responsible for the 50% levy and charges made against individuals. If these things are true, let's find them out. I vote 'Aye'."

Rep. Marks: "We have spent nearly an hour on this discussion. If I were absolutely sure in my mind that there would be no further investigations or appropriations for investigations, I might possibly vote with Rep. Bergesen but I have a hunch that a little later on someone will be asking for more appropriations for further investigations just like what has taken place in the last two years and so far we have accomplished nothing. I, therefore, vote 'Aye'."

Rep. Schnell: "My purpose in voting for this resolution is merely for a verification of the charges that have been made over the state for a number of years. I feel the people in North Dakota are entitled to this information. I feel the people ought to know who the members of the Taxpayers Association are; who the directors are; what their motives are in legislation, taxation, etc. I feel justified in voting for this resolution because if we do not pass it, it would be an insult to the intelligence of the farmers in North Dakota, which is a purely agricultural state. Mr. Speaker, I vote 'Aye'."

Rep. Fitch changed his vote from "nay" to "aye" for the purpose of reconsideration and requested that the records show, "I am unutterably opposed to the investigation but I propose to move for reconsideration tomorrow."

House Concurrent Resolution "G." A Concurrent Resolution Providing for the Amendment of the Constitution of the State of North Dakota, Creating a State Equalization Fund, and Providing for a State Tax Levy for School Purposes.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 102; nays, 4; absent and not voting, 7.

Those voting in the affirmative were:

Aker	Halcrow	Nystrom
Allen, Grand Forks	Halvorson	Ohnstad
Allen, Pierce	Haugen	Olson, Bowman
Anderson	Haugland	Ostgulen
Arndt	Heckman	Peterson, Bottina'u
Bagge	Hegge	Peterson, Ransom
Bauer	Hildre	Pyle
Baumgartner	Hofstrand	Rettke
Belzer	Hogoboom	Rohde
Benno	Hovey	Rohrer
Bergesen	Iszler	Runck
Bjella	Jennings	Sailer
Bolmeier	Johnson, Cass	Saumur
Boulden	Johnson, Rolette	Schmalenberger
Braun	Kolpin	Schnell
Bubel	Langley	Schwartz
Burau	Larson, Ward	Sellens
Bymers	Larson, Wells	Severson

Callahan	Leet	Sharpe
Carlson	Levin	Shure
Coghlan	Lillehaugen	Stair
Collette	Lunde	Starck
Crockett	Manstrom	Sticka
Dahlen	Marks	Stormon
Dalzell	McInnes	Tuff
Devlin	Mittag	Welder
Drovdal	Moe	Welk
Fitch	Mollet	Westby
Forseth	Monson	Williams, Richland
Fraser	Morland	Williams, Sargent
Fuglestad	Morrison	Williams, Stutsm'n
Gainor	Mortenson	Wolf, McIntosh
Graham	Myers	Wolf, Morton
Haag	Nelson	Mr. Speaker
Those voting in the negative were:		
Ekren	Holm	Wambheim
Falconer		
Absent and not voting:		
Blair	Johnson, Richland	Sandness
Fleck	Olson, Barnes	Twichell
Gackle		

So the bill passed and the title was agreed to.

Rep. Rohde moved that the vote by which House Concurrent Resolution "G" was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Rep. Falconer: "I want it understood that I am in favor of the Equalization Fund. I believe that direct taxation is the way of raising money for that fund but provisions in the Act are such that my legislative district would be contributing more to the fund than their share of the per pupil benefits would justify. I therefore vote 'No'."

House Bill No. 72. A Bill for an Act Authorizing School Districts to Set Up and Maintain a Special Reserve Fund; Providing for the Expenditures Which May Be Made from Said Special Reserve Fund, Providing for the Transfer of Present Funds Into a Special Reserve Fund; and Authorizing a Three Mill Tax Levy for the Establishment and Maintenance of Said Special Reserve Fund; 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, the roll was called and there were ayes, 105; nays, 0; absent and not voting, 8.

Those voting in the affirmative were:

Aker	Halcrow	Nystrom
Allen, Grand Forks	Halvorson	Ohnstad
Allen, Pierce	Haugen	Olson, Bowman
Anderson	Haugland	Ostgulen
Arndt	Heckman	Peterson, Bottina'u
Bagge	Hegge	Peterson, Ransom
Bauer	Hildre	Pyle
Baumgartner	Hofstrand	Rettke
Belzer	Hogoboom	Rohrer

Benno	Holm	Runck
Bergesen	Hovey	Sailer
Bjella	Iszler	Saumur
Blair	Jennings	Schmalenberger
Bolmeier	Johnson, Richland	Schnell
Boulden	Johnson, Rolette	Schwartz
Braun	Kolpin	Sellens
Bubel	Langley	Severson
Bymers	Larson, Ward	Sharpe
Callahan	Larson, Wells	Shure
Carlson	Leet	Stair
Collette	Levin	Starck
Dahlen	Lillehaugen	Sticka
Dalzell	Lunde	Stormon
Devlin	Manstrom	Tuff
Drovdal	Marks	Twichell
Ekren	McInnes	Wambheim
Falconer	Mittag	Welder
Fitch	Moe	Welk
Fleck	Mollet	Westby
Forseth	Monson	Williams, Richland
Fraser	Morland	Williams, Sargent
Fuglestad	Morrison	Williams, Stutsman
Gainor	Mortenson	Wolf, McIntosh
Graham	Myers	Wolf, Morton
Haag	Nelson	Mr. Speaker
Absent and not voting:		
Burau	Gackle	Rohde
Coghlan	Johnson, Cass	Sandness
Crockett	Olson, Barnes	

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

Rep. Morland moved that the vote by which House Bill No. 72 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Concurrent Resolution "I." A Concurrent Resolution Memorializing Congress to Revise Farm Prices to Permit Reasonable Profit.

Was read the second time.

Rep. Mollet moved that House Concurrent Resolution "I" be adopted, which motion prevailed and the Resolution was adopted.

#### SECOND READING OF HOUSE BILLS

House Bill No. 61. A Bill for an Act Providing for the Filing in Duplicate of Certain Instruments in the County Court, Providing a Method for Preserving the Original Instrument, and Repealing Paragraph (3) of Section 8540 of the Compiled Laws of North Dakota for the Year 1913; 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, 37; nays, 72; absent and not voting, 4.

Those voting in the affirmative were:

Allen, Pierce	Dalzell	Ohnstad
Bauer	Halerow	Pyle
Baumgartner	Hildre	Rohde

Belzer	Holm	Rohrer
Benno	Hovey	Runck
Bolmeier	Jennings	Saumur
Boulden	Johnson, Cass	Schwartz
Bubel	Kolpin	Sellens
Burau	Leet	Shure
Bymers	Marks	Twichell
Coghlan	Morrison	Welder
Crockett	Myers	Williams, Richland
Dahlen		
Those voting in the negative were:		
Allen, Grand Forks	Haugen	Olson, Bowman
Anderson	Haugland	Ostgulen
Arndt	Heckman	Peterson, Bottina'u
Bagge	Hegge	Peterson, Ransom
Bergesen	Hogoboom	Rettke
Bjella	Iszler	Sailer
Blair	Johnson, Richland	Sandness
Braun	Johnson, Rolette	Schmalenberger
Callahan	Langley	Schnell
Carlson	Larson, Ward	Severson
Collette	Larson, Wells	Sharpe
Devlin	Levin	Stair
Drovdal	Lillehaugen	Starck
Ekren	Lunde	Sticka
Falconer	McInnes	Stormon
Fleck	Manstrom	Tuff
Forseth	Mittag	Wambheim
Fraser	Moe	Welk
Fuglestad	Monson	Westby
Gackle	Morland	Williams, Sargent
Gainor	Mortenson	Williams, Stutsman
Graham	Nelson	Wolf, McIntosh
Haag	Nystrom	Wolf, Morton
Halvorson	Olson, Barnes	Mr. Speaker
Absent and not voting:		
Aker	Hofstrand	Mollet
Fitch		

So the bill was declared lost.

Rep. Marks: "This being an argument between two attorneys, both of the Coalition group, I do not like to get in bad with either one of them because I may have to employ one of them to defend me. Therefore, with the permission of the House I would like to pass"

Objection was made and Rep. Marks therefore voted "Aye."

Rep. Crockett moved that the House recess for ten minutes, which motion was declared lost.

House Bill No. 26. 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.

Rep. Bergesen demanded a Call of the House.

The roll was called and disclosed all members present except Reps. Aker, Johnson of Richland, Fuglestad and Hofstrand.

The sergeant-at-arms was instructed to bring in the absent members.



Rep. Fitch moved that the Call of the House be dispensed with, which motion prevailed.

Rep. Myers moved that the House do now adjourn, which motion was lost.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 57; nays, 56; absent and not voting, 0.

Those voting in the affirmative were:

Aker	Fleck	Morland
Allen, Grand Forks	Fuglestad	Nystrom
Allen, Pierce	Gackle	Olson, Barnes
Arndt	Gainor	Olson, Bowman
Bagge	Halcrow	Peterson, Ransom
Benno	Haugland	Pyle
Bergesen	Hildre	Runck
Bjella	Hogoboom	Sailer
Blair	Holm	Sandness
Bolmeier	Hovey	Saumur
Boulden	Johnson, Cass	Sellens
Callahan	Johnson, Richland	Severson
Carlson	Johnson, Rolette	Sharpe
Coghlan	Langley	Shure
Collette	Leet	Stormon
Dahlen	Lunde	Twichell
Dalzell	McInnes	Wambheim
Ekren	Manstrom	Westby
Fitch	Moe	Williams, Stutsm'n

Those voting in the negative were:

Anderson	Hegge	Peterson, Bottina'u
Bauer	Hofstrand	Rettke
Baumgartner	Iszler	Rohde
Belzer	Jennings	Rohrer
Braun	Kolpin	Schmalenberger
Bubel	Larson, Ward	Schnell
Bureau	Larson, Wells	Schwartz
Bymers	Levin	Stair
Crockett	Lillehaugen	Starck
Devlin	Marks	Sticka
Drovdal	Mittag	Tuff
Falconer	Mollet	Welder
Forseth	Monson	Welk
Fraser	Morrison	Williams, Richland
Graham	Mortenson	Williams, Sargent
Haag	Myers	Wolf, McIntosh
Halvorson	Nelson	Wolf, Morton
Haugen	Ohnstad	Mr. Speaker
Heckman	Ostgulen	

So the bill passed and the title was agreed to.

Rep. Fitch moved that the vote by which House Bill No. 26 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Rep. Braun: "Now the statement was made here on Monday that this \$182,000.00 that we are asked to appropriate would provide some kind of jobs on the road so that when our boys come back they will have jobs. So far as myself is concerned I am not for jobs when the boys come home. I am in favor of giving them a home. That's what we got when we came to this country. I think we should be fair minded

in this and look for homes for our boys when they come home and not just look for jobs. I vote 'No'."

Rep. Falconer: "I am voting 'No' on this innocent looking departmental bill that in reality appropriates over \$600,000 instead of the supposed \$200,000 that it indicates on the face of it and because I believe that this is no time to appropriate money that should not be spent. We are in a place here where we want to save all we possibly can. I am voting 'No'."

Rep. Myers: "I am opposed to these blanket appropriation bills. This bill gives them the right to spend all the money that comes into the highway fund and the motor vehicle fund and spend it in any way they damn well please and I am opposed to that method of doing business."

Rep. Rettke: "I have the same idea on this bill as Rep. Myers has expressed. It leaves the treasury wide open and I vote 'No'."

Rep. Schnell: "We have been battling on this House appropriation bill for a number of days trying to correct it. We were trying to cut it down to the size of our road building possibilities for the next two years. Our main concern at this time should be the production of food and fibre to help win the war. There is no use talking about a big road program because we need our men on the farms. It is not my intention to cripple this or any other department but we all ought to be consistent and in accord to adjust all the salaries of the various department heads on a uniform basis. I believe the coalition group is afraid of this bill—there is a 'nigger in the woodpile somewhere'—we had it up for General Orders yesterday upon their request too and they didn't dare to face changes. I vote 'No'."

Rep. Welder: "I was convinced that I was going to vote 'aye' for this bill if we could amend it but since we were unable to amend it in comparison with the salaries of the other state departments, I vote 'No'."

Rep. Bauer: "I vote 'No' because I think we ought to raise more wheat and less Hell."

Rep. Crockett: "The reason I am voting 'No' is, this world that we live in is in a great crisis. We are being rationed on food and things to wear and when I see the old men—and this happened in my county last year, 83 years old out in the harvest field working and little girls of nine years putting in nine hours a day on a tractor and saw them hauling grain—then at the same time to see big husky men putting in six to seven hours a day hauling gravel for the highways—I don't think Mr. Speaker, that that is doing our duty to our boys who are at this time serving us on the four corners of the earth. And Mr. Speaker, since the majority faction of this House has not seen fit to help me cut this down, I will have to vote 'No'."

Rep. Fitch moved that the vote by which House Bill No. 26 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Division was asked for.

The count being in error, Rep. Falconer demanded a roll call. A roll call was granted.

#### ROLL CALL

The question being on the motion of Rep. Fitch, the roll

was called and there were ayes, 57; nays, 56; absent and not voting, 0.

Those voting in the affirmative were:

Aker	Fleck	Morland
Allen, Grand Forks	Fuglestad	Nystrom
Allen, Pierce	Gackle	Olson, Barnes
Arndt	Gainor	Olson, Bowman
Bagge	Halcrow	Peterson, Ransom
Benno	Haugland	Pyle
Bergesen	Hildre	Runk
Bjella	Hogoboom	Sailer
Blair	Holm	Sandness
Bolmeier	Hovey	Saumur
Boulden	Johnson, Cass	Sellens
Callahan	Johnson, Richland	Severson
Carlson	Johnson, Rolette	Sharpe
Coghlan	Langley	Shure
Collette	Leet	Stormon
Dahlen	Lunde	Twichell
Dalzell	McInnes	Wambheim
Ekren	Manstrom	Westby
Fitch	Moe	Williams, Stutsm'n

Those voting in the negative were:

Anderson	Hegge	Peterson, Bottina'u
Bauer	Hofstrand	Rettke
Baumgartner	Iszler	Rohde
Belzer	Jennings	Rohrer
Braun	Kolpin	Schmalenberger
Bubel	Larson, Ward	Schnell
Burau	Larson, Wells	Schwartz
Bymers	Levin	Stair
Crockett	Lillehaugen	Starck
Devlin	Marks	Sticka
Drovdal	Mittag	Tuff
Falconer	Mollet	Welder
Forseth	Monson	Welk
Fraser	Morrison	Williams, Richland
Graham	Mortenson	Williams, Sargent
Haag	Myers	Wolf, McIntosh
Halvorson	Nelson	Wolf, Morton
Haugen	Ohnstad	Mr. Speaker
Heckman	Ostgulen	

So the motion was carried.

Rep. Morland moved that the vote by which the above motion was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

House Bill No. 24. A Bill for an Act to Provide for the Payment of the Expenses of Auditing and Examining the Affairs of the State Industrial Institutions, and the Special Departments and Its Subdivisions, of the State of North Dakota, Designating and Appropriating the Funds from Which Paid; Providing for the Payment of Said Collection Into the Special Fund in the State Treasury; Providing for Repeal of Acts.

Was read the second time.

The question being on the final passage of the bill, as

amended, the roll was called and there were ayes, 105; nays, 6; absent and not voting, 2.

## ROLL CALL

Those voting in the affirmative were:

Aker	Graham	Nystrom
Allen, Grand Forks	Haag	Ohnstad
Allen, Pierce	Halcrow	Olson, Barnes
Anderson	Halvorson	Olson, Bowman
Arndt	Haugen	Ostgulen
Bagge	Haugland	Peterson, Bottina'u
Bauer	Heckman	Peterson, Ransom
Baumgartner	Hegge	Pyle
Belzer	Hildre	Rettke
Benno	Hofstrand	Rohrer
Bergesen	Hogoboom	Runck
Bjella	Holm	Sailer
Blair	Hovey	Sandness
Bolmeier	Iszler	Saumur
Boulden	Jennings	Schmalenberger
Braun	Johnson, Cass	Schnell
Bubel	Johnson, Richland	Schwartz
Bureau	Johnson, Rolette	Sellens
Bymers	Kolpin	Severson
Callahan	Langley	Sharpe
Carlson	Larson, Ward	Shure
Coghlan	Larson, Wells	Stair
Collette	Leet	Starck
Dahlen	Levin	Sticka
Dalzell	Lillehaugen	Stormon
Devlin	Lunde	Twichell
Drovdal	Manstrom	Wambheim
Ekren	Marks	Welder
Falconer	McInnes	Welk
Fitch	Mittag	Westby
Fleck	Morland	Williams, Sargent
Forseth	Morrison	Williams, Stutsm'n
Fraser	Mortenson	Wolf, McIntosh
Fuglestad	Myers	Wolf, Morton
Gackle	Nelson	Mr. Speaker
Those voting in the negative were:		
Crockett	Monson	Tuff
Mollet	Rohde	Williams, Richland
Absent and not voting:		
Gainor	Moe	

So the bill passed as amended and the title was agreed to.

Rep. Crockett interrupted the roll call to ask a question. Objection was made and sustained by the Speaker.

Rep. Crockett: "I voted 'No' on this bill for the reason that I could not get the information I wanted. I have heard so much being said about appropriations and the appropriating of this money, that it is their own money but I think this comes out of the General Fund. I think it should come out of their own funds, therefore, I vote 'No'."

Rep. Johnson of Cass: "This money comes out of the Special Fund. It is charged to the institutions so I vote 'Aye'."

Rep. Mollet: "Since I heard Mr. Johnson explain his vote, I have changed my mind. I, therefore, vote 'No'."

House Bill No. 16. A Bill for an Act Making an Appro-

provision for the Operating and Maintenance Expenses of the Public Health Department, Public Health Laboratories and Division of Child Hygiene.

Was read the second time.

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 108; nays, 1; absent and not voting, 4.

#### ROLL CALL

Those voting in the affirmative were:

Aker	Haag	Nystrom
Allen, Grand Forks	Halcrow	Ohnstad
Allen, Pierce	Haugen	Olson, Barnes
Anderson	Haugland	Olson, Bowman
Arndt	Heckman	Ostgulen
Bagge	Hegge	Peterson, Bottina'u
Bauer	Hildre	Peterson, Ransom
Baumgartner	Hofstrand	Pyle
Belzer	Hogoboom	Rettke
Benno	Holm	Rohrer
Bergesen	Hovey	Runck
Blair	Iszler	Sailer
Bolmeier	Jennings	Saumur
Boulden	Johnson, Cass	Schmalenberger
Braun	Johnson, Richland	Schnell
Bubel	Johnson, Rolette	Schwartz
Bureau	Kolpin	Sellens
Bymers	Langley	Severson
Callahan	Larson, Ward	Sharpe
Carlson	Larson, Wells	Shure
Coghlan	Leet	Stair
Collette	Levin	Starck
Crockett	Lillehaugen	Sticka
Dahlen	Lunde	Stormon
Dalzell	Manstrom	Tuff
Devlin	Marks	Twichell
Droydal	McInnes	Wambheim
Ekren	Mittag	Welder
Falconer	Moe	Welk
Fitch	Mollet	Westby
Fleck	Monson	Williams, Richland
Forseth	Morland	Williams, Sargent
Fraser	Morrison	Williams, Stutsm'n
Fuglestad	Mortenson	Wolf, McIntosh
Gackle	Myers	Wolf, Morton
Graham	Nelson	Mr. Speaker

Those voting in the negative were:

Rohde

Absent and not voting:

Bjella	Halvorson	Sandness
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Gainor

So the bill passed as amended and the title was agreed to.

Rep. Fitch moved that the vote by which the minority report of the State Affairs Committee was adopted be reconsidered.

Rep. Bergesen demanded a Call of the House.

The Clerk was instructed to call the roll.

The roll call disclosed Reps. Bjella, Halvorson, Larson of Wells and Wolf of McIntosh absent.

The Sergeant-at-Arms was instructed to bring in the absent members.

Rep. Fitch moved that the call of the House be dispensed with, which motion prevailed.

The question was on the motion of Rep. Fitch.

On a viva voce vote the chair was in doubt.

A rising vote revealed 59 for and 49 against so the motion prevailed.

Rep. Fitch moved that further consideration of House Resolution "H" be indefinitely postponed.

Rep. Crockett moved that the motion of Rep. Fitch be laid on the table.

On a viva voce vote the chair was in doubt.

A roll call was demanded and granted.

#### ROLL CALL

The question being on the motion of Rep. Crockett, the roll was called and there were ayes, 65; nays, 48; absent and not voting, 0.

Those voting in the affirmative were:

Anderson	Hegge	Olson, Bowman
Bauer	Hildre	Ostgulen
Baumgartner	Hofstrand	Peterson, Bottina'u
Belzer	Iszler	Rettke
Bergesen	Jennings	Rohde
Braun	Johnson, Cass	Rohrer
Bubel	Johnson, Richland	Sandness
Burau	Kolpin	Schmalenberger
Bymers	Larson, Ward	Schnell
Crockett	Larson, Wells	Schwartz
Devlin	Levin	Shure
Drovdal	Lillehaugen	Stair
Falconer	Marks	Starck
Fleck	Mittag	Tuff
Forseth	Moe	Welder
Fraser	Mollet	Welk
Graham	Monson	Williams, Richland
Haag	Morland	Williams, Sargent
Halvorson	Morrison	Wolf, McIntosh
Haugen	Mortenson	Wolf, Morton
Haugland	Myers	Mr. Speaker
Heckman	Nelson	

Those voting in the negative were:

Aker	Ekren	Olson, Barnes
Allen, Grand Forks	Fitch	Ohnstad
Allen, Pierce	Fuglestad	Peterson, Ransom
Arndt	Gackle	Pyle
Bagge	Gainor	Runk
Benno	Halcrow	Sailer
Bjella	Hogoboom	Saumur
Blair	Holm	Sellens
Bolmeier	Hovev	Severson
Boulden	Johnson, Rolette	Sharpe
Callahan	Langley	Sticka
Carlson	Leet	Stormon
Coghlan	Lunde	Twichell
Collette	McInnes	Wambheim
Dahlen	Manstrom	Westby
Dalzell	Nystrom	Williams, Stutsm'n

So the motion was carried.

Rep. Crockett moved that House Resolution "H" be placed on the calendar for the next legislative day, which motion prevailed.

Rep. Fitch moved that House Resolution "H" be placed at the head of the calendar.

Rep. Crockett moved that the House do now adjourn, which motion was lost.

The question was again on the motion of Rep. Fitch, which motion was declared lost on a viva voce vote. A rising vote disclosed 59 for and 54 against, so the motion carried.

Rep. Fitch moved that we proceed to vote on House Resolution "H" and demanded a roll call, which motion prevailed.

#### ROLL CALL

The question being on the adoption of House Resolution "H," the roll was called and there were ayes, 55; nays, 58; absent and not voting, 0.

Those voting in the affirmative were:

Anderson	Heckman	Olson, Bowman
Bauer	Hegge	Ostgulen
Baumgartner	Hofstrand	Peterson, Bottina'u
Belzer	Iszler	Rettke
Braun	Jennings	Rohde
Bubel	Kolpin	Rohrer
Burau	Larson, Ward	Schmalenberger
Bymers	Larson, Wells	Schwartz
Crockett	Levin	Stair
Devlin	Lillehaugen	Starck
Drovdal	Marks	Tuff
Falconer	Mittag	Welder
Forseth	Mollet	Welk
Fraser	Monson	Williams, Richland
Graham	Morrison	Williams, Sargent.
Haag	Mortenson	Wolf, McIntosh
Halvorson	Myers	Wolf, Morton
Haugen	Nelson	Mr. Speaker
Haugland		

Those voting in the negative were:

Aker	Fuglestad	Olson, Barnes
Allen, Grand Forks	Gackle	Ohnstad
Allen, Pierce	Gainor	Peterson, Ransom
Arndt	Halcrow	Pyle
Bagge	Hildre	Runck
Benno	Hogoboom	Sailer
Bergesen	Holm	Sandness
Bjella	Hovey	Saumur
Blair	Johnson, Cass	Schnell
Bolmeier	Johnson, Richland	Sellens
Boulden	Johnson, Rolette	Severson
Callahan	Langley	Sharpe
Carlson	Leet	Shure
Coghlan	Lunde	Sticka
Collette	McInnes	Stormon
Dahlen	Manstrom	Twichell
Dalzell	Moe	Wambheim
Ekren	Morland	Westby
Fitch	Nystrom	Williams, Stutsm'n
Fleck		

So the Resolution was declared lost.

Rep. Schnell: "I vote 'No' for the purpose of reconsideration."

Rep. Graham moved that Senate Bill No. 49 be referred to General Orders.

Rep. Bergesen offered as a substitute motion that Senate Bill No. 49 be laid over for one legislative day, which motion prevailed.

Rep. Graham moved that the proposed amendments to Senate Bill No. 49 be read from the desk and printed in the Journal, which motion prevailed.

SENATE BILL NO. 49

On line 6 of the Title after the word fund add "and to the Counties."

Strike out the words "other than" at the end of line 9 and all of line 10.

In Section 3 at the beginning of line 34 add "66% Sixty-six and two-thirds percent) or two-thirds ( $\frac{2}{3}$ ) of" and change the capital "T" in the word the to little "t", so that the first line will read: "Sixty-six and two-thirds percent (66% or two-thirds ( $\frac{2}{3}$ ) of the proceeds of said special license tax of one".

At the end of line 42 of Section 3 after the word "and" insert "said sixty-six and two-thirds percent (66% or two-thirds ( $\frac{2}{3}$ ) of".

At the end of line 45 change the period to semi-colon and add following:

"Thirty-three and one-third percent ( $33\frac{1}{3}\%$ ) or one-third ( $\frac{1}{3}$ ) of the proceeds are hereby allotted to the respective counties in the state in the following manner to-wit: Thirty-three and one-third percent ( $33\frac{1}{3}\%$ ) or one-third ( $\frac{1}{3}$ ) of said license tax shall be deposited by the State Treasurer to the County's Highway Aid Fund. During the months of January, April, July and October of each year, the State Treasurer upon the warrant of the State Auditor shall apportion and disburse said thirty-three and one-third percent ( $33\frac{1}{3}\%$ ) or one-third ( $\frac{1}{3}$ ) of said license tax together with all of the monies of such County's Highway Aid Fund to the various counties of the state in the same proportion and ratio as the number of motor vehicles registered in each county shall bear to the total motor vehicles registered in all the counties of the state during the entire preceding calendar year as shown by certificate of the Registrar of Motor Vehicles.

Rep. Fitch moved that the Chief Clerk be instructed to arrange with the Board of Administration for telephone service in the House Chamber after five o'clock and that arrangements be made to have the engineers see that proper ventilation is maintained after five o'clock, which motion prevailed.

The Speaker announced that the House will be on the eleventh order of business, Second Reading of House Bills, until 1:45 o'clock p. m., tomorrow and directed the Clerk to continue the reading of House Bill No. 49. The Clerk continued the reading of House Bill No. 49.

W. M. SMART, Chief Clerk.



CONTINUATION OF THE THIRTY-FIRST DAY AND  
THE THIRTY-SECOND DAY

Bismarck, February 5, 1943

The Speaker announced that the House was still on the eleventh order of business, second-reading of House bills, and that the second reading of House Bill No. 49 would now be temporarily interrupted but that it would be resumed later on.

The Speaker announced the House would be on the fifth order of business.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: Your Committee on Military Affairs to whom was referred House Bill No. 101, have had the same under consideration and recommend that the same do pass.

REP. FALCONER, Chairman.

Rep. Falconer moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Appropriations to whom was referred House Bill No. 65, have had the same under consideration and recommend that the same be amended as follows:

In the eighth line of the title, strike out the figures "\$12,850.00" and insert the figures "\$12,600.00".

Line 95—Strike out the figures "\$12,850.00" and insert the figures "\$12,600.00".

Line 103—Strike out the figures "\$350.00" and insert the figures "\$100.00".

Line 108—Strike out the figures "\$12,850.00" and insert the figures "\$12,600.00".

And when so amended recommend the same do pass.

REP. JOHNSON OF CASS, Chairman.

Rep. Stair moved that the report be adopted, which motion prevailed and the report was adopted.

HOUSE COMMITTEE ON ENROLLMENT AND  
ENGROSSMENT

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

House Bill No. 23.

House Bill No. 39.

And find the same correctly enrolled.

REP. MORLAND, Chairman.

Rep. Johnson of Richland moved that the report be adopted, which motion prevailed, and the report was adopted.

#### FIRST READING OF HOUSE BILLS

Rep. Graham introduced:

House Bill No. 140. A Bill for an Act to Amend and Re-enact Section 4398, of the 1925 Supplement Relating to the Residence Requirements for Dissolution of Marriage and Declaring an Emergency.

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

Rep. Bauer introduced:

House Bill No. 141. A Bill for an Act to Regulate Firearms Carried or Possessed by Non-Residents of the State, and Providing a Penalty.

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

Rep. Peterson of Ransom introduced:

House Bill No. 142. A Bill for an Act to Amend and Re-enact Section 1, Session Laws of 1931, as Amended and Re-enacted by Chapter 130, Session Laws of 1933, Chapter 142, Session Laws of 1935, and Chapter 133, Session Laws of 1937, Defining Imitation Ice Cream; Permitting the State Food Commissioner and Chemist by Regulation to Lower Such Requirements for the Duration of the War; and Declaring an Emergency.

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

Reps. Hegge and Mittag introduced:

House Bill No. 143. A Bill for an Act Providing for the Furnishing of a Bond by a School Teacher in the State of North Dakota, With the Exception of the Teacher Employed in the Institutions of Higher Learning.

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

Reps. Fleck, Sailer and Burau introduced:

House Bill No. 144. A Bill for an Act to Regulate the Sale of Anti-Freeze; to Provide for the Inspection Thereof; to Prevent Fraud and Deception in the Sale of Anti-Freeze; to Prevent Adulteration and Misbranding Thereof; to Provide for the Enforcement of the Provisions of the Act; to Provide Licensing, Payment and Disposition of License Fees; and Provide Penalties for Violation Thereof.

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

Reps. Haugen, Jennings and Braun introduced:

House Bill No. 145. A Bill for an Act to Provide for the Dissolution of Village Park Districts, and Outlining the Procedure to Be Followed.

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

Reps. Fitch and Bauer introduced:

House Bill No. 146. A Bill for an Act to Provide for the Regulation and Licensing of Horse Racing in the State of North Dakota; to Legalize and Permit the Pari-Mutuel or

Certificate Method of Wagering on the Results of Horse Races at Licensed Racing Meeting in Said State, for the Purpose of Assisting in Raising Funds for the Promotion of the Agricultural, Livestock and Fair Expositions Conducted by the State and Counties of North Dakota, and Authorizing Such Fairs, and Expositions to Permit the Wagering Upon the Results of Horse Races Through the Pari-Mutuel or Certificate Method; and to Render Inapplicable Certain Acts in Conflict Hereof, and Declaring an Emergency.

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

The Committee on Military Affairs introduced:

House Bill No. 147. A Bill for an Act to Amend and Re-enact Sections 2 and 6 of Chapter 217 of the Session Laws of North Dakota for the Year 1941 to Extend the Time in Which the Development of Projects May Be Initiated Thereunder.

Was read the first time and referred to the Committee on Federal Relations.

#### FIRST READING OF SENATE BILLS

Senate Bill No. 65. A Bill for an Act Making an Appropriation to Defray Expenses of the Delegates to National Political Conventions as Prescribed by Section 916 of the Compiled Laws of 1913.

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

Senate Bill No. 74. A Bill for an Act to Amend and Re-enact Sections 12, 13, 14 and 15 of Chapter 255 of the Session Laws of 1941 Relating to State Equalization Fund Permitting an Appropriation for the Education and Rehabilitation of Returned Soldiers.

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

Senate Bill No. 79. A Bill for an Act Transferring the Sum of Eighty-Five Thousand Dollars (\$85,000.00) from the Attorney General Licensing Fund to the General Fund of the State.

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

Senate Bill No. 83. A Bill for an Act to Amend and Re-enact Section 9689 of the 1913 Compiled Laws, Pertaining to Minors Visiting Certain Public Places, and Prescribing Penalties for Violation Thereof.

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

Rep. Sharpe requested that the House revert to the seventh order of business, which request was granted.

Rep. Sharpe moved that the Committee on Public Safety be granted an extension of ten days on House Bill No. 50, which motion prevailed.

Rep. Benno moved that the Committee on Game and Fish be granted an extension on House Bill No. 47 and House Bill No. 44, which motion prevailed.

#### PETITIONS AND COMMUNICATIONS

▲ resolution from Mrs. Alfred Solberg, Secretary of Land

O' Lakes District 40 of Buford, North Dakota, was read from the desk, which resolution was referred to the Committee on Tax and Tax Laws.

A resolution from the Bismarck Junior Chamber of Commerce was read from the desk, which resolution was referred to the Committee on Drainage and Irrigation.

Rep. Bolmeier moved that the House do now adjourn, which motion prevailed.

W. M. SMART, Chief Clerk.

THIRTY-SECOND DAY

Bismarck, February 5, 1943

The House convened pursuant to adjournment, Speaker Beede presiding.

Prayer was offered by Rev. O. O. Ardvik.

Roll call: All members were present except Rep. Forseth.

MESSAGES FROM THE SENATE

Senate Chamber

Bismarck, February 4, 1943

Mr. Speaker: I have the honor to return:

House Bill No. 41. A Bill for an Act to Provide for the Completion of Code Revision by the Code Revision Commission, Reappropriating Moneys Heretofore Appropriated, Making an Additional Appropriation and Declaring an Emergency.

House Bill No. 54. A Bill for an Act to Amend and Re-enact Section 26 of Chapter 148 of the Session Laws of 1931 as Amended by Chapter 157 of the Session Laws of 1941; Providing for Permits and Fees.

House Concurrent Resolution "F" Requesting the 78th Congress of the United States to Pass House Resolution 38 Calling for a Study and Investigation of the Present System of Marketing, Transportation, and Distribution of Farm Products from Rural Areas Through the Various Marketing Agencies to the Ultimate Consumer.

House Concurrent Resolution "C." Memorializing the Office of Price Administration to Establish Local Board in Each Town to Receive Applications in Connection with Rationing Program, Also Empowered in Emergencies Simplify Rationing Forms and Give Farmers Special Consideration in Rationing Gasoline, Tires and Other Materials Vitally Needed in the War.

Which the President has signed.

W. J. TROUT, Secretary.

Senate Chamber

Bismarck, February 5, 1943

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 19. A Bill for an Act Making an Appropriation for Salaries and Expenses for the State Seed Department.

Senate Bill No. 32. A Bill for an Act Making an Appropriation for the Purpose of Defraying the Expenses of the Maintenance and Operation of the State of North Dakota Doing Business as the North Dakota Mill and Elevator Association.

Senate Bill No. 70. A Bill for an Act Fixing the Maxi-

mum Salary Payable to the Commissioner of University and School Lands and Creating an Emergency.

Senate Concurrent Resolution "B." Authorizing the Secretary of State to Supply 1942 North Dakota Blue Books Free of Charge to New Members of the Twenty-eighth Legislative Assembly.

Senate Concurrent Resolution "D." Memorializing Congress to Take Action on S 2600 Cited as the "Rubber Supply Act of 1942."

Senate Concurrent Resolution "N." A Concurrent Resolution Memorializing Congress to Enact Into Law S207, Known as "The Nye Bill," Providing for Waiver of Second-Class Postal Fees Upon Resumption of Publication by Newspapers That Were Compelled to Suspend Publication Because of War Conditions.

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

W. J. TROUT, Secretary.

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

Mr. Speaker: Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the Continuation of the Thirtieth Day and the Thirty-first Day and finds the same correct.

REP. WELDER, Chairman.

Rep. Morrison moved that the report be adopted.

Rep. Haugen moved that the report of the standing committee be amended to read House Bill No. 2 instead of House Bill No. 64 on page 235 in the report of the Committee on Appropriations, which motion prevailed.

The question being on the adoption of the report as amended, which motion prevailed and the report was adopted.

#### MESSAGES TO THE SENATE

House of Representatives

Bismarck, February 5, 1943

Mr. President: I have the honor to transmit:

House Bill No. 75. 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.

House Bill No. 72. A Bill for an Act Authorizing School Districts to Set Up and Maintain a Special Reserve Fund; Providing for the Expenditures Which May Be Made from Said Special Reserve Fund, Providing for the Transfer of Present Funds Into a Special Reserve Fund; and Authorizing a Three Mill Tax Levy for the Establishment and Maintenance of Said Special Reserve Fund; Repealing All Acts or Parts of Acts in Conflict; and Declaring an Emergency.

House Bill No. 56. A Bill for an Act Making an Appropriation for the Payment of Salaries, Postage, Office Supplies and Printing in the State Department of Health, and Declaring an Emergency.

House Bill No. 26. 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.

House Bill No. 6. A Bill for an Act Making an Appropriation for the Purpose of Paying Insurance Tax to the Various Fire Departments of the State.

House Concurrent Resolution "G." A Concurrent Resolution Providing for the Amendment of the Constitution of the State of North Dakota, Creating a State Equalization Fund, and Providing for a State Tax Levy for School Purposes.

House Concurrent Resolution "B." Memorializing the War Production Board of the United States to Release Sufficient Supplies of Metallic Ammunition and Shot Shells to Permit Farmers and Stockmen to Keep Predatory Animals Under Control and to Permit Hunters to Adequately Harvest Surplus Crops of Game Birds and Game Animals for Food During the Period of the War Emergency.

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

W. M. SMART, Chief Clerk.

House of Representatives

Bismarck, February 5, 1943

Mr. President: I have the honor to return:

Senate Bill No. 40. A Bill for an Act to Amend and Re-enact Sub-section 3 of Section 1 of Chapter 114 of the Session Laws of 1933 Relating to the Propagation and Domestication of Game Birds and Animals, and Declaring an Emergency

Senate Bill No. 42. A Bill for an Act to Pay Workmen's Compensation Premiums on the Salaries of the Justices of the Supreme Court, and Declaring an Emergency.

Senate Bill No. 28. A Bill for an Act Making an Appropriation in the Sum of Three Thousand Dollars (\$3,000.00) to Provide Funds for Increasing the Salaries of Those Employed by the Board of Administration in the Maintenance and Operation of the State Capitol Building, the Liberty Memorial Building, and Capitol Grounds, for the Period from January 1, 1943 to June 30, 1943; and Declaring an Emergency.

Which the House has passed unchanged.

W. M. SMART, Chief Clerk.

#### REPORTS OF STANDING COMMITTEES

Mr. Speaker: A majority of your Committee on Judiciary to whom was referred House Bill No. 80, have had the same under consideration and recommend that the same do pass.

J. W. JENNINGS  
 BERNT ANDERSON  
 F. J. GRAHAM  
 ALVA WAMBHEIM  
 A. H. SCHMALENBERGER  
 LOUIS LEET  
 HARRY KOLPIN  
 W. H. SHURE  
 D. S. BLAIR  
 A. R. BERGESEN  
 M. R. OHNSTAD  
 REP. OHNSTAD, Chairman.

Rep. Graham moved that the report be adopted.

Mr. Speaker: A minority of your Committee on Judiciary

to whom was referred House Bill No. 80, have had the same under consideration and recommend that the same be indefinitely postponed.

H. T. MORRISON

J. N. MOLLET

M. S. AKER

W. H. RETTKE

A. H. NYSTROM

REP. OHNSTAD, Chairman.

Rep. Aker moved that the report be adopted.

Rep. Mollet offered as a substitute motion that the report of the minority be substituted for the report of the majority.

Rep. Welder moved the previous question, which motion prevailed.

The question was on the adoption of the minority report, which motion was declared lost.

The question then was on the adoption of the majority report, which motion prevailed.

Mr. Speaker: Your Committee on Agriculture to whom was referred House Concurrent Resolution "L," have had the same under consideration and recommend that the same do pass.

REP. OLSON OF BOWMAN, Chairman.

Rep. Halvorson moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Agriculture to whom was referred Senate Concurrent Resolution "L," have had the same under consideration and recommend that the same be amended as follows:

In line 47 strike out the words "are being", and insert the words "have been".

And when so amended recommend the same do pass.

REP. OLSON OF BOWMAN, Chairman.

Rep. Hogboom moved that the report be adopted, which motion prevailed and the report was adopted.

The Chief Clerk announced that the Speaker was about to sign:

House Bill No. 23. A Bill for an Act Making an Appropriation to the North Dakota Firemen's Association.

House Bill No. 39. A Bill for an Act to Amend and Re-enact Section 6 of Chapter 235 of the Session Laws of the State of North Dakota for the Year 1929 as Amended by Chapter 176 of the Session Laws of 1939 and Further Amended by Chapter 206 of the Session Laws of 1941, Relating to Park District Tax Levies and Providing a Method for Raising Money by the Park District for Specific Purposes in Excess of the Amount Allowed by Law and Providing for a Levy by Park Districts Owning and Maintaining Airports, Purchasing or Acquiring Lands for Airports and for Operating and Maintaining the Same.

And the Speaker signed the same in the presence of the House.

#### SECOND READING OF HOUSE BILLS

House Bill No. 2. A Bill for an Act Making an Appro-

priation for the North Dakota Soldiers' Home at Lisbon, North Dakota; Providing for Reports and Deductions.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 109; nays, 0; absent and not voting, 4.

Those voting in the affirmative were:

Allen, Grand Forks	Halvorson	Ohnstad
Allen, Pierce	Haugen	Olson, Barnes
Anderson	Haugland	Olson, Bowman
Arndt	Heckman	Ostgulen
Bagge	Hegge	Peterson, Bottina'u
Bauer	Hildre	Peterson, Ransom
Baumgartner	Hofstrand	Pyle
Belzer	Hogoboom	Rettke
Benno	Holm	Rohde
Bergesen	Hovey	Rohrer
Bjella	Iszler	Runk
Blair	Jennings	Sailer
Bolmeier	Johnson, Cass	Saumur
Boulden	Johnson, Richland	Schmalenberger
Braun	Johnson, Rolette	Schnell
Bubel	Kolpin	Schwartz
Bureau	Langley	Sellens
Bymers	Larson, Ward	Severson
Callahan	Larson, Wells	Sharpe
Carlson	Leet	Shore
Coghlan	Levin	Stair
Collette	Lillehaugen	Starck
Crockett	Lunde	Sticka
Dahlen	Manstrom	Stormon
Dalzell	Marks	Tuff
Devlin	McInnes	Twichell
Drovdal	Mittag	Wambheim
Ekren	Moe	Welder
Falconer	Mollet	Welk
Fitch	Monson	Westbv
Fleck	Morland	Williams, Richland
Fraser	Morrison	Williams, Sargent
Fuglestad	Mortenson	Williams, Stutsm'n
Gackle	Myers	Wolf, McIntosh
Gainor	Nelson	Wolf, Morton
Graham	Nystrom	Mr. Speaker

Absent and not voting:

Aker	Haag	Sandness
Forseth		

So the bill passed and the title was agreed to.

House Bill No. 64 was read the second time.

Rep. Graham moved that House Bill No. 64 be re-referred to the Committee on State Affairs for the purpose of amending the same, which motion prevailed.

#### SECOND READING OF SENATE BILLS

Rep. Graham moved that Senate Bill No. 49 be placed in General Orders.

Which motion was declared lost.



A division was called for and disclosed 50 for and 60 against so the motion was declared lost.

Rep. Graham moved that Senate Bill No. 49 be made a special order of business after two o'clock Tuesday afternoon.

Which motion prevailed.

Rep. Graham requested that the House revert to the seventh order of business, which request was granted.

Rep. Graham moved that the vote by which House Bill No. 61 was lost be reconsidered.

Rep. Bergesen seconded the motion, which motion prevailed.

Rep. Crockett moved that House Bill No. 61 be placed on the calendar, which motion prevailed.

Rep. Johnson of Richland moved that House Bill No. 61 be placed on the calendar for Tuesday.

Which motion prevailed.

#### GENERAL ORDERS

Rep. Fitch moved that the House resolve itself into a committee of the whole for the consideration of general orders; which motion prevailed, and the House resolved itself into a committee of the whole.

The Speaker called Rep. Fitch to the chair.

When the committee arose it submitted the following report:

Mr. Speaker: The committee of the whole have had under consideration:

House Bill No. 48.

Section 2. Emergency.) This Act is hereby declared to be an emergency measure and shall be in full force and effect from and after the date of its passage and approval.

After officer, on line 44, "with the exception of the State Registrar."

And when so amended recommend the same do pass.

House Bill No. 77.

Line 4—Strike out the figures "\$146,600.00" and insert the figures "\$145,100.00".

Line 17—Strike out the figures "\$20,000.00" and insert the figures "\$10,000.00".

Line 18—Strike out in its entirety and renumber the lines.

Line 21—Strike out the figures "\$7,500.00" and insert the figures "\$6,000.00".

Insert following line 31 the words and figures "To promote the maintenance of existing drainage channels in good agricultural lands and to construct any needed channels ....\$50,000.00".

Line 32—Strike out the figures "\$146,600.00" and insert the figures "\$145,100.00".

And further amend the report of the Standing Committee as follows:

Line 4—Strike out the figures "\$145,100.00" and insert the figures "\$166,600.00".

Line 18—Insert the wording "Construction Bond Guarantee Fund.....\$20,000.00".

Line 21—Strike out the figures "6,000.00" and insert the figures \$7,500.00".

Line 32—Strike out the figures "\$145,100.00" and insert the figures "\$166,600.00."

And when so amended recommend the same do pass.

REP. FITCH, Chairman.  
Committee of the Whole.

Rep. Fitch moved that the report of the Committee of the Whole be adopted, which motion prevailed.

Rep. Schnell requested that the House revert to the seventh order of business, which request was granted.

Rep. Schnell moved that he be granted an extension of time until Tuesday after two o'clock in which to move to reconsider the vote by which House Resolution "H" was lost.

Rep. Bergesen offered as a substitute motion that consideration of Rep. Schnell's motion to reconsider be made a special order of business after two o'clock Tuesday afternoon with all his rights and privileges preserved. Which motion the Speaker ruled carried by the necessary two-thirds vote.

The Speaker announced that the House will be on the eleventh order of business, second reading of House bills, until 1:45 o'clock p. m., tomorrow and directed the Clerk to continue the reading of House Bill No. 49. The Clerk continued the reading of House Bill No. 49.

W. M. SMART, Chief Clerk.

CONTINUATION OF THE THIRTY-SECOND DAY AND  
THE THIRTY-THIRD DAY

Bismarck, February 6, 1943

The Speaker announced that the House was still on the eleventh order of business, second reading of House bills, and that the second reading of House Bill No. 49 would now be temporarily interrupted but that it would be resumed later on.

The Speaker announced the House would be on the tenth order of business.

FIRST READING OF HOUSE BILLS

Rep. Fitch introduced:

House Bill No. 148. A Bill for an Act Requiring Instruction in Military Training at the University and Agricultural College, and Repealing Chapter 234 of the Session Laws of North Dakota for 1937 and All Acts or Parts of Acts in Conflict Herewith.

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

Rep. Mittag introduced:

House Bill No. 149. A Bill for an Act to Amend and Re-enact Section 1 of Chapter 11, Session Laws of 1939, as Amended by Chapter 16, Session Laws of 1941, 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, and Providing for the Compulsory Bang's Testing of Townships in Counties in Which Seventy-Five Per Cent of the Townships Are Completely Bang's Tested and Providing Exceptions Thereto.

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

Reps. Benno, Haugland and Hovey introduced:

House Bill No. 150. A Bill for an Act to Amend and Re-enact Section 1 of Chapter 207, Session Laws of 1935, as Amended by Section 1 of Chapter 209, Session Laws of 1941, Relating to Refunding Special Improvement Warrants, Validating Proceedings Heretofore Taken for Such Refunding and Warrants Issued Thereunder, and Declaring an Emergency.

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

The Committee on Judiciary introduced:

House Bill No. 151. A Bill for an Act Providing for the Retirement of Supreme and District Court Judges, Providing the Manner of Making Application, Compensation in

Case of Retirement, Method of Filling Such Vacancy, and Declaring an Emergency.

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

Reps. Graham, Haugland and Ohnstad introduced:

House Bill No. 152. A Bill for an Act to Establish a Uniform Conditional Sales Law.

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

Reps. Nelson, Wolf of Morton and Starck introduced:

House Bill No. 153. A Bill for an Act Making It a Felony for an Official or Employee in Any Penal, Correctional, or Eleemosynary Institution to Have Sexual Intercourse With an Inmate of Such Institution in Which Such Officer or Other Person Is Employed; Making It a Felony for a Guardian or Person Administering Public Relief or Welfare to Induce a Female Ward Under His Care to Have Illicit Sexual Intercourse With Him, by Threatening to Withhold from Such Female or Her Family, the Necessities of Life, or Threatening Physical Violence; Providing Penalty.

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

Rep. Bauer introduced:

House Bill No. 154. A Bill for an Act Providing for the Control and Eradication of Harmful, Destructive and Poisonous Reptiles; the Appointment of a Warden to Accomplish This Purpose; Providing for His Compensation and Expenses and the Supplying of Necessary Equipment; Outlining the Duties of the Warden.

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

Reps. Moe and Halcrow introduced:

House Bill No. 155. A Bill for an Act Making Unlawful the Use of Force or Violence or Threats Thereof to Prevent or Attempt to Prevent Any Person from Engaging in Any Lawful Vocation and Providing Penalties for the Violation Thereof; Making It Unlawful for Any Person Acting in Concert With Other Persons to Assemble and Prevent or Attempt to Prevent by Force or Violence Any Person from Engaging in a Lawful Vocation and Making It Unlawful to Encourage and Aid Such Unlawful Assemblage and Providing Penalties for the Violation Thereof; Defining the Term "Labor Dispute"; Making the Provisions of This Act Cumulative of Existing Laws; and Providing a Severance or Saving Clause; and Declaring an Emergency.

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

Rep. Sellens introduced:

House Bill No. 156. A Bill for an Act to Amend and Re-enact Section 909A1 of the 1925 Supplement to the Compiled Laws of 1913, Being Section 1 of Chapter 117 of the Session Laws for the Year 1919 So as to Provide for a No-Party Nomination and Election of All Elective State and County Officers and Members of the Legislative Assembly.

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

Reps. Schwartz and Crockett introduced:

House Bill No. 157. A Bill for an Act to Amend and Re-

enact Section 1 of Chapter 140 of the Session Laws of 1919, Being Section 2618 of the Supplement to the Compiled Laws of 1913 as Amended by Chapter 4 of the Session Laws of 1931, as Amended by Chapter 17 of the Session Laws of 1941, Relating to Herd Law Suspension.

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

Rep. Johnson of Cass introduced:

House Bill No. 158. A Bill for an Act to Amend and Re-enact Subsections 1a and 1b of Section 1 of Chapter 185 of the Session Laws of North Dakota for the Year 1935, Prescribing the Powers and Duties of Officers in Connection With the Enforcement of Laws Relating to the Size and Load Weights of Motor Vehicles and Prescribing Penalties for the Violation Thereof.

Was read the first time and referred to the Committee on Highways and Bridges.

#### FIRST READING OF SENATE BILLS

Senate Bill No. 19. A Bill for an Act Making an Appropriation for Salaries and Expenses for the State Seed Department.

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

Senate Bill No. 32. A Bill for an Act Making an Appropriation for the Purpose of Defraying the Expenses of the Maintenance and Operation of the State of North Dakota Doing Business as the North Dakota Mill and Elevator Association.

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

Senate Bill No. 70. A Bill for an Act Fixing the Maximum Salary Payable to the Commissioner of University and School Lands and Creating an Emergency.

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

Senate Concurrent Resolution "B." Authorizing the Secretary of State to Supply 1942 North Dakota Blue Books Free of Charge to New Members of the Twenty-eighth Legislative Assembly.

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

Senate Concurrent Resolution "D." Memorializing Congress to Take Action on S 2600 Cited as the "Rubber Supply Act of 1942."

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

Senate Concurrent Resolution "N." A Concurrent Resolution Memorializing Congress to Enact Into Law S207, Known as "The Nye Bill," Providing for Waiver of Second-Class Postal Fees Upon Resumption of Publication by Newspapers That Were Compelled to Suspend Publication Because of War Conditions.

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

#### PETITIONS AND COMMUNICATIONS

A communication was read from the desk from New Salem,

North Dakota, regarding liquor control, which communication was referred to the Committee on Temperance.

A resolution from Weigel Local No. 1234 of the Farmers Union of Logan County, North Dakota, with reference to the message of the Governor, was read from the desk.

Rep. Blair moved the resolution be tabled, which motion was lost.

Rep. Welder moved the resolution be printed in the Journal.

Rep. Crockett offered a substitute motion that the resolution as read from the desk be referred to the proper committee, which motion prevailed and the resolution was referred to the Committee on State Affairs.

Rep. Rohde moved that the absent member be excused, which motion prevailed.

Rep. Rohde moved that the House do now adjourn, which motion prevailed.

W. M. SMART, Chief Clerk.

### THIRTY-THIRD DAY

Bismarck, February 6, 1943

The House convened pursuant to adjournment, Speaker Beede presiding.

Prayer was offered by Rev. O. O. Andvik.

Roll call: All members were present except Reps. Aker, Benno, Coghlan, Dahlen, Ekren, Fitch, Forseth, Fuglestad, Monson, Morland, Ohnstad, Pyle, Saumur, Sharpe, Stair, Sticka and Wambheim.

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

Mr. Speaker: Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the Continuation of the Thirty-first Day and Thirty-second Day and finds the same correct.

And recommend that the same be approved.

REP. WELDER, Chairman.

Rep. Lunde moved that the report be adopted, which motion prevailed and the report was adopted.

### MESSAGES FROM THE SENATE

Senate Chamber

Bismarck, February 6, 1943

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 61. A Bill for an Act to Amend and Re-enact Section 8 of Chapter 241, Laws of 1937, Pertaining to Field Auditors.

Senate Bill No. 107. A Bill for an Act to Amend and Re-enact Section 2346a16 of the 1925 Supplement to the Compiled Laws of 1913, as Amended by Chapter 253 of the Session Laws of 1933, and as Further Amended by Chapter 278 of the Session Laws of 1941; Providing for Allocation and Apportionment of Income of Individuals Doing Business Within and Without the State, and Declaring an Emergency.

Senate Bill No. 120. A Bill for an Act Making an Appropriation for the General Maintenance, Administration, Salaries and Other Expenses for the State Hospital for the Insane at Jamestown, North Dakota, and Prescribing a Limitation as to the Availability of the Same.

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

W. J. TROUT, Secretary.  
Senate Chamber  
Bismarck, February 6, 1943

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 26. A Bill for an Act Making an Appropriation in the Sum of Five Hundred Dollars (\$500.00), to Provide Funds for Payment of Salaries of Operators Employed in the Capitol Telephone Exchange for the Period from January 1, 1943, to June 30, 1943; and Declaring an Emergency.

Senate Bill No. 27. A Bill for an Act Making an Appropriation in the Sum of Two Thousand Dollars (\$2,000.00) for the Payment of Salaries of "Other Employees" of the State Hospital for the Insane; and of the Sum of Twenty-five Thousand Dollars (\$25,000.00) for the Purchase of Meats and Foods for the State Hospital for the Insane; for the Period from January 1, 1943 to June 30, 1943; and Declaring an Emergency.

Senate Bill No. 38. A Bill for an Act Making an Appropriation for the Purchase of Foods, Meats, etc., and for Watermain and Hydrants to Dairy Barn for the State Tuberculosis Sanatorium; and Declaring an Emergency.

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

W. J. TROUT, Secretary.

#### REPORTS OF STANDING COMMITTEES

Mr. Speaker: Your Committee on State Affairs to whom was referred House Bill No. 130, have had the same under consideration and recommend that the same do pass.

REP. TWICHELL, Chairman.

Rep. Falconer moved that the report be adopted.

The House was informed that House Bill No. 130 had not yet been printed and the Speaker announced action would therefore be deferred.

Mr. Speaker: 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.

REP. TWICHELL, Chairman.

Rep. Bolmeier moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on State Affairs to whom was referred Senate Bill No. 24, have had the same under consideration and recommend that the same do pass.

REP. TWICHELL, Chairman.

Rep. Sandness moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Cities and Municipal Corporations to whom was referred House Bill No. 109, have had the same under consideration and recommend that the same do pass.

REP. WOLF OF MORTON, Chairman.

Rep. Hovey moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Cities and Municipal

Corporations to whom was referred House Bill No. 113, have had the same under consideration and recommend that the same be indefinitely postponed.

REP. WOLF OF MORTON, Chairman.

Rep. Marks moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: A majority of your Committee on State Affairs to whom was referred House Concurrent Resolution "K," have had the same under consideration and recommend that the same be indefinitely postponed.

REP. TWICHELL, Chairman.

Rep. Bolmeier moved that the report be adopted.

Mr. Speaker: A minority of your Committee on State Affairs to whom was referred House Concurrent Resolution "K," have had the same under consideration and recommend that the same do pass.

WM. B. FALCONER  
W. E. SELLENS  
RAY SCHNELL  
DONNELL HAUGEN  
ANDREW HALVORSON  
S. N. WELDER  
PALMER LEVIN

Rep. Falconer moved that the report be adopted.

Rep. Haugen offered as a substitute motion that the report of the minority be substituted for the report of the majority.

Rep. Wolf of McIntosh moved the previous question.

Not a sufficient number seconded the request for the previous question.

The question was on the adoption of the minority report, which motion prevailed and the minority report of the Committee on State Affairs was adopted and House Concurrent Resolution "K" was placed on the calendar.

Mr. Speaker: Your Committee on Livestock to whom was referred House Bill No. 63, have had the same under consideration and recommend that the same be indefinitely postponed.

REP. HALVORSON, Chairman.

Rep. Anderson moved that the report be adopted, which motion prevailed and the report was adopted.

#### HOUSE COMMITTEE ON ENROLLMENT AND ENGROSSMENT

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

House Bill No. 77.

And find the same correctly engrossed.

REP. BUBEL, Acting Chairman.

Rep. Bjella moved that the report be adopted, which motion prevailed, and the report was adopted.

Rep. Bubel moved that House Bill No. 48 be placed in General Orders for further amendments.

Which motion prevailed.

Rep. Starck moved that House Bill No. 101 be re-referred to the Committee on Military Affairs.

Which motion prevailed.



Rep. Haugen moved that further action on House Bill No. 80 be deferred until after two o'clock Tuesday afternoon.

Which motion prevailed.

House Concurrent Resolution "L." Memorializing Congress to Establish a Soy Bean Utilization Plant in Connection with the State Mill and Elevator.

Was read the second time.

Rep. Rohde moved that House Concurrent Resolution "L" be adopted, which motion prevailed, and House Concurrent Resolution "L" was adopted.

#### MESSAGES TO THE SENATE

House of Representatives  
Bismarck, February 6, 1943

Mr. President: I have the honor to transmit:

House Bill No. 16. A Bill for an Act Making an Appropriation for the Operating and Maintenance Expenses of the Public Health Department, Public Health Laboratories and Division of Child Hygiene.

House Bill No. 24. A Bill for an Act to Provide for the Payment of the Expenses of Auditing and Examining the Affairs of the State Industrial Institutions, and the Special Departments and Its Subdivisions, of the State of North Dakota, Designating and Appropriating the Funds from Which Paid; Providing for the Payment of Said Collection Into the Special Fund in the State Treasury; Providing for Repeal of Acts.

House Concurrent Resolution "I." A Concurrent Resolution Memorializing Congress to Revise Farm Prices to Permit Reasonable Profit.

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

W. M. SMART, Chief Clerk.  
House of Representatives  
Bismarck, February 6, 1943

Mr. President: I have the honor to transmit:

House Bill No. 39. A Bill for an Act to Amend and Re-enact Section 6 of Chapter 235 of the Session Laws of the State of North Dakota for the Year 1929 as Amended by Chapter 176 of the Session Laws of 1939 and Further Amended by Chapter 206 of the Session Laws of 1941, Relating to Park District Tax Levies and Providing a Method for Raising Money by the Park District for Specific Purposes in Excess of the Amount Allowed by Law and Providing for a Levy by Park Districts Owning and Maintaining Airports, Purchasing or Acquiring Lands for Airports and for Operating and Maintaining the Same.

House Bill No. 23. A Bill for an Act Making an Appropriation to the North Dakota Firemen's Association.

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

W. M. SMART, Chief Clerk.

Rep. Crockett moved that House Bill No. 77 be placed in General Orders after two o'clock Wednesday, which motion prevailed.

## GENERAL ORDERS

Rep. Rohde moved that the House resolve itself into a committee of the whole for the consideration of general orders; which motion prevailed, and the House resolved itself into a committee of the whole.

The Speaker called Rep. Rohde to the chair.

When the committee arose it submitted the following report:

Mr. Speaker: The committee of the whole have had under consideration:

House Bill No. 65.

In the eighth line of the title, strike out the figures "\$12,850.00" and insert the figures "\$12,600.00".

Line 95—Strike out the figures "\$12,850.00" and insert the figures "\$12,600.00".

Line 103—Strike out the figures "\$350.00" and insert the figures "\$100.00".

Line 108—Strike out the figures "\$12,850.00" and insert the figures "\$12,600.00".

And when so amended recommend the same do pass.

Senate Concurrent Resolution "L,"

In line 47 strike out the words "are being", and insert the words "have been".

And when so amended recommend the same do pass.

House Bill No. 48.

Section 2. Emergency.) This Act is hereby declared to be an emergency measure and shall be in full force and effect from and after the date of its passage and approval.

After officer, on line 44, "with the exception of the State Registrar."

And when so amended recommend the same do pass.

And recommend the following further amendments:

Strike out the period in the title and add "and declaring an emergency".

Amend the Standing Committee report by striking out "Section 2" and insert "Section 3".

REP. ROHDE, Chairman.  
Committee of the Whole.

Rep. Bubel moved that the report of the Committee of the Whole be adopted, which motion prevailed.

The Speaker announced that the House will be on the eleventh order of business, second reading of House bills, until 1:45 o'clock p. m., Monday and directed the Clerk to continue the reading of House Bill No. 49. The Clerk continued the reading of House Bill No. 49.

W. M. SMART, Chief Clerk.

CONTINUATION OF THE THIRTY-THIRD DAY AND  
THE THIRTY-FIFTH DAY

Bismarck, February 8, 1943

The Speaker announced that the House was still on the eleventh order of business, second reading of House bills, and that the second reading of House Bill No. 49 would now be temporarily interrupted but that it would be resumed later on.

The Speaker announced the House would be on the tenth order of business.

FIRST READING OF HOUSE BILLS

Reps. Sandness, Falconer, Schnell and Twichell introduced: House Bill No. 159. A Bill for an Act to Permit the State Food Commissioner and Chemist, With the Approval of the Governor, to Suspend by Regulation the Requirements of the Food and Drug Act, Being Article 40, Sections 2889b1 to 2889b25, Inclusive of the 1925 Supplement, as Amended by Chapter 132 of the Session Laws of North Dakota for the Year 1937, for the Duration of the Present War, and Declaring an Emergency.

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

Reps. Johnson of Cass and Boulden introduced:

House Bill No. 160. A Bill for an Act to Amend and Re-enact Section 41 of Chapter 162 of the Session Laws of North Dakota for 1927 as Amended and Re-enacted by Chapter 141 of the Session Laws of North Dakota for 1929 as Amended and Re-enacted by Chapter 140 of the Session Laws of North Dakota for 1937, Authorizing the State Highway Commissioner and Local Authorities to Prohibit or Restrict the Use of Highways, and Declaring an Emergency.

Was read the first time and referred to the Committee on Highways and Bridges.

Rep. Boulden introduced:

House Bill No. 161. A Bill for an Act to Prescribe the Duties of the State Treasurer as to Making Deductions from the Five-Twelfths of the Proceeds of All Sales Taxes Covered Into the State Treasury and Allocated to General Relief, Needy Aged and Needy Blind and Dependent Children, Deductions to Be Made, Time of Making Same, Appropriating the Balance Among Counties of the State According to Their Respective Populations as Determined by the Last Preceding Census and Paying Into Each County Its Proportionate Share of Such Balance, Requiring Each County to Cover the Sales Tax Moneys Thus Received Into Its General Relief Fund and Providing the Same Be Expended Only for Relieving the

Distress of Destitute and Necessitous Persons and Their Families and Dependents Who Are Qualified Residents of the County.

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

Rep. Fitch introduced:

House Bill No. 162. A Bill for an Act Concerning the Guardianship of Incompetent Veterans, and Other Incompetent and Minor Beneficiaries of the Veterans Administration, and Concerning Commitment to the Veterans Administration or Other Agency of the United States of Persons Eligible for Care or Treatment and to Make Uniform the Law With Reference Thereto, and Declaring an Emergency.

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

Reps. Rettke, Mollet and Heckman introduced:

House Bill No. 164. A Bill for an Act Relating to Wild Birds and Wild Animals Declaring the Ownership Thereof, Regulating the Taking, Killing, Trapping and Hunting of the Same, Providing the Fee to Be Charged Therefor and Providing Penalties for Violation Thereof and Repealing All Acts or Parts of Acts in Conflict Therewith.

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

Rep. Halcrow introduced:

House Bill No. 165. A Bill for an Act to Amend and Re-enact Section 2486 of the 1925 Supplement Relating to Repairs of Existing Drains; and Providing for the Abandonment and Dissolution Thereof.

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

Reps. Johnson of Cass, Runck and Morland introduced:

House Bill No. 166. A Bill for an Act Authorizing Employers to Pay to the Surviving Spouse of a Deceased Employee, Wages Owed to the Deceased Employee for Work, Labor or Services Performed for the Employer to the Extent of Four Hundred Dollars (\$400.00) When No Executor or Administrator Has Been Appointed, and Providing for the Discharge of the Employer from Such Obligation by and to the Extent of Such Payment, and Providing That Such Payment Shall Apply in Diminution of Allowance to Family Under Section 8725 Compiled Laws of North Dakota, 1913.

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

The Committee on Livestock introduced:

House Bill No. 167. A Bill for an Act to Amend and Re-enact Section 5, Chapter 5 of the Session Laws of the State of North Dakota for the Year 1937, Relating to Dealers in Livestock; Authorizing the Public Service Commission to Appoint Inspectors With Powers of Peace Officers, for the Enforcement of the Provisions of Said Act.

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

The Committee on Livestock introduced:

House Bill No. 168. A Bill for an Act Requiring Owners of Dogs to Keep Them Under Control at Any and All Times

when Such Dogs Are Away from the Premises of the Owner and Further Requiring Owners or Keepers of Dogs to Keep Them Tied or Confined During the Nighttime, Except When Under the Immediate Control of the Keeper or Owner, Requiring All Dogs be Registered by the County Auditor by an Attached Tag on Collar; Defining the Duties of the County Auditor; Providing a Penalty, and Declaring an Emergency.

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

Reps. Haugen, Hofstrand and Stair introduced:

House Bill No. 169. A Bill for an Act Authorizing the Bank of North Dakota as Agent for the State Treasurer of North Dakota as Trustee for the State of North Dakota to Sell Lands Belonging to the State Treasurer of North Dakota as Trustee for the State of North Dakota to Bona Fide Farmers; Fixing the Manner and Terms of Sale, Interest Rate on Deferred and Delinquent Payments, Publication of Notice of Sale, Method of Cancellation of Contract, Taxation of Land Sold, Redemption Rights of Tax Certificate Holders, and Providing for Rules and Regulations of the Industrial Commission.

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

Rep. Fitch introduced:

House Bill No. 170. A Bill for an Act to Amend and Re-enact Chapter 262, Laws of 1941, Relating to the Preservation of the Right to Benefits Under the North Dakota Unemployment Compensation Law for Persons Entering the Military or Naval Service During the Period of Such Service, Extending the Provisions Thereof to Members of the Auxiliary Military or Naval Services, Extending and Limiting the Time of Preservation of Such Rights, Providing Necessary Definitions, Authorizing the Unemployment Compensation Division to Receive and Disburse Funds Provided by the United States Government for Any Special Unemployment Compensation Programs, Repealing the Inconsistent Provisions and Declaring an Emergency.

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

Rep. Olson of Bowman introduced:

House Bill No. 171. A Bill for an Act to Amend and Re-enact Section 1390a of the Supplement to the 1913 Compiled Laws of North Dakota, Authorizing the Erection and Equipping of Teacherages and Dormitories, and Providing Boarding Facilities at Cost, and Repealing All Acts or Parts of Acts in Conflict Herewith, and Declaring an Emergency.

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

Rep. Starck introduced:

House Bill No. 172. A Bill for an Act to Amend and Re-enact Section 10322a27 of the 1925 Supplement to the Compiled Laws of North Dakota of 1913, as Amended by Chapter 117 of the Session Laws of North Dakota for 1933, Relative to the Use of Hunting Dogs.

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

Reps. Graham and Bergesen introduced:

House Bill No. 173. A Bill for an Act Regulating the Transfer of Shares of Stock in Corporations, Repealing All Acts or Parts of Acts in Conflict Herewith.

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

The Committee on Education introduced:

House Bill No. 174. A Bill for an Act to Amend and Re-enact Section 1321a2 of the 1925 Supplement to the Compiled Laws of North Dakota, Providing for Annual School Election for the City of Fargo; the Number of Polling Places, Election Officials, and Hours of Election, and Declaring an Emergency.

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

The Committee on Education introduced:

House Bill No. 175. A Bill for an Act to Amend and Re-enact Section 1179 of the Compiled Laws for 1913, as Amended by Chapter 257 of the Session Laws of 1941, Relating to Powers of School Districts to Admit Pupils from Other Districts, Providing for Payment of Tuition and Transportation, and Repealing All Acts and Parts of Acts in Conflict Herewith.

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

Reps. Forseth, Kolpin, Dahlen and Bjella introduced:

House Bill No. 176. A Bill for an Act to Amend and Re-enact Section 2212, of the Supplement to the Compiled Laws of 1913, of the State of North Dakota, as Amended by Chapter 271 of the Laws of 1927, as Amended by Chapter 121 of the Laws of 1931, as Amended by Chapter 139 of the Laws of 1941, Relating to the Duty of the County Auditor and Requirements of the Transfer of Real Property as to Taxes, Deeds, Mineral Deeds and Other Instruments of Conveyances, and Declaring an Emergency.

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

Reps. Bjella and Dahlen introduced:

House Bill No. 177. A Bill for an Act to Amend and Re-enact Section 1 of Chapter 159 of the Session Laws of 1937, Relating to Deficiency Judgments in Foreclosure of Real Estate Mortgages and Land Contracts and Providing What Judgments Shall Contain.

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

Reps. Dahlen, Bjella and Drovdal introduced:

House Bill No. 178. A Bill for an Act to Amend and Re-enact Section 3246 of the Compiled Laws of North Dakota for 1913 Establishing the Boundary of McKenzie County, North Dakota, and Declaring an Emergency.

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

Rep. Dahlen introduced:

House Bill No. 179. A Bill for an Act Authorizing Certain Cities and Villages to Provide for Payment of Matured Sidewalk Special Fund Warrants by Tax Levies and for Extend-

ing the Maturities of and Reducing Interest Rates on Such Warrants.

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

Reps. Johnson of Richland, Bolmeier, Saumur, Devlin and Lillehaugen introduced:

House Bill No. 180. A Bill for an Act to Amend and Re-enact Chapter 186 of the Session Laws of North Dakota for 1937, as Amended by Chapter 219 of the Session Laws of North Dakota for 1941, Relating to the Introduction and Printing of Bills and Providing What a Bill for Amendment of Statute Shall Contain and Providing for an Official Seal for Each Branch of the Legislative Assembly.

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

Reps. Olson of Barnes and Burau introduced:

House Bill No. 181. A Bill for an Act to Amend and Re-enact Section 10169a5 of the 1925 Supplement to the Compiled Laws of North Dakota for 1913, as Amended and Re-enacted by Section 2 of Chapter 104 of the Session Laws for 1939, of the North Dakota Beverage Inspection 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.

Reps. Sharpe and Nystrom introduced:

House Bill No. 182. A Bill for an Act Authorizing School Districts to Transfer Certain Portions of the General Fund Into Sinking Funds, and Providing for the Time, Manner and Amount of Such Transfers, 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 Education.

Rep. Holm introduced: -

House Bill No. 183. A Bill for an Act Prohibiting the Sale of Unregistered Cattle Herd Sires by Livestock Dealers and Defining Who Are Dealers; Providing Penalty for Violation.

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

Reps. Ostgulen, Marks, Dalzell and Benno introduced:

House Concurrent Resolution "N." Memorializing Congress to Take Action for the Enactment Into Law of Senate Bill 574 Now Pending in United States Congress.

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

Reps. McInnes, Bymers, Bagge, Callahan, Falconer and Kolpin introduced:

House Bill No. 184. A Bill for an Act to Amend and Re-enact Subdivisions (a), (b) and (c) of Section 4, and Section 10 of Chapter 235 of the Session Laws of North Dakota for the Year 1929, as Amended by Chapter 288 of the Session Laws of North Dakota for the Year 1941, Relating to Limitations Upon the Rate of Tax Levies for General and Specific Purposes; Providing for Exceptions to Such Levies, Authorizing the Levy of Taxes for Emergency Purposes and Limiting the Use Thereof.

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

Rep. Bauer introduced:

House Bill No. 185. A Bill for an Act to Amend and Re-enact Section 548a1 of the 1925 Supplement, Relating to the Licensing of Pool Halls, Billiard Rooms, Bowling and Pin Alleys, Dance Halls, Roller Skating Rinks, Theaters, Moving Picture Shows, Public Halls Used for Private Purposes, and Private Halls Used for Public Purposes, Taxicabs, Auto Livery, Places Where Soft Drinks Are Retailed, Whether by Vending Machine or Otherwise, and Places Where Cigars and Tobacco Are Sold.

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

#### FIRST READING OF SENATE BILLS

Senate Bill No. 61. A Bill for an Act to Amend and Re-enact Section 8 of Chapter 241, Laws of 1937, Pertaining to Field Auditors.

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

Senate Bill No. 107. A Bill for an Act to Amend and Re-enact Section 2346a16 of the 1925 Supplement to the Compiled Laws of 1913, as Amended by Chapter 253 of the Session Laws of 1933, and as Further Amended by Chapter 278 of the Session Laws of 1941; Providing for Allocation and Apportionment of Income of Individuals Doing Business Within and Without the State, and Declaring an Emergency.

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

Senate Bill No. 120. A Bill for an Act Making an Appropriation for the General Maintenance, Administration, Salaries and Other Expenses for the State Hospital for the Insane at Jamestown, North Dakota, and Prescribing a Limitation as to the Availability of the Same.

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

Rep. Fleck requested that the House revert to the seventh order of business, which request was granted.

Rep. Fleck moved that House Bill No. 152 be withdrawn from the Committee on Judiciary and placed in the Committee on State Affairs, which motion was seconded.

Which motion was declared lost.

A division was asked for, which disclosed 42 for and 49 against so the motion was declared lost.

Rep. Olson of Bowman asked the consent of the House to withdraw House Bill No. 93, which motion prevailed.

Rep. Fitch moved that House Bill No. 148 be transferred from the Committee on Education to the Committee on Military Affairs, which motion prevailed.

#### MESSAGES FROM THE SENATE

Senate Chamber

Bismarck, February 8, 1943

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 3. 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. 13. A Bill for an Act Making an Appropriation for the Salaries and Expenses of the Certification Division.

Senate Bill No. 15. A Bill for an Act Making an Appropriation for Operation and Maintenance of the Auto Transportation Division.

Senate Bill No. 16. A Bill for an Act Making an Appropriation for Salaries and Expenses of the Scale Inspection Division.

Senate Bill No. 17. A Bill for an Act Making an Appropriation for Salaries and Expenses of the Livestock Division (Dealers).

Senate Bill No. 18. A Bill for an Act Making and Appropriation for Services and Expenses for the Public Utility Division.

Senate Bill No. 51. A Bill for an Act Requiring Livestock Sales Rings Created Under the Provisions of Chapter 9 of the Session Laws of 1941, to Furnish, Install and Maintain Scales, Known as "Scales of the Registering Type," Excepting from the Provisions Hereof, Livestock Sales Rings Which Have Already Installed Scales of Sufficient Capacity.

Senate Bill No. 67. A Bill for an Act to Prohibit Cutting, Removing or Destroying Any Native Growing Fruit Bearing Shrubs, or Trees, Providing a Penalty and Creating an Emergency.

Senate Bill No. 69. A Bill for an Act to Provide for the Transfer of a Part of the Unappropriated Surplus Now in the "Auto Transportation Fund" to the Credit of the "General Fund" in the State Treasury and Declaring an Emergency.

Senate Bill No. 75. A Bill for an Act Amending and Re-enacting Section 3 of Chapter 163 of the Session Laws of 1939, Relating to Safety Rules.

Senate Bill No. 76. A Bill for an Act Amending and Re-enacting Section 5 of Chapter 168 of the Session Laws of the State of North Dakota for the Year 1919 and Acts Amending Thereof, Relating to Inspection of Mines.

Senate Bill No. 96. A Bill for an Act to Amend and Re-enact Sub-section (b) of Section 5 of Chapter 235 of the Session Laws of North Dakota for the Year 1929, as Amended and Re-enacted by Chapter 297 of the Session Laws of North Dakota for the Year 1931, and as Amended and Re-enacted by Chapter 208 of the Session Laws of North Dakota for the Year 1935, and as Amended and Re-enacted by Chapter 175 of the Session Laws of North Dakota for the Year 1937, as Amended and Re-enacted by Chapter 210 of the Session Laws of North Dakota for the Year 1941, Relating to Tax Limitations of Cities.

Senate Bill No. 108. A Bill for an Act to Provide for Acting Officials in Absences Caused by Induction Into the Military Service of Incumbent Officers, and Declaring an Emergency.

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

W. J. TROUT, Secretary.

Rep. Wolf of McIntosh moved that the absent members be excused, which motion prevailed.

Rep. Wolf of McIntosh moved that the House do now adjourn, which motion prevailed.

W. M. SMART, Chief Clerk.

### THIRTY-FIFTH DAY

Bismarck, February 8, 1943

The House convened pursuant to adjournment, Speaker Beede presiding.

Prayer was offered by Rev. G. W. Stewart.

Roll call: All members were present except Reps. Aker, Fitch, Kolpin, Mortenson, Ohnstad, Pyle, Schnell and Wambheim.

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

Mr. Speaker: Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the Continuation of the Thirty-second Day and the Thirty-third Day and finds the same correct.

And recommends that the same be approved.

REP. WELDER, Chairman.

Rep. Holm moved that the report be adopted, which motion prevailed and the report was adopted.

### PETITIONS AND COMMUNICATIONS

A communication from the Honorable William Langer, United States Senator from North Dakota, with regard to an enclosure on farm legislation, was read from the desk.

A communication from the Honorable A. L. McDaniel, Speaker of the House of Representatives of the State of Arizona, enclosing House Joint Memorial No. 2, was read from the desk, which communication was referred to the Committee on Education.

A communication from Mrs. Alfred Solberg, Secretary, Land O' Lakes Creameries of District 40, Buford, North Dakota, with a resolution attached, concerning the problem of employment and rehabilitation of our soldiers and industrial workers, which was read from the desk, was referred to the Committee on Counties.

### REPORTS OF STANDING COMMITTEES

Mr. Speaker: Your Committee on Appropriations to whom was referred House Bill No. 95, have had the same under consideration and recommend that the same do pass.

REP. JOHNSON OF CASS, Chairman.

Rep. Carlson moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Appropriations to whom was referred House Bill No. 100, have had the same under consideration and recommend that the same be amended as follows:

Line 16—After the word 'State' strike out the word 'Treasury' and insert in lieu thereof the word 'Treasurer,' and add the following words "subject to the approval of the Industrial Commission,".

And when so amended recommend the same do pass.

REP. JOHNSON OF CASS, Chairman.

Rep. Graham moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: 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:

Line 3—Strike out the figures "\$12,860.00" and insert the figures "\$21,785.00".

Line 9—Insert the word "Commissioner's" prior to the word "Salary" and strike out the figures "\$4,800.00" and insert the figures "\$6,600.00".

Insert new line "9½ Assistant Veterans' Service Commissioner.....\$4,400.00".

Line 10—Strike out the figures "\$3,160.00" and insert the figures "\$5,000.00".

Line 11—Strike out the figures "\$1,100.00" and insert the figures "\$1,625.00".

Line 13—Strike out the figures "\$1,600.00" and insert the figures "\$2,000.00".

Line 14—Strike out the figures "\$500.00" and insert the figures "\$960.00".

Line 15—Strike out the figures "\$1,500.00" and insert the figures "\$1,000.00".

Line 16—Strike out the figures "\$12,860.00" and insert the figures "\$21,785.00".

And when so amended recommend the same do pass.

REP. JOHNSON OF CASS, Chairman.

Rep. Haag moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Tax and Tax Laws, to whom was referred House Bill No. 88, have had the same under consideration and recommend that the same be amended as follows:

#### HOUSE BILL NO. 88

##### Proposed Amendments by the Tax Commissioner

In the title of the Act, in Line 6, strike out all after "1939", and in lieu thereof insert the following:

"Providing for net operating loss carry-over and additional deductions in computing net income for income tax purposes; repealing all Acts or parts of Acts in conflict herewith, and declaring an emergency."

On Page 2 of the Bill, strike out all of Subsections 1 and 2 of Section 4, and in lieu thereof insert the following:

(4) (1) Losses sustained during the income year that are not compensated for by insurance or otherwise, if incurred in connection with the business or transaction, the gains from which, if any, would be includable in gross income; or if arising from fires not attributable to arson by the taxpayer, or from storms, wrecks or theft. Losses from wagering or illegal acts shall not be allowed.

(2) Net operating Loss Carry-over. If for any taxable year beginning after December 31, 1941, a taxpayer has a net operating loss from trade or business, such net operating loss may be carried forward by the taxpayer as a credit against the net income, both taxable and nontaxable, received in either of the two succeeding years, subject to the following limitations:

(a) No carry-over loss shall accrue from any taxpayer, except to the extent that the loss of such year shall exceed any income not taxable under this Act received in the same year;

(b) The carry-over loss from any prior year or years may

be deducted from the taxable income of any tax year only to the extent that such carry-over loss shall exceed any non-taxable income received in such tax year.

(c) That the carry-over in the case of the second succeeding taxable year shall be the excess, if any, of the amount of such net operating loss over the net income (both taxable and nontaxable) for the intervening taxable year.

(3) Taxpayers entitled to net loss carry-over privileges are:

- (a) Corporations.
- (b) Partnerships.
- (c) Individuals.
- (d) Estates and trusts if engaged in trade or business.

In Section 5 of the printed Bill, strike out everything following the word "year" in Line 58, and insert in lieu thereof the following:

"except that a worthless debt arising from unpaid wages, salary, rent or other similar item of taxable income is not an allowable deduction unless the income which such item represents has been included as income by the taxpayer in a return previously rendered under this Act."

On Page 5 of the Bill, Section 9, add the following after "dependents" in Line 110:

"and not compensated for by insurance."

Add Section 3 to the printed Bill: REPEAL.) All Acts or parts of Acts in conflict herewith are hereby repealed.

And when so amended recommend the same do pass.

REP. McINNES, Chairman.

Rep. Bergesen moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Education to whom was referred House Bill No. 85, have had the same under consideration and recommend that the same be amended as follows:

Strike out period and insert comma, and add the following language:

On line 24

"and should the money coming into said Fund be insufficient to meet all of the above items of appropriation in Section 1, all items other than payment on Teacher-Unit Basis shall be paid in full, and any shortage shall be taken against the appropriation for the item of payment on Teacher-Unit Basis."

And when so amended recommend the same do pass.

REP. HOFSTRAND, Chairman.

Rep. Heckman moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Education to whom was referred House Bill No. 102, have had the same under consideration and recommend that the same do pass.

REP. HOFSTRAND, Chairman.

Rep. Langley moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Education to whom was referred House Bill No. 78, have had the same under consideration and recommend that the same do pass.

REP. HOFSTRAND, Chairman.

Rep. Heckman moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Education to whom was referred House Bill No. 98, have had the same under consideration and recommend that the same do pass.

REP. HOFSTRAND, Chairman.

Rep. Haugen moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Education to whom was referred House Bill No. 143, have had the same under consideration and recommend that the same be indefinitely postponed.

REP. HOFSTRAND, Chairman.

Rep. Ostgulen moved that the report be adopted, which motion prevailed and the report was adopted.

HOUSE COMMITTEE ON ENROLLMENT AND  
ENGROSSMENT

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

House Bill No. 48.

House Bill No. 65.

And find the same correctly Engrossed.

REP. BUBEL, Acting Chairman.

Rep. Bureau moved that the report be adopted, which motion prevailed, and the report was adopted.

The Chief Clerk announced that House Bill No. 130 had now been printed. The Committee report on same appearing on page 267 of the House Journal.

Rep. Falconer renewed his motion that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Public Health to whom was referred House Bill No. 131, have had the same under consideration and recommend that the same be indefinitely postponed.

Majority Report

EDWIN G. SAILER

EDWIN L. BAGGE

A. M. ALLEN of Grand Forks

LEO STICKA

J. F. PETERSON of Ransom  
Chairman.

Rep. Bagge moved that the report be adopted.

Mr. Speaker: Your Committee on Public Health to whom was referred House Bill No. 131, have had the same under consideration and recommend that the same do pass.

Minority Report

OLAF OSTGULEN

DUNCAN FRASER

WM. TUFF

REP. PETERSON OF RANSOM, Chairman.

Rep. Tuff moved that the report be adopted.

Rep. Falconer offered as a substitute motion that the report of the minority be substituted for the report of the majority.

Which motion prevailed, and the report of the minority was adopted.

REPORT OF SELECT COMMITTEE

Mr. Speaker: Your Committee on Employment places in nomination the name of Miss Effie Mae Stewart of Bismarck for the position of telephone attendant to take the place of Miss Lorraine Anderson, who has joined the WAACS.

REP. DALZELL, Chairman.

Rep. Dalzell moved the report be adopted.

ROLL CALL

The question being on the report of the Committee on Employment, the roll was called and there were ayes, 101; nays, 0; absent and not voting, 12.

Those voting in the affirmative were:

Allen, Grand Forks	Graham	Nystrom
Allen, Pierce	Haag	Olson, Barnes
Anderson	Halcrow	Olson, Bowman
Arndt	Halvorson	Ostgulen
Bagge	Haugen	Peterson, Bottin'au
Bauer	Haugland	Peterson, Ransom
Baumgartner	Heckman	Rettkke
Belzer	Hegge	Rohde
Benno	Hildre	Rohrer
Bergesen	Hofstrand	Runk
Bjella	Hogoboom	Sailer
Blair	Holm	Sandness
Bolmeier	Hovey	Saumur
Boulden	Iszler	Schmalenberger
Braun	Jennings	Schwartz
Bubel	Johnson, Cass	Severson
Burau	Johnson, Richland	Sharpe
Callahan	Johnson, Rolette	Shure
Carlson	Langley	Stair
Coghlan	Larson, Ward	Starck
Collette	Larson, Wells	Sticka
Crockett	Leet	Stormon
Dahlen	Levin	Tuff
Dalzell	Lillehaugen	Twichell
Devlin	Lunde	Welder
Drovdal	Manstrom	Welk
Ekren	Marks	Westby
Falconer	McInnes	Williams, Richland
Fitch	Mittag	Williams, Sargent
Forseth	Mollet	Williams, Stutsm'n
Fraser	Monson	Wolf, McIntosh
Fuglestad	Morrison	Wolf, Morton
Gackle	Myers	Mr. Speaker
Gainor	Nelson	

Absent and not voting:

Aker	Moe	Pyle
Bymers	Morland	Schnell
Fleck	Mortenson	Sellens
Koplin	Ohnstad	Wambheim

So the report was adopted and Effie Mae Stewart was declared duly elected.

The oath of office was administered by the Speaker to Effie Mae Stewart, newly elected employee.

Rep. Lillehaugen moved that an extension of time be given on Senate Bill No. 36, which motion prevailed.

The Chief Clerk announced that the Speaker was about to sign the following bills; immediately before signing each bill the title was publicly read.

Senate Bill No. 26.

Senate Bill No. 27.

Senate Bill No. 38.

And the Speaker signed each of the above bills in the presence of the House.

#### SECOND READING OF HOUSE BILLS

House Bill No. 106. A Bill for an Act to Amend and Re-enact Section 1 of Chapter 220 of the Session Laws of North Dakota for the Year 1935, Relating to Expense Accounts of Public Officers, Specifying the Amount to Be Allowed for Personal Sustenance of Officers, Agents and Employees, Exempting the Governor, of the State of North Dakota, or of Any of Its Subdivisions, While Upon Public Expense Account, 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, 76; nays, 23; absent and not voting, 14.

Those voting in the affirmative were:

Allen, Grand Forks	Forseth	Morrison
Allen, Pierce	Fraser	Myers
Anderson	Fuglestad	Nystrom
Bagge	Gainor	Olson, Bowman
Bauer	Graham	Peterson, Bottin'au
Baumgartner	Halcrow	Rettke
Belzer	Halvorson	Rohde
Benno	Haugen	Rohrer
Bergesen	Haugland	Runck
Bjella	Heckman	Sailer
Bolmeier	Hegge	Sandness
Braun	Hildre	Saumur
Bubel	Hogoboom	Schmalenberger
Bureau	Holm	Schwartz
Callahan	Hovey	Sellens
Carlson	Iszler	Severson
Coghlan	Jennings	Sharpe
Collette	Johnson, Rolette	Stair
Crockett	Langley	Stark
Dahlen	Larson, Ward	Stormon
Dalzell	Larson, Wells	Tuff
Devlin	Leet	Westby
Drovdal	Lunde	Williams, Richland
Falconer	McInnes	Williams, Stutsm'n
Fitch	Morland	Mr. Speaker

Those voting in the negative were:

Arndt	Lillehaugen	Peterson, Ransom
Blair	Manstrom	Sticka
Boulden	Marks	Welder
Ekren	Mittag	Welk
Gackle	Moe	Williams, Sargent

Haag	Mollet	Wolf, McIntosh
Johnson, Cass	Olson, Barnes	Wolf, Morton
Johnson, Richland	Ostgulen	
Absent and not voting:		
Aker	Monson	Schnell
Bymers	Mortenson	Shure
Hofstrand	Nelson	Twichell
Kolpin	Ohnstad	Wambheim
Levin	Pyle	

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

House Bill No. 109. A Bill for an Act to Amend and Re-enact Section 3610 of Article 7, of Chapter 44 of the 1913 Compiled Laws, by Adding Thereto a Provision that in Cities that Have Adopted the City Manager Form of Government, the City Manager Shall Appoint and Remove the City Treasurer with the Approval of the City Council, and that in Cities Having Adopted the Provisions of Chapter 173 of the Session Laws of North Dakota for the Year 1937, Known as the Civil Service Act, the City Treasurer Shall Be Appointed as Other Full-time City Employees, and Providing that Such City Treasurer May Be Included Within and Under the Provisions of the Civil Service Act, and Repealing All Acts and Parts of Acts in Conflict Herewith.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 100; nays, 3; absent and not voting, 10.

Those voting in the affirmative were:

Allen, Grand Forks	Gackle	Nystrom
Allen, Pierce	Gainor	Olson, Barnes
Anderson	Graham	Olson, Bowman
Arndt	Haag	Ostgulen
Bagge	Halcrow	Peterson, Bottin'au
Bauer	Halvorson	Peterson, Ransom
Baumgartner	Haugen	Rettke
Belzer	Haugland	Rohrer
Benno	Heckman	Runk
Bergesen	Hegge	Sailer
Bjella	Hildre	Sandness
Blair	Hogoboom	Saumur
Bolmeier	Holm	Schmalenberger
Boulden	Hovey	Schwartz
Braun	Iszler	Sellens
Bubel	Jennings	Severson
Bureau	Johnson, Cass	Sharpe
Bymers	Johnson, Richland	Shure
Callahan	Johnson, Rolette	Stair
Carlson	Langley	Starck
Coghlan	Larson, Ward	Sticka
Collette	Larson, Wells	Stormon
Crockett	Leet	Tuff
Dahlen	Lillehaugen	Twichell
Dalzell	Lunde	Welder
Devlin	Manstrom	Welk
Drovdal	Marks	Westby
Ekren	McInnes	Williams, Richland



Falconer	Mittag	Williams, Sargent
Fitch	Monson	Williams, Stutsm'n
Fleck	Morrison	Wolf, McIntosh
Forseth	Myers	Wolf, Morton
Fraser	Nelson	Mr. Speaker
Fuglestad		

Those voting in the negative were:

Moe	Mollet	Rohde
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Absent and not voting:

Aker	Morland	Pyle
Hofstrand	Mortenson	Schnell
Kolvin	Ohnstad	Wambheim
Levin		

So the bill passed and the title was agreed to.

Rep. Falconer: "I am against this measure but it seems that in this particular instance it is alright and I am going to vote 'aye' on it against my principle as an ordinary thing. I think anytime you give the people the power you are not going 'hay-wire' but as this instance seems a little different I am going to vote for it."

Rep. Myers moved the adoption of House Concurrent Resolution "K".

On a viva voce vote the chair was in doubt.

Rep. Twichell demanded a roll call, which request was granted.

House Concurrent Resolution "K." To the Honorable William H. Jeffers, United States Rubber Administrator, War Production Board, Washington, D. C. Urging the Establishment of a Plant at Bismarck, North Dakota, for the Production of Synthetic Rubber from Grain Alcohol.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the Resolution, the roll was called and there were ayes, 46; nays, 56; absent and not voting, 11.

Those voting in the affirmative were:

Anderson	Hofstrand	Rettke
Arndt	Iszler	Rohde
Bauer	Jennings	Rohrer
Baumgartner	Larson, Ward	Schmalenberger
Belzer	Larson, Wells	Schwartz
Benno	Marks	Sellens
Braun	McInnes	Starck
Bubel	Mittag	Tuff
Bureau	Mollet	Welder
Drovdal	Monson	Welk
Falconer	Morrison	Williams, Richland
Fleck	Myers	Williams, Sargent
Graham	Nelson	Wolf, McIntosh
Haag	Ostgulen	Wolf, Morton
Haugen	Peterson, Bottin'au	Mr. Speaker
Hegge		

Those voting in the negative were:

Allen, Grand Forks	Forseth	Moe
Allen, Pierce	Fraser	Nystrom
Bagge	Fuglestad	Olson, Barnes
Bergesen	Gackle	Olson, Bowman
Bjella	Gainor	Peterson, Ransom

Blair	Halcrow	Runck
Bolmeier	Haugland	Sailer
Boulden	Heckman	Sandness
Bymers	Hildre	Saumur
Callahan	Hogboom	Severson
Carlson	Holm	Sharpe
Coghlan	Hovey	Shure
Collette	Johnson, Cass	Stair
Crockett	Johnson, Rolette	Sticka
Dahlen	Langley	Stormon
Dalzell	Leet	Twichell
Devlin	Lillehaugen	Westby
Ekren	Lunde	Williams, Stutsm'n
Fitch	Manstrom	
Absent and not voting:		
Aker	Levin	Pyle
Halvorson	Morland	Schnell
Johnson, Richland	Mortenson	Wambheim
Kolpin	Ohnstad	

So House Concurrent Resolution "K" was declared lost.

Rep. Bergesen moved that the vote by which House Concurrent Resolution "K" was lost be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Rep. Fitch: "I vote 'no' because I want to give every other community in the State an equal opportunity to get this plant—particularly Fargo."

Rep. Lillehaugen: "I am certainly in favor of such a plant but I think Park River might as well have it as Bismarck. I vote 'no'."

Rep. Twichell: "I vote 'no' on this Resolution. I have no objection to Bismarck getting this but we had a Resolution here the other day that covered this matter and we left the state open to projects of this kind. I feel that the engineers of the government should be unhampered in coming in here. They should not be told there is only one place in the state for a rubber plant, which is not a fact. I vote 'no'."

Rep. Forseth: "I vote 'no' on this measure. I am not opposed to having this plant brought into the state but I do not wish to vote for a Resolution specifically providing it should be placed in Bismarck in particular because I think there are other areas including Williams County which can provide all the facilities mentioned so far. I think we should amend the Resolution to include other areas of the state. I therefore vote 'no'."

Rep. Moe: "There are so many explaining their votes, maybe I should do the same thing. If they had struck out the word 'Bismarck' I would have voted for it because we want that plant for the state. As far as I can see it we might as well have it at Walhalla. We are going to have a big dam there so we will have plenty of water and we raise plenty of grain. I don't know if they have anything but water down here. Therefore I vote 'no'."

#### SECOND READING OF HOUSE BILLS

House Bill No. 65. A Bill for an Act to Amend and Re-enact Section 2596 of the Compiled Laws of North Dakota for 1913, and Sections 2602, 2603, 2604 and 2605, as Amended by Chapter 8 of the Session Laws of 1933, Relating to Can-

cellation and Re-recording Livestock Brands, Abolishing the Use of Single Figures or Single Letters as Livestock Brands, Providing for Publication and Distribution of Brand Books to Registered Owners of Brands, Making an Appropriation of \$12,600.00 to Carry Out the Provisions of this Act; and Repealing All Acts or Parts of Acts in Conflict Therewith.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 97; nays, 0; absent and not voting, 16.

Those voting in the affirmative were:

Allen, Grand Forks	Gainor	Nystrom
Allen, Pierce	Graham	Olson, Barnes
Anderson	Haag	Olson, Bowman
Arndt	Halcrow	Ostgulén
Bagge	Halvorson	Peterson, Bottin'au
Bauer	Haugen	Rettke
Baumgartner	Haugland	Rohde
Belzer	Heckman	Rohrer
Benno	Hegge	Runck
Bergesen	Hildre	Sailer
Bjella	Hogoboom	Saumur
Blair	Holm	Schmalenberger
Bolmeier	Hovey	Schwartz
Braun	Iszler	Sellens
Bubel	Jennings	Severson
Burau	Johnson, Cass	Sharpe
Bymers	Johnson, Rolette	Shure
Callahan	Langley	Stair
Carlson	Larson, Ward	Starck
Coghlan	Larson, Wells	Sticka
Collette	Leet	Stormon
Crockett	Lillehaugen	Tuff
Dahlen	Lunde	Twichell
Dalzell	Manstrom	Welder
Devlin	Marks	Welk
Drovdal	McInnes	Westby
Ekren	Mittag	Williams, Richland
Falconer	Moe	Williams, Sargent
Fitch	Mollet	Williams, Stutsm'n
Fleck	Monson	Wolf, McIntosh
Forseth	Morrison	Wolf, Morton
Fuglestad	Myers	Mr. Speaker
Gackle		

Absent and not voting:

Aker	Levin	Peterson, Ransom
Boulden	Morland	Pyle
Fraser	Mortenson	Sandness
Hofstrand	Nelson	Schnell
Johnson, Richland	Ohnstad	Wambheim
Kolpin		

So the bill passed as amended and the title was agreed to.

Rep. Bergesen moved that the title of House Bill No. 65 be amended by striking out the period and inserting a semi-colon and adding the words "and repealing all acts or parts of acts in conflict therewith."

Which motion prevailed.

House Bill No. 48. A Bill for an Act to Amend and Re-enact Section 436 and 437 Compiled Laws of 1913 Relating to the Area Which Shall Comprise a Registration District, for the Purpose of Registering Vital Statistics, Designating the Registrar, and Prescribing the Duties of the Local Registrar of Such Registration Districts, Defining Their Powers and Authorizing the Appointment of Sub-Registrars, and Declaring an Emergency.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 87; nays, 5; absent and not voting, 21.

Those voting in the affirmative were:

Allen, Pierce	Haag	Olson, Bowman
Anderson	Halcrow	Ostgulen
Bagge	Halvorson	Peterson, Bottin'au
Bauer	Haugen	Peterson, Ransom
Baumgartner	Haugland	Rettke
Belzer	Heckman	Rohrer
Benno	Hegge	Runk
Bergesen	Hildre	Sailer
Bjella	Hogoboom	Saumur
Blair	Holm	Schmalenberger
Bolmeier	Hovey	Schwartz
Braun	Iszler	Sellens
Bureau	Jennings	Sharpe
Bymers	Johnson, Cass	Shure
Callahan	Johnson, Richland	Stair
Carlson	Johnson, Rolette	Starck
Coghlan	Langley	Sticka
Collette	Larson, Ward	Stormon
Crockett	Leet	Tuff
Dahlen	Lillehaugen	Twichell
Dalzell	Lunde	Welder
Devlin	Marks	Welk
Drovdal	McInnes	Westby
Falconer	Mittag	Williams, Richland
Fitch	Moe	Williams, Sargent
Forseth	Mollet	Williams, Stutsm'n
Fuglestad	Monson	Wolf, McIntosh
Gackle	Morrison	Wolf, Morton
Graham	Nelson	Mr. Speaker

Those voting in the negative were:

Allen, Grand Forks	Ekren	Rohde
Arndt	Nystrom	

Absent and not voting:

Aker	Kolpin	Olson, Barnes
Boulden	Larson, Wells	Ohnstad
Bubel	Levin	Pyle
Fleck	Manstrom	Sandness
Fraser	Morland	Schnell
Gainor	Mortenson	Severson
Hofstrand	Myers	Wambheim

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

Senate Concurrent Resolution "L" was read the second time.

Rep. Rohde moved that Senate Concurrent Resolution "L" be adopted.

Rep. Falconer offered as a substitute motion that Senate Concurrent Resolution "L" be referred to General Orders for amendment.

Which motion was lost.

The question was on the motion of Rep. Rohde which motion prevailed, and Senate Concurrent Resolution "L" was adopted.

Senate Bill No. 24. A Bill for an Act Authorizing the Board of Administration to Sell and Convey to the Baptist Old People's Home, a North Dakota Corporation, a Certain Tract in the Southeast Corner of the Capitol Grounds.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 92; nays, 0; absent and not voting, 21.

Those voting in the affirmative were:

Allen, Pierce	Gackle	Morrison
Arndt	Gainor	Myers
Bagge	Graham	Nelson
Bauer	Haag	Olson, Bowman
Baumgartner	Halcrow	Ostgulen
Belzer	Halvorson	Peterson, Bottin'au
Benno	Haugen	Peterson, Ransom
Bergesen	Haugland	Rettkke
Bjella	Heckman	Rohde
Blair	Hegge	Rohrer
Bolmeier	Hildre	Runck
Boulden	Hogoboom	Sandness
Braun	Holm	Schmalenberger
Bubel	Hovey	Schwartz
Bymers	Iszler	Sellens
Callahan	Jennings	Sharpe
Carlson	Johnson, Cass	Shure
Coghlan	Johnson, Rolette	Stair
Collette	Langley	Sticka
Crockett	Larson, Ward	Stormon
Dahlen	Larson, Wells	Tuff
Dalzell	Leet	Twichell
Devlin	Lillehaugen	Welk
Drovdal	Lunde	Westby
Ekren	Manstrom	Williams, Richland
Falconer	Marks	Williams, Sargent
Fitch	McInnes	Williams, Stutsm'n
Fleck	Mittag	Wolf, McIntosh
Forseth	Moe	Wolf, Morton
Fraser	Mollet	Mr. Speaker
Fuglestad	Monson	
Absent and not voting:		
Aker	Levin	Sailer
Allen, Grand Forks	Morland	Saumur
Anderson	Mortenson	Schnell
Burau	Nystrom	Severson
Hofstrand	Olson, Barnes	Starck
Johnson, Richland	Ohnstad	Wambheim
Kolpin	Pyle	Welder

So the bill passed and the title was agreed to.

The Speaker announced the House would revert to the fifth order of business.

**REPORT OF STANDING COMMITTEES**

The Committee on Enrollment and Engrossment respectfully reports that:

House Bill No. 41.

House Bill No. 54.

Were delivered to the Governor for his approval at the hour of 2:30 o'clock P. M., Feb. 8, 1943.

REP. BUBEL, Acting Chairman.

The Committee on Enrollment and Engrossment respectfully reports that:

House Concurrent Resolution "C."

House Concurrent Resolution "F."

Were delivered to the Secretary of State at the hour of 2:25 o'clock P. M., Feb. 8, 1943.

REP. BUBEL, Acting Chairman.

The Speaker announced that the House will be on the eleventh order of business, second reading of House bills, until 1:30 o'clock p. m., tomorrow and directed the Clerk to continue the reading of House Bill No. 49. The Clerk continued the reading of House Bill No. 49.

W. M. SMART, Chief Clerk.

CONTINUATION OF THE THIRTY-FIFTH DAY  
AND THE THIRTY-SIXTH DAY

Bismarck, February 9, 1943

The Speaker announced that the House was still on the eleventh order of business, Second Reading of House Bills, and that the second reading of House Bill No. 49 would now be temporarily interrupted but that it would be resumed later on.

The Speaker announced the House would be on the tenth order of business.

FIRST READING OF HOUSE BILLS

Reps. Forseth, Anderson, Schwartz, Larson of Ward and Morland introduced:

House Bill No. 163. A Bill for an Act to Amend and Re-enact Subsection (c) and (e), Section 36, Chapter 162 of the Session Laws of North Dakota for the Year 1927, as Amended by Chapter 190 of the Session Laws of North Dakota for the Year 1931, as Amended by Chapter 163 of the Session Laws of North Dakota for the Year 1933, as Amended by Chapter 185 of the Session Laws of North Dakota for the Year 1935, as Amended by Chapter 194 of the Session Laws of North Dakota for the Year 1941, Prescribing and Relating to the Size of Motor Vehicles and Loads of Motor Vehicles Upon the Highway; and Amending and Re-enacting Subsection (b) of Section 25 of Chapter 179 of the Session Laws of North Dakota for the Year 1927, as Amended by Section 5 of Chapter 186 of the Session Laws of North Dakota for the Year 1931, as Amended by Subsection (b) of Section 1 of Chapter 161 of the Session Laws of North Dakota for the Year 1933, as Amended by Subsection (b) (1) of Section 2 of Chapter 194 of the Session Laws of North Dakota for the Year 1941, Providing for Registration Fees for Trucks on a Gross Weight Basis.

Was read the first time and referred to the Committee on Highways and Bridges.

Reps. Gackle and Graham introduced:

House Concurrent Resolution "O." A Concurrent Resolution for an Amendment to the Constitution of the State of North Dakota Permitting Liquor Stores.

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

Rep. Rohde introduced:

House Concurrent Resolution "P." A Concurrent Resolution Providing for the Amendment of Section 154 of Article IX of the Constitution of North Dakota.

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

Rep. Crockett introduced:

House Bill No. 186. A Bill for an Act to Authorize the Commissioner of Agriculture and Labor to Permit Females to Be Employed for Hours in Excess of Those Otherwise Prescribed by Law, Under Certain Conditions, for Temporary Periods in Time of War; Defining "War Work"; Providing for Conditions for Granting Temporary Permits and for Keeping Records of Same; Declaring a Penalty.

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

Reps. Bergesen and Hofstrand introduced:

House Bill No. 187. A Bill for an Act Relating to Transportation of Pupils in Common School Districts Providing That School Boards in Common School Districts of This State Shall Pay Compensation for Transportation of Children Therein in Accordance With the Provisions of Chapter 238 of the Session Laws of 1927 and Repealing Chapter 236 of the Session Laws of 1933.

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

Rep. Fitch introduced:

House Bill No. 188. A Bill for an Act Amending and Re-enacting the Initiated Act Approved by the Electors of North Dakota on November 8, 1932, Which Act Amended and Re-enacted Section 769a9 of the 1925 Supplement to the Compiled Laws of North Dakota for 1913, Relating to the Salaries of the Judges of the Districts of the State of North Dakota; and Providing for an Increase of Salaries of Said District Judges from \$3,500.00 a Year to \$4,000.00 a Year, and Providing for the Payment of His Actual Travelling Expenses and Subsistence While Holding Court Inside of Their Districts But Outside the Counties in Which They Reside.

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

Reps. Forseth, Monson, Sandness, Schnell and Haugland introduced:

House Bill No. 189. A Bill for an Act Providing That a Course for Teachers in Cooperatives, Their History, Principles, Organization and Operations Shall Be Taught in the High Schools and Teachers' Colleges of the State of North Dakota and in the Teachers' College at the University of the State of North Dakota.

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

Reps. Bergesen and Hofstrand introduced:

House Bill No. 190. A Bill for an Act Relating to Transportation of Pupils in All School Districts in This State Having Consolidated Schools Providing That the School Boards Thereof Shall Pay Compensation for Transportation or Furnish Vehicular Transportation by Public Conveyance or Furnish the Equivalent of Such Payment in Lodging or Tuition at Some Other School in Accordance With the Schedule Provided by Chapter 208 of the Session Laws of 1939, Repealing All Acts or Parts of Acts in Conflict Therewith.

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



Reps. Bergesen and Graham (by request) introduced:

House Bill No. 191. A Bill for an Act to Amend and Re-enact Section 21 of Chapter 211, Session Laws of 1937, as Amended by Section 3 of Chapter 244, Session Laws of 1941, Providing That Attorney Fees in Estates of Old Age Assistance Recipients Be Determined by the Court, and Repealing All Acts or Parts of Acts in Conflict Herewith.

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

Reps. Bergesen and Graham introduced:

House Bill No. 192. A Bill for an Act to Amend and Re-enact Section 5 of Chapter 204, Session Laws of 1941, Relating to the Funding and Refunding of Existing Indebtedness of Municipalities, Authorizing Legal Expense Under Certain Conditions, and Declaring an Emergency.

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

Reps. Marks, Burau and Ostgulen introduced:

House Bill No. 193. A Bill for an Act to Amend and Re-enact Section 544 of the Compiled Laws of 1913 as Amended by Chapter 141 of the 1931 Session Laws Relating to the Practice and Profession of Embalming or Preparing Human Bodies for Burial or Shipment, and Providing for Penalties for the Violations of This Act.

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

Reps. Blair, Bolmeier, Saumur and Callahan introduced:

House Bill No. 194. A Bill for an Act to Preserve Priority of Liens on Real Estate Held by the United States Government and Its Agencies, Authorizing the Enforcement of Such Liens, and Repealing All Acts or Parts of Acts in Conflict Herewith.

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

Reps. Blair and Graham introduced:

House Bill No. 195. A Bill for an Act Amending and Re-enacting Sections 2111, 2112 and 2256 of the Compiled Laws of North Dakota for 1913, Relating to the Assessment of Grain in Warehouses and Grainhouses Providing for Exemption from Assessment and Taxation of Grain Owned by or subject to Lien in Favor of the United States of America or Any Department or Agency Thereof, and Declaring an Emergency.

Was read the first time and referred to the Committee on Warehouse and Grain Grading.

Reps. Twichell, Sandness, Schnell, Haugland, Olson of Barnes and Forseth introduced:

House Bill No. 196. A Bill for an Act to Amend and Re-enact Section 2844 of the Supplement to the 1913 Compiled Laws of North Dakota as Amended by Chapter 119 of the 1929 Session Laws Relating to Licenses for Creameries, Cheese Factories, Process Butter Factories, Ice Cream Factories, Cream Stations and Dairies.

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

Reps. Forseth, Bymers, Kolpin and Schmalenberger introduced:

House Bill No. 197. A Bill for an Act Relating to the

Termination of Farm Leases, and Providing for a Notice for Termination.

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

Reps. Graham and Twichell introduced:

House Bill No. 198. A Bill for an Act Authorizing and Permitting the Payment and Discharge of Delinquent Estate Taxes Where Such Estate Is of an Appraised Value of Less Than \$30,000.00 and Consists of at Least Two-thirds in Value of Agricultural Lands and Farm Equipment and Livestock, or Products on Such Lands, and Where Such Estate Tax Shall Have Been Due and Payable Since Prior to July 1, 1939, by the Payment of the Principal of Such Original Estate Tax, With One Percent Per Annum Penalty Thereon from Date Such Estate Tax Became Due, and Declaring an Emergency.

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

The Committee on Tax and Tax Laws introduced:

House Bill No. 199. A Bill for an Act Requiring All Property of the State Be Assessed at Full and True Value in Money Subject to Correction, Abatement and Refund; Providing for Notice by County Auditor When Local Equalization Boards Meet; Annual Meetings of State Board of Equalization, and Providing for Hearing Before Such Board; Prescribing the Time for Levy of State Taxes and Fixing Rate; When Taxes Became Due and Delinquent; Penalties; Discount for Payment of Taxes Before Delinquency; Repealing Chapter 269, Laws of 1941, and All Acts or Parts of Acts in Conflict Herewith.

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

Rep. Fitch introduced.

House Bill No. 200. A Bill for an Act to Amend and Re-enact Section 2 of Chapter 152 of the Session Laws of North Dakota for the Year 1935, Relating to the Licensing of Resident Agents for Surety, Indemnity, Fidelity and Insurance Companies Other Than Life Insurance Companies, Providing Qualifications Therefor.

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

Reps. Hovey and Westby introduced:

House Bill No. 201. A Bill for an Act to Amend and Re-enact Section 5 of Chapter 276 of the Session Laws of 1931 Providing for Abatements of Real and Personal Property Taxes, Due to Depreciation or Other Cause, and Declaring an Emergency.

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

Reps. Belzer, Fitch, Fleck and Schnell introduced:

House Bill No. 202. A Bill for an Act to Amend and Re-enact Chapter 242 of the 1939 Session Laws of the State of North Dakota, as Amended and Re-enacted by Chapter 296 of the 1941 Session Laws of the State of North Dakota Relating to a Tax Upon Sales of Certain Alcoholic Beverages by Licensed Wholesale Liquor Dealers, Providing the Method

of Taxing the Same, and Collecting, Distributing and Expending the Revenue from Said Tax, Providing for the Filing of a List of Said Wholesalers, Repealing All Acts and Parts of Acts in Conflict Herewith, Providing Penalties for Violations of Said Act, Providing for a Saving Clause and Declaring an Emergency.

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

Reps. Fitch, Runck and Peterson of Bottineau introduced:

House Bill No. 203. A Bill for an Act Authorizing County Officers to Attend Annual Conference and Meeting, and Providing for Payment of Mileage and Necessary Expense While Attending Such Meeting.

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

Rep. Johnson of Richland introduced:

House Bill No. 204. A Bill for an Act to Amend and Re-enact Section 1 of Chapter 163 of the Session Laws of the State of North Dakota for the Year 1939.

Was read the first time and referred to the Committee on Mines and Mining.

Reps. Bergesen, Fuglestad, Williams of Richland, Moe, Lillehaugen, Kolpin and Hogoboom introduced:

House Bill No. 205. A Bill for an Act Amending and Re-enacting Sections 5 and 12 of the Initiated Measure Known as the "The Liquor Control Act", Approved by the People of North Dakota on November 3, 1936, the Same Being Chapter 259 of the Session Laws of 1937, and Providing That Places for Wholesale and Retail Sale of Alcohol and Alcoholic Beverages Shall Be Maintained Only Within the Limits of Incorporated Cities and Villages Within the State, and Declaring an Emergency.

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

Reps. Fitch, Haugland, Graham, Saumur and McInnes introduced:

House Bill No. 206. A Bill for an Act to Amend and Re-enact Sections 7, 19 and 26 of the Session Laws of North Dakota for 1927 as Amended and Re-enacted by Chapter 150 of the Session Laws of North Dakota for 1939, Relating to the Regulation of the Occupation of Hairdressers and Cosmetologists, and Repealing All Acts or Parts of Acts in Conflict Herewith, and Declaring an Emergency.

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

Reps. Olson of Bowman and Morland introduced:

House Bill No. 207. A Bill for an Act to Amend and Re-enact Section 189b5 of the 1925 Supplement to the Compiled Laws of North Dakota for 1913, as Amended by Section 1 of Chapter 170, Session Laws of the State of North Dakota for 1931, and Chapter 137, Session Laws of North Dakota for 1933; Enumerating Crops Which May Be Insured; Specifying the Duties of Assessors and Other Officers and Fixing the Time When Insurance Becomes Effective.

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

The Committee on Public Safety introduced:

House Bill No. 208. A Bill for an Act to Amend and Re-

enact Sub-sections (a), (b) and (f) of Section 18 of Chapter 139 of the Session Laws of North Dakota for 1937, as Amended and Re-enacted by Section 4 of Chapter 175 of the Session Laws of North Dakota for 1941, Relating to the Authority, Powers and Duties of the Members of Division of Highway Safety and Patrol.

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

Rep. Westby introduced:

House Bill No. 209. A Bill for an Act to Regulate the Employment of Employees of the State of North Dakota and to Name the Conditions Under Which They May Hold Their Positions or May Be Discharged.

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

Reps. Wolf of McIntosh, Schwartz and Bubel introduced: House Concurrent Resolution "Q." Providing for the Amendment of Section 26 of Article 2 of the Constitution of the State of North Dakota.

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

Reps. Crockett and Wolf of McIntosh introduced:

House Bill No. 210. A Bill for an Act Requiring License to Operate Store; Declaring Operation of Store Without License to Be Unlawful, Defining the Meaning of the Word "Store"; Fixing License Fees; Establishing Rules and Regulations; Conferring Certain Duties and Powers Upon the State Tax Commissioner; Making Appropriation for Payment of Expenses Incurred in Administering Said Act; and Providing Penalty for Violation.

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

Reps. Anderson, Rohde and Haugen introduced:

House Bill No. 211. A Bill for an Act to Amend and Re-enact Section 5 of Chapter 166 of the 1929 Session Laws of the State of North Dakota as Amended and Re-enacted by Chapter 168 of the Session Laws of 1937, Relating to Tax on Motor Fuels and for the Distribution of the Revenues Derived from Said Tax.

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

Reps. Hogoboom, Leet, Rohde and Haugen introduced:

House Bill No. 212. A Bill for an Act Providing a Means by Which Any Citizen May Have His Date of Birth and Place of Birth Judicially Determined; Providing for the Notice to Be Given of a Hearing; Giving to the District Courts Jurisdiction Thereof; Providing for an Appeal and Designating the Fees to Be Paid to the Clerk of Court in Connection Therewith.

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

Reps. Ohnstad and Shure introduced:

House Bill No. 213. A Bill for an Act Amending and Re-enacting Section 6762 of the Compiled Laws of North Dakota for 1913, as Amended by Chapter 175 of the Session Laws of 1927, as Amended by Chapter 168 of the Session

Laws of 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 and Making the Same an Emergency Measure.

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

Reps. Fleck, Schnell and Saumur introduced:

House Bill No. 214. A Bill for an Act to Amend and Re-enact Sections 8 and 9 of Chapter 135 of the Session Laws of 1935 as Amended and Re-enacted by Chapter 143 of the Session Laws of 1939 Relating to the Election of Delegates to State Party Conventions and Members of County Executive Committees, and Repealing All Acts or Parts of Acts in Conflict Herewith.

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

Rep. Olson of Barnes introduced:

House Bill No. 215. A Bill for an Act Providing for a Post War Reserve Fund for Cities, and Authorizing a Levy Therefor, and Repealing All Acts in Conflict Therewith.

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

Reps. Morrison, Williams of Richland, Belzer and Iszler (by request) introduced:

House Bill No. 216. A Bill for an Act to Amend and Re-enact Section 9689 of the Compiled Laws of North Dakota for 1913, Pertaining to Minors Visiting Places Selling Beer, Ale, Alcoholic or Intoxicating Liquor, Requiring Owners and Proprietors to Post Signs Barring Minors, and Requiring Them to Give a Bond of \$500.00 to the Local Municipality, and Providing Penalty for Violation Thereof.

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

Reps. Graham, Bolmeier, Wolf of McIntosh and Sandness introduced:

House Bill No. 217. A Bill for an Act to Amend and Re-enact Section 2261 of the Supplement to the Compiled Laws, and Section 2262 of the Supplement to the Compiled Laws, as Amended by Chapter 154 of the 1927 Session Laws, Relating to the Levy of a Gopher Tax and Providing for the Payment of a Gopher Bounty.

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

Reps. Bymers, Kolpin, Hegge, Schnell, Fraser, Welk, Rohde, Schwartz, Welder and Forseth introduced:

House Bill No. 218. A Bill for an Act Amending and Re-enacting Section 2122a of the 1925 Supplement to the 1913 Compiled Laws of North Dakota as Amended by the Initiated Measure Approved by the Voters of the State of North Dakota on June 29, 1932, Relating to the Basis of Assessment of Property for Taxation Purposes, Basing Such Basis on 50% to 75% of the Full and True Value Thereof and Repealing All Acts and Parts of Acts in Conflict Herewith.

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

Rep. Bauer introduced:

House Bill No. 219. A Bill for an Act to Repeal Chapter

214 of the Session Laws of the State of North Dakota for the Year 1941, Relating to the Establishment, Maintenance and Operation of the Central Mailing Bureau in the Capitol Building for the Use of State Officials, Departments or Agencies, and Declaring an Emergency.

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

Reps. Bolmeier and Burau introduced:

House Bill No. 220. A Bill for an Act to Provide a Standard War Time for the State of North Dakota, Providing for Its Institution and continuance; Repealing All Acts in Conflict Therewith; and Declaring an Emergency.

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

Reps. Olson of Bowman, Morland and Crockett introduced:

House Bill No. 221. A Bill for an Act to Amend and Re-enact Section 1828 of the 1925 Supplement to the Compiled Laws of North Dakota for 1913, as Amended by Chapter 241 Session Laws of 1933; Relating to the Use of North Dakota Fuel in Public Buildings, and Placing the Enforcement Under the Public Service Commission, and Providing a Penalty.

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

Reps. Bymers, Kolpin, Schnell, Fraser, Hegge, Rohde, Welk, Forseth, Schwartz and Schmalenberger introduced:

House Bill No. 222. A Bill for an Act Providing that the Proceeds of Income Taxes Collected in This State Less Expenses of Collection and Refunds Shall Be Placed in a Special Fund to be Used Solely for Old Age Assistance, Repealing All Acts or Parts of Acts in Conflict Therewith.

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

Rep. Rohde introduced:

House Bill No. 223. A Bill for an Act to Amend and Re-enact Section 1121, Compiled Laws of 1913, Relating to the Election and Term of Office of County Superintendent of Schools, and Providing for a Four Year Term of Office.

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

Rep. Dahlen introduced:

House Bill No. 224. A Bill for an Act Amending and Re-enacting Section 1388 of the Compiled Laws of North Dakota for 1913, Providing for the Placing of Bibles in Public Schools.

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

Reps. Sharpe and Sailer introduced:

House Bill No. 225. A Bill for an Act to Amend and Re-enact Section 4 of Chapter 104, Session Laws of 1937, Being the "Revenue Bond Law of 1937."

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

Rep. Crockett introduced:

House Bill No. 226. A Bill for an Act to Amend and Re-enact Section 2 of Chapter 239 of the Session Laws of 1935, Relating to the Exemption of Personal Property of a Single

Person From Attachment, Levy and Sale on Execution, and Declaring an Emergency.

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

Reps. Johnson of Richland and Forseth introduced:

House Bill No. 227. A Bill for an Act Exempting Household Goods, Clothing and Other Personal Belongings and Musical Instruments from Taxation, and Repealing All Acts in Conflict Herewith.

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

Reps. Wolf of Morton and Starck introduced:

House Bill No. 228. A Bill for an Act Permitting Counties, Cities, Villages and Townships to Lease and Permit the Use of Public Buildings for Other Than Public Purposes, and Declaring an Emergency.

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

The Committee on Public Welfare introduced:

House Bill No. 229. A Bill for an Act Providing for the Organization and Regulation of Non-Profit Hospital Service Plan Corporations, and Declaring an Emergency.

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

Rep. Starck (by request) introduced:

House Bill No. 230. A Bill for an Act Imposing a Tax Upon Retail Sales of Cigars, Providing a Penalty and Declaring an Emergency.

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

Rep. Starck (by request) introduced:

House Bill No. 231. A Bill for an Act to Prohibit the Owner, Manager or Operator of Any Public Moving Picture Theater from Seating Patrons Nearer Than Twenty-five (25) Feet to the Screen During the Showing of Motion Pictures, Providing a Penalty and Declaring an Emergency.

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

Rep. Starck (by request) introduced:

House Bill No. 232. A Bill for an Act Imposing a Tax Upon Retail Sales of Bottled Soft Drinks, Providing a Penalty and Declaring an Emergency.

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

Rep. Peterson of Bottineau introduced:

House Bill No. 233. A Bill for an Act to Amend and Re-enact Section 189c2 of the 1925 Supplement of the 1913 Compiled Laws of the State of North Dakota, as Amended and Re-enacted by Section 2 of Chapter 153 of the 1935 Session Laws of the State of North Dakota, Relating to Fire and Tornado Insurance on Public Buildings, and Declaring an Emergency.

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

Reps. Halcrow, Dalzell and Carlson introduced:

House Bill No. 234. A Bill for an Act Permitting the

Creating of an "Emergency Public Construction Fund"; Fixing the Amount Which May Be Levied; giving Honorably Discharged Service Men a Preference in Employment; and Providing for a Liability for Misuse of the Fund, and Declaring an Emergency.

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

Rep. Bergesen introduced:

House Bill. No. 235. A Bill for an Act Making it a Criminal Offense for a Parent or Other Person Legally Responsible for the Care or Support of a Child to Abandon Such Child; Providing for Penalty; Repealing All Acts in Conflict Herewith, and Declaring an Emergency.

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

Reps. Johnson of Richland and Olson of Barnes introduced: House Bill No. 236. A Bill for an Act Providing for the Regulation of Private Trade Schools and Correspondence Schools, and Providing Penalties for Violation.

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

Reps. Dahlen and Forseth introduced:

House Concurrent Resolution "R." Memorializing Congress of the United States to Lift Restrictions and Priorities on Batteries Used for Telephones and Radios for Farms and Residents in Rural Communities.

Was read the first time and referred to the Committee on Federal Relations.

Reps. Carlson and Schmalenberger introduced:

House Bill No. 237. A Bill for an Act Imposing a Tax Upon Tickets for Admission to All Theaters, Movies, Pin Alleys, Ball Alleys, and Other Places of Amusement; Declaring an Emergency.

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

Reps. Falconer, Schnell and Ekren introduced:

House Concurrent Resolution "S." To the Honorable William H. Jeffers, United States Rubber Administrator, War Production Board, Washington, D. C., Urging the Establishment of a Plant at Bismarck, or Jamestown, North Dakota, for the Production of Synthetic Rubber from Grain Alcohol, or a Plant at Dickinson or Minot, North Dakota, for Production of Synthetic Rubber and Coal By-products From Lignite Coal.

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

Reps. Stair, Halvorson, Ostgulen, Forseth and Mortenson introduced:

House Concurrent Resolution "T." Memorializing the Congress of the United States to Abandon Further Acquisition of Land and the Extension of Game Refuges in the State of North Dakota; Urging Legislation to Provide for Making Payments in Lieu of Taxes Where Refuges Are Located, or Providing for Return of Such Lands to Private Ownership; and Payment of Claims of Landowners in Locality of Such Game Refuges, Whose Crops Have Been Destroyed by Game Birds and Predatory Animals Found on Such Reserves.



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

Rep. Starck introduced:

House Concurrent Resolution "U." Memorializing, Petitioning and Urging Congress to Take Such Steps and Measures as Are Necessary for the Purpose of Setting Up a Fund to Provide for the Payment to Each Returned Soldier of an Amount Not Less Than \$100.00 Per Month for a Period of One Year After Duration of the War.

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

Rep. Rettke introduced:

House Concurrent Resolution "V." Memorializing Congress and the President to Authorize the Indians to Elect Their Commissioner of Indian Affairs and Other Administrative Officials and That Treaty Rights and Claims be Promptly Adjudicated and Paid.

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

#### FIRST READING OF SENATE BILLS

Senate Bill No. 3. 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.

Senate Bill No. 13. A Bill for an Act Making an Appropriation for the Salaries and Expenses of the Certification Division.

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

Senate Bill No. 15. A Bill for an Act Making an Appropriation for Operation and Maintenance of the Auto Transportation Division.

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

Senate Bill No. 16. A Bill for an Act Making an Appropriation for Salaries and Expenses of the Scale Inspection Division.

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

Senate Bill No. 17. A Bill for an Act Making an Appropriation for Salaries and Expenses of the Livestock Division (Dealers).

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

Senate Bill No. 18. A Bill for an Act Making and Appropriation for Services and Expenses for the Public Utility Division.

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

Senate Bill No. 51. A Bill for an Act Requiring Livestock Sales Rings Created Under the Provisions of Chapter 9 of the Session Laws of 1941, to Furnish, Install and Maintain Scales, Known as "Scales of the Registering Type," Excepting from the Provisions Hereof, Livestock Sales Rings Which Have Already Installed Scales of Sufficient Capacity.

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

Senate Bill No. 67. A Bill for an Act to Prohibit Cutting, Removing or Destroying Any Native Growing Fruit Bearing Shrubs, or Trees, Providing a Penalty and Creating an Emergency.

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

Senate Bill No. 69. A Bill for an Act to Provide for the Transfer of a Part of the Unappropriated Surplus Now in the "Auto Transportation Fund" to the Credit of the "General Fund" in the State Treasury and Declaring an Emergency.

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

Senate Bill No. 75. A Bill for an Act Amending and Re-enacting Section 3 of Chapter 163 of the Session Laws of 1939, Relating to Safety Rules.

Was read the first time and referred to the Committee on Mines and Mining.

Senate Bill No. 76. A Bill for an Act Amending and Re-enacting Section 5 of Chapter 168 of the Session Laws of the State of North Dakota for the Year 1919 and Acts Amendatory Thereof, Relating to Inspection of Mines.

Was read the first time and referred to the Committee on Mines and Mining.

Senate Bill No. 96. A Bill for an Act to Amend and Re-enact Sub-section (b) of Section 5 of Chapter 235 of the Session Laws of North Dakota for the Year 1929, as Amended and Re-enacted by Chapter 297 of the Session Laws of North Dakota for the Year 1931, and as Amended and Re-enacted by Chapter 208 of the Session Laws of North Dakota for the Year 1935, and as Amended and Re-enacted by Chapter 175 of the Session Laws of North Dakota for the Year 1937, as Amended and Re-enacted by Chapter 210 of the Session Laws of North Dakota for the Year 1941, Relating to Tax Limitations of Cities.

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

Senate Bill No. 108. A Bill for an Act to Provide for Acting Officials in Absences Caused by Induction Into the Military Service of Incumbent Officers, and Declaring an Emergency.

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

Rep. Fleck requested that the House revert to the seventh order of business, which request was granted.

Rep. Fleck moved that House Bill No. 152 be transferred from the Committee on Judiciary to the Committee on State Affairs.

On a viva voce vote the chair was in doubt.

A rising vote disclosed 44 voting for and 48 voting against, so the motion was declared lost.

Rep. Fleck demanded a roll call, which request was granted.

#### ROLL CALL

The question being on the motion of Rep. Fleck, the roll

was called and there were ayes, 56; nays, 55; absent and not voting, 2.

Those voting in the affirmative were:

Allen, Grand Forks	Fitch	Nystrom
Allen, Pierce	Fleck	Olson, Barnes
Arndt	Fuglestad	Peterson, Ransom
Bagge	Gackle	Pyle
Bauer	Gainor	Runk
Belzer	Halcrow	Sailer
Benno	Haugen	Saumur
Bjella	Hildre	Sellens
Blair	Hogoboom	Severson
Bolmeier	Holm	Sharpe
Boulden	Hovey	Starck
Callahan	Johnson, Cass	Stormon
Carlson	Johnson, Richland	Twichell
Coghlan	Langley	Wambheim
Collette	Leet	Westby
Crockett	Lunde	Williams, Stutsm'n
Dalzell	McInnes	Wolf, McIntosh
Drovdal	Moe	Mr. Speaker
Ekren	Morrison	

Those voting in the negative were:

Aker	Iszler	Olson, Bowman
Anderson	Jennings	Ostgulen
Baumgartner	Johnson, Rolette	Peterson, Bottin'au
Bergesen	Kolpin	Rettke
Braun	Larson, Ward	Rohde
Bubel	Larson, Wells	Rohrer
Bureau	Levin	Sandness
Bymers	Lillehaugen	Schmalenberger
Dahlen	Manstrom	Schnell
Devlin	Marks	Schwartz
Falconer	Mittag	Shure
Forseth	Mollet	Stair
Fraser	Monson	Sticka
Graham	Morland	Tuff
Haag	Mortenson	Welk
Halvorson	Myers	Williams, Richland
Haugland	Nelson	Williams, Sargent
Heckman	Ohnstad	Wolf, Morton
Hegge		

Absent and not voting:

Hofstrand                      Welder

So the motion was declared carried.

Rep. Haugen changed his vote from "no" to "aye" for the purpose of reconsideration.

#### MESSAGES FROM THE SENATE

Senate Chamber

Bismarck, February 9, 1943

Mr. Speaker: I have the honor to return:

Senate Bill No. 28. A Bill for an Act Making an Appropriation in the Sum of Three Thousand Dollars (\$3,000.00) to Provide Funds for Increasing the Salaries of Those Employed by the Board of Administration in the Maintenance and Operation of the State Capitol Building, the Liberty Memorial Building, and Capitol Grounds, for the Period from January 1, 1943 to June 30, 1943; and Declaring an Emergency.

Senate Bill No. 40. A Bill for an Act to Amend and Re-enact Sub-section 3 of Section 1 of Chapter 114 of the Session Laws of 1933 Relating to the Propagation and Domestication of Game Birds and Animals, and Declaring an Emergency

Senate Bill No. 42. A Bill for an Act to Pay Workmen's Compensation Premiums on the Salaries of the Justices of the Supreme Court, and Declaring an Emergency.

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

W. J. TROUT, Secretary.  
Senate Chamber

Bismarck, February 9, 1943

Mr. Speaker: I have the honor to return:

House Bill No. 23. A Bill for an Act Making an Appropriation to the North Dakota Firemen's Association.

House Bill No. 39. A Bill for an Act to Amend and Re-enact Section 6 of Chapter 235 of the Session Laws of the State of North Dakota for the Year 1929 as Amended by Chapter 176 of the Session Laws of 1939 and Further Amended by Chapter 206 of the Session Laws of 1941, Relating to Park District Tax Levies and Providing a Method for Raising Money by the Park District for Specific Purposes in Excess of the Amount Allowed by Law and Providing for a Levy by Park Districts Owning and Maintaining Airports, Purchasing or Acquiring Lands for Airports and for Operating and Maintaining the Same.

Which the President has signed.

W. J. TROUT, Secretary.

#### FIRST READING OF HOUSE BILLS AND CONCURRENT RESOLUTIONS

Rep. Schnell introduced:

House Concurrent Resolution "W." A Concurrent Resolution for an Amendment to the Constitution of the State of North Dakota Permitting the Withdrawal of Cass County from the Boundaries of the State of North Dakota and Authorizing Annexation Thereof to the State of Minnesota.

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

Reps. Anderson, Rohde and Haugen introduced:

House Bill No. 238. A Bill for an Act Amending and Re-enacting Section 25 of Chapter 164 of the Session Laws of 1933, as Amended by Chapter 196 of the 1941 Session Laws, Providing for the Collection of Certificate and Permit Fees and Providing for an Identification Tag Fee from Carriers by Motor Vehicle, Except Passenger Common Carriers Who Pay the Seat Tax Under Chapter 180 of the Session Laws of 1935.

Was read the first time and referred to the Committee on Highways and Bridges.

Rep. Bubel (by request) introduced:

House Bill No. 239. A Bill for an Act to Amend and Re-enact Section 1 of Chapter 211 of the Session Laws of 1937; Section 2 of Chapter 211 of the Session Laws of 1937 as Amended by Chapter 195 of the Session Laws of 1939; Section 9 of Chapter 211 of the Session Laws of 1937; Section 12 of Chapter 211 of the Session Laws of 1937; Section 21

of Chapter 211 of the Session Laws of 1937 as Amended by Chapter 244 of the Session Laws of 1941, Pertaining to Definitions, Payment for Benefit of Recipients, Eligibility for Assistance to the Needy Aged, Old Age Assistance Fund, and Recovery from Estate and Repeal of Section 15 of Chapter 211 of the Session Laws of 1937, Aid Exclusive of Other Aid; Funeral Expenses and Declaring an Emergency.

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

Rep. Bubel (by request) introduced:

House Bill No. 240. A Bill for an Act to Amend and Re-enact Section 1 of Chapter 210 of the Session Laws of 1937 and Section 2 of the Session Laws of 1937 as Amended by Chapter 191 of the Session Laws of 1939 and Chapter 241 of the Session Laws of 1941 Pertaining to Definitions and Eligibility for Assistance to the Needy Blind and Repeal of Sections 15 and 19 of Chapter 210 of the Session Laws of 1937, and Declaring an Emergency.

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

Reps. Twichell and Graham introduced:

House Concurrent Resolution 'X.' A Concurrent Resolution Providing for the Amendment of Section 45 of the Constitution of North Dakota.

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

Reps. Wolf of McIntosh, Starck and Nelson introduced:

House Bill No. 241. A Bill for an Act to Provide for the Publication of the Official Proceedings of All Cities With a Population of Over Thirty-five Hundred (3500) Persons.

Was read the first time and referred to the Committee on Cities and Municipalities.

Reps. Morrison and Iszler (by request) introduced:

House Bill No. 242. A Bill for an Act to Amend and Re-enact Section 10 of Chapter 286 of the Session Laws for 1941 Providing for Quieting of Titles by Counties Before Sale of Real Estate Acquired by Tax Deed.

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

Rep. Bymers moved that the absent members be excused, which motion prevailed.

Rep. Bymers moved that the House do now adjourn, which motion prevailed.

W. M. SMART, Chief Clerk.

### THIRTY-SIXTH DAY

Bismarck, February 9, 1943

The House convened pursuant to adjournment, Speaker Beede presiding.

Prayer was offered by Rev. G. W. Stewart.

Roll call: All members were present.

### MESSAGES TO THE SENATE

House of Representatives  
Bismarck, February 9, 1943

Mr. President: I have the honor to transmit:

House Bill No. 2. 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 "L." Memorializing Congress

to Establish a Soy Bean Utilization Plant in Connection with the State Mill and Elevator.

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

W. M. SMART, Chief Clerk.  
House of Representatives  
Bismarck, February 9, 1943

Mr. President: I have the honor to return:

Senate Bill No. 26. A Bill for an Act Making an Appropriation in the Sum of Five Hundred Dollars (\$500.00), to Provide Funds for Payment of Salaries of Operators Employed in the Capitol Telephone Exchange for the Period from January 1, 1943, to June 30, 1943; and Declaring an Emergency.

Senate Bill No. 27. A Bill for an Act Making an Appropriation in the Sum of Two Thousand Dollars (\$2,000.00) for the Payment of Salaries of "Other Employees" of the State Hospital for the Insane; and of the Sum of Twenty-five Thousand Dollars (\$25,000.00) for the Purchase of Meats and Foods for the State Hospital for the Insane; for the Period from January 1, 1943 to June 30, 1943; and Declaring an Emergency.

Senate Bill No. 38. A Bill for an Act Making an Appropriation for the Purchase of Foods, Meats, etc., and for Watermain and Hydrants to Dairy Barn for the State Tuberculosis Sanatorium; and Declaring an Emergency.

Which the Speaker has signed.

W. M. SMART, Chief Clerk.

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

Mr. Speaker: Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the continuation of the thirty-third day and the thirty-fifth day and recommends that the same be corrected as follows: on Page 287, Line 18 insert the word "not" between the words "are" and "going."

And when so corrected recommends that the same be approved.

REP. WELDER, Chairman.

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

#### PETITIONS AND COMMUNICATIONS

A letter was read from the United States Government Printing Office, calling attention to a pamphlet, "Record Keeping for Small Stores", which pamphlet will be left at the desk for use by Representatives.

#### REPORTS OF STANDING COMMITTEES

Mr. Speaker: Your Committee on Appropriations to whom was referred House Bill No. 94, have had the same under consideration and recommend that the same do pass.

REP. JOHNSON OF CASS, Chairman.

Rep. Gackle moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Appropriations to whom was referred House Bill No. 99, have had the same under consideration and recommend that the same do pass.

REP. JOHNSON OF CASS, Chairman.

Rep. Collette moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Public Health to whom was referred Senate Bill No. 52, have had the same under consideration and recommend that the same do pass.

REP. PETERSON OF RANSOM, Chairman.

Rep. Sailer moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Agriculture to whom was referred Senate Concurrent Resolution "D," have had the same under consideration and recommend that the same do pass.

REP. OLSON OF BOWMAN, Chairman.

Rep. Gainor moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Agriculture to whom was referred House Bill No. 74, have had the same under consideration and unanimously recommend that the same be indefinitely postponed.

REP. OLSON OF BOWMAN, Chairman.

Rep. Fuglestad moved that the report be adopted.

Rep. Bauer offered as a substitute motion that House Bill No. 74 be placed on the calendar.

Which motion prevailed and House Bill No. 74 was placed on the calendar.

Mr. Speaker: Your Committee on Public Safety to whom was referred House Bill No. 116, have had the same under consideration and recommend that the same be indefinitely postponed.

REP. SHARP, Chairman.

Rep. Fraser moved that the report be adopted, which motion prevailed and the report was adopted.

Rep. Haugen moved that the vote by which House Bill No. 152 was transferred to the Committee on State Affairs be re-considered.

On a viva voce vote the chair was in doubt.

A rising vote disclosed 56 voting for and 53 voting against so the motion was declared carried and House Bill No. 152 was re-referred to the Committee on Judiciary.

#### SECOND READING OF HOUSE BILLS

House Bill No. 80. A Bill for an Act to Amend and Re-enact Section 17 of Chapter 162 of the Session Laws of North Dakota for the Year 1919, as Amended and Re-enacted by Section 6 of Chapter 286 of the Session Laws of North Dakota for the Year 1935, Relating to Decisions of the Workmen's Compensation Bureau, and Providing for Appeals from Such Decisions.

Was read the second time.

Rep. Crockett moved that House Bill No. 80 be placed in General Orders.

Rep. Falconer seconded the motion.

Rep. Westby offered as a substitute motion that House Bill No. 80 be indefinitely postponed, which motion was seconded.

The Speaker ruled that in accordance with Rule 12, a motion for commitment to General Orders takes precedence over a motion for indefinite postponement.

Therefore the question was on the motion of Rep. Crockett. The motion was put and declared lost.

The question then was on the motion of Rep. Westby, which motion was declared lost on a viva voce vote.

A division was called for and disclosed 49 voting for and 58 voting against, so the motion was lost.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 60; nays, 53; absent and not voting, 0.

Those voting in the affirmative were:

Allen, Grand Forks	Drovdal	Ohnstad
Allen, Pierce	Fitch	Olson, Barnes
Anderson	Gackle	Peterson, Ransom
Arndt	Graham	Pyle
Bagge	Haag	Runck
Bauer	Halcrow	Sailer
Baumgartner	Hegge	Saumur
Belzer	Holm	Schmalenberger
Bergesen	Iszler	Schnell
Bjella	Johnson, Richland	Schwartz
Blair	Johnson, Rolette	Severson
Boulden	Langley	Shure
Bymers	Larson, Ward	Starck
Callahan	Leet	Sticka
Carlson	Lunde	Twichell
Coghlan	McInnes	Wambheim
Collette	Mittag	Welder
Crockett	Moe	Welk
Dahlen	Mortenson	Wolf, McIntosh
Dalzell	Nelson	Mr. Speaker

Those voting in the negative were:

Aker	Hildre	Olson, Bowman
Benno	Hofstrand	Ostgulen
Bolmeier	Hogoboom	Peterson, Bottin'au
Braun	Hovey	Rettke
Bubel	Jennings	Rohde
Bureau	Johnson, Cass	Rohrer
Devlin	Kolpin	Sandness
Ekren	Larson, Wells	Sellens
Falconer	Levin	Sharpe
Fleck	Lillehaugen	Stair
Forseth	Manstrom	Stormon
Fraser	Marks	Tuff
Fuglestad	Mollet	Westby
Gainor	Monsón	Williams, Richland
Halvorson	Morland	Williams, Sargent
Haugen	Morrison	Williams, Stutsm'n
Haugland	Myers	Wolf, Morton
Heckman	Nystrom	

So the bill passed and the title was agreed to.

Rep. Saumur moved that the vote by which House Bill No. 80 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Rep. Rettke: "Because this bill provides that the Bureau will pay the attorney's fees even if they prove in their case that they are right is the reason I vote 'No' on this bill."

Rep. Schnell: "I am not heartily in favor of this bill but I vote 'Aye' because I feel that this has been up in former sessions and it can always be repealed two years from now. Let's give it a trial. I vote 'Aye.'"



House Bill No. 61. A Bill for an Act Providing for the Filing in Duplicate of Certain Instruments in the County Court, Providing a Method for Preserving the Original Instrument, and Repealing Paragraph (3) of Section 8540 of the Compiled Laws of North Dakota for the Year 1913; 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, 75; nays, 37; absent and not voting, 0; passed, 1.

Those voting in the affirmative were:

Allen, Grand Forks	Hildre	Ohnstad
Allen, Pierce	Hofstrand	Ostgulen
Bauer	Hogoboom	Peterson, Bottin'au
Baumgartner	Holm	Pyle
Belzer	Hovey	Rettke
Bjella	Iszler	Rohde
Boulden	Jennings	Rohrer
Braun	Johnson, Cass	Saumur
Bubel	Kolpin	Schnell
Bureau	Langley	Schwartz
Bymers	Larson, Ward	Sellens
Collette	Larson, Wells	Shure
Crockett	Leet	Stair
Dahlen	Levin	Starck
Falconer	Lillehaugen	Stormon
Fitch	Lunde	Tuff
Fleck	Manstrom	Twichell
Forseth	Marks	Welder
Fraser	Mollet	Welk
Graham	Monson	Williams, Richland
Haag	Morland	Williams, Sargent
Halcrow	Morrison	Williams, Stutsm'n
Haugen	Mortenson	Wolf, McIntosh
Heckman	Myers	Wolf, Morton
Hegge	Nelson	Mr. Speaker

Those voting in the negative were:

Aker	Ekren	Olson, Barnes
Anderson	Fuglestad	Olson, Bowman
Arndt	Gackle	Peterson, Ransom
Bagge	Gainor	Runck
Benno	Halvorson	Sailer
Blair	Haugland	Sandness
Bolmeier	Johnson, Richland	Schmalenberger
Callahan	Johnson, Rolette	Severson
Carlson	McInnes	Sharpe
Coghlan	Mittag	Sticka
Dalzell	Moe	Wambheim
Devlin	Nystrom	Westby

Passed:  
Bergesen

So the bill passed and the title was agreed to.

Rep. Bolmeier moved that Rep. Bergesen be excused from voting, which motion prevailed.

Rep. Morland changed his vote from "Aye" to "Nay" for the purpose of reconsideration.

Rep. Marks: "I again have got to explain my vote. A

few days ago we voted on this proposition and I asked permission to pass and I was denied that right. Therefore, at this time I am going to vote for the other attorney in order to be fair to both sides so I vote 'Aye'."

#### SECOND READING OF SENATE BILLS

Senate Bill No. 49. A Bill for an Act Assessing and Levying from July 1, 1943, to July 1, 1945, on All Licensed Dealers of Motor Vehicle Fuels, a Special Additional License Tax of One Cent Per Gallon on 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 on the State Highway Fund for specific Purposes; Making All Provisions of Initiated Measure Approved June 30, 1926, and Amendments Thereto and Known as the "Motor Vehicle Fuel Tax Law," Other Than Division of Proceeds Between the State and Counties and Other Than for Costs of Administration and Collection of Other Than Penalties for Violation Applicable to Said Special License Tax; Providing for Exemption of Motor Vehicle Fuels Sold and Used for Agricultural and Industrial Purposes; and Fixing Fines and Penalties for the Violation of the Provisions of This Act.

Was read the second time.

Rep. Fitch demanded a call of the House and a call of the House was granted.

The Sergeant-at-Arms was instructed to have the doors closed and permit no member to leave.

The roll was called and disclosed all members present.

Rep. Fitch moved that the call of the House be dispensed with, which motion prevailed.

Rep. Nelson moved that Senate Bill No. 49 be indefinitely postponed.

Which motion was seconded by Rep. Falconer.

Rep. Johnson of Cass moved the previous question, which motion prevailed.

The question was on the motion of Rep. Nelson. On a viva voce vote the chair was in doubt. A rising vote disclosed 44 voting for and 64 voting against so the motion to indefinitely postpone was lost.

The question was on the final passage of Senate Bill No. 49.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 71; nays, 42; absent and not voting, 0.

Those voting in the affirmative were:

Aker	Fuglestad	Nystrom
Allen, Grand Forks	Gackle	Ohnstad
Allen, Pierce	Gainor	Olson, Barnes
Arndt	Halcrow	Olson, Bowman
Bagge	Haugland	Peterson, Ransom
Benno	Hildre	Pyle
Bergesen	Hofstrand	Rohrer
Bjella	Hogboom	Runck
Blair	Holm	Sailer
Bolmeier	Hovey	Sandness
Boulden	Johnson, Cass	Saumur
Bymers	Johnson, Richland	Schmalenberger

Callahan	Johnson, Rolette	Sellens
Carlson	Langley	Severson
Coghlan	Larson, Ward	Sharpe
Collette	Leet	Shure
Crockett	Levin	Stair
Dahlen	Lunde	Sticka
Dalzell	Manstrom	Stormon
Devlin	McInnes	Twichell
Ekren	Mittag	Wambheim
Fitch	Moe	Westby
Fleck	Morland	Williams, Stutsm'n
Fraser	Mortenson	
Those voting in the negative were:		
Anderson	Heckman	Peterson, Bottin'au
Bauer	Hegge	Rettke
Baumgartner	Iszler	Rohde
Belzer	Jennings	Schwartz
Braun	Kolpin	Schnell
Bubel	Larson, Wells	Starck
Burau	Lillehaugen	Tuff
Drovdal	Marks	Welder
Falconer	Mollet	Welk
Forseth	Monson	Williams, Richland
Graham	Morrison	Williams, Sargent
Haag	Myers	Wolf, McIntosh
Halvorson	Nelson	Wolf, Morton
Haugen	Ostgulen	Mr. Speaker

So the bill passed and the title was agreed to.

Rep. Twichell 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.

Rep. Braun: "I am going to vote 'No' on this bill and the reason is that we are living off of the highways so far and we never get any roads built and here we try to get a little into the counties out of this fund to help build roads and since we do not get it I vote 'No'."

Rep. Crockett: "I am going to vote 'Aye' on this bill, Mr. Speaker, for the reason that I want to be consistent. We have trucks running over our highways and we certainly are not going to let them get off any cheaper than we are doing. If we vote 'No' on this bill we will lose one of our best revenues and I think we are justified in having them pay this tax. We also have some 'prune-peddlers'—they are the ones who will be using these highways for the next two years. Why not let them pay. I realize we will have a shortage of manpower for the next couple years but that is no reason why we should let the truckers and prune-peddlers get by without paying so I vote 'Aye'."

Rep. Falconer: "I vote 'No' for the reason that the maintenance of the roads is being taken care of pretty well through the Motor Vehicle Registrar funds and we are more or less sure of maintenance, at least necessary maintenance from the funds available and because this appropriation will set up a competing organization for the labor so necessary on the farm, I vote 'No'."

Rep. Forseth: "I vote 'No' on this bill because I feel that the division of this money should have been made as was

intended by the amendment offered which would have made one-third of the funds available to the counties for county road building purposes, for farm to market roads. I feel that that amendment should have carried and I do not feel that the bill as it is now is right and proper and therefore I vote 'No.'

Rep. Halvorson: "I vote 'No' on this bill because since they would not amend it so one-third could go to the counties and because what we are interested in here now is farm to market roads, I therefore vote 'No.'"

Rep. Lillehaugen: "I vote 'No' also for the reason we could not get an amendment whereby one-third of the tax would go back to the counties for the building of farm to market roads. We know well that this is the most important thing at the present time."

Rep. Marks: "Again I want to explain my vote. I want the people back home to know why I am going to vote 'No' on this bill and that is because the amendment that was introduced here of wanting the counties to get one-third for the building of leader roads was turned down, therefore I am going to vote 'No.'"

Rep. Moe: "I want to explain my vote also. There has been a lot of talk about this bill. I have served on the County Commissioners' board in Cavalier County for eight years. I think there must have been some high-pressure methods used when they got the County Commissioners to sponsor a resolution of that kind. Taking it from the records and knowing what has been done in Cavalier County this past year, we find that they did straighten a stretch of three miles of road, one in Pembina and two in Cavalier, and spent \$3,000 per mile for re-shaping and graveling that road. When we had this bill up for amendment we were refused to put an amendment in which would have turned one-third of that money in to the counties. By giving it all to the State as at the present time, it will benefit only the highways which run through the larger cities. We farmers would not get any benefit who are hauling our grain from the farm to market. I should vote 'No' but I do not want to see this money taken out of the fund so I vote 'Yes.'"

Rep. Ostgulen: "I vote 'No' on this bill. One reason is that the county does not get back the one-third that we asked for and the other reason is I do not see any need to accumulate a big fund when we have no chance of getting road work done for the next two years."

Rep. Schnell: "I would have voted for this bill if it had not been for the fact that we could not get it amended to get the one-third out for the use of building farm to market roads. I think they are the most necessary roads for during this wartime. We need roads to haul our farm products to the market. The truckers and commercial carriers, we realize, are eventually pushing this one cent back on to the farmer anyway, so I vote 'No.'"

Rep. Wolf of McIntosh: "As long as we were unable to amend this bill so the counties would get one-third out of it so our farm to market roads could be built up, which I feel is essential work for the duration, I therefore vote 'No.'"

Rep. Haugen moved that the House recess for fifteen minutes, which motion prevailed.

The House reconvened pursuant to recess taken.

## SECOND READING OF HOUSE BILLS

House Bill No. 95. A Bill for an Act Creating a Veterans' Emergency Fund, and Providing an Appropriation Therefor, and Providing for the Use of Such Fund by the Veterans' Service Commissioner, and the Manner of Its Disbursement.

Was read the second time.

## ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 98; nays, 0; absent and not voting, 15.

Those voting in the affirmative were:

Aker	Haag	Olson, Bowman
Allen, Grand Forks	Halcrow	Ostgulen
Allen, Pierce	Halvorson	Peterson, Ransom
Bauer	Haugen	Pyle
Baumgartner	Haugland	Rettke
Belzer	Heckman	Rohde
Benno	Hegge	Rohrer
Bergesen	Hildre	Runk
Bjella	Hofstrand	Sailer
Blair	Hogoboom	Sandness
Bolmeier	Holm	Saumur
Boulder	Hovey	Schmalenberger
Braun	Iszler	Schnell
Bubel	Jennings	Schwartz
Burau	Johnson, Cass	Sellens
Bymers	Johnson, Richland	Severson
Callahan	Johnson, Rolette	Sharpe
Carlson	Kolpin	Stair
Coghlan	Langley	Starck
Collette	Larson, Wells	Sticka
Crockett	Leet	Stormon
Dahlen	Levin	Tuff
Dalzell	Lillehaugen	Twichell
Devlin	Manstrom	Welder
Falconer	Marks	Welk
Fitch	Moe	Westby
Fleck	Mollet	Williams, Richland
Forseth	Morland	Williams, Sargent
Fraser	Morrison	Williams, Stutsm'n
Fuglestad	Nelson	Wolf, McIntosh
Gackle	Nystrom	Wolf, Morton
Gainor	Ohnstad	Mr. Speaker
Graham	Olson, Barnes	

Absent and not voting:

Anderson	Larson, Ward	Mortenson
Arndt	Lunde	Myers
Bagge	McInnes	Peterson, Bottin'au
Drovdal	Mittag	Shure
Ekren	Monson	Wambheim

So the bill passed and the title was agreed to.

Rep. Schnell moved that the vote by which House Resolution "H" was indefinitely postponed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 102. A Bill for an Act to Repeal Section 2 of Chapter 255 of the Session Laws of North Dakota for 1941, Relating to High School Correspondence Work, and to Amend and Re-enact Section 6 of Chapter 255 of the Session

Laws of North Dakota for 1941, Relating to High School Tuition and Fixing the Amounts of Such Tuition.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 108; nays, 5; absent and not voting, 0.

Those voting in the affirmative were:

Aker	Halcrow	Olson, Barnes
Allen, Grand Forks	Halvorson	Olson, Bowman
Allen, Pierce	Haugen	Ostgulen
Anderson	Haugland	Peterson, Bottin'au
Arndt	Heckman	Peterson, Ransom
Bagge	Hegge	Pyle
Bauer	Hildre	Rettker
Baumgartner	Hofstrand	Rohde
Benno	Hogoboom	Rohrer
Bergesen	Holm	Runck
Bjella	Hovey	Sailer
Blair	Iszler	Saumur
Bolmeier	Jennings	Sandness
Boulden	Johnson, Cass	Schmalenberger
Bubel	Johnson, Richland	Schnell
Burau	Johnson, Rolette	Schwartz
Bymers	Kolpin	Sellens
Callahan	Langley	Severson
Carlson	Larson, Ward	Sharpe
Coghlan	Larson, Wells	Shure
Collette	Leet	Stair
Dahlen	Levin	Starck
Dalzell	Lillehaugen	Sticka
Devlin	Lunde	Stormon
Drovdal	Manstrom	Tuff
Ekren	Marks	Twichell
Falconer	McInnes	Wambheim
Fitch	Moe	Welder
Fleck	Mollet	Welk
Forseth	Monson	Westby
Fraser	Morland	Williams, Richland
Fuglestad	Mortenson	Williams, Sargent
Gackle	Myers	Williams, Stutsm'n
Gainor	Nelson	Wolf, McIntosh
Graham	Nystrom	Wolf, Morton
Haag	Ohnstad	Mr. Speaker

Those voting in the negative were:

Belzer	Crockett	Morrison
Braun	Mittag	

So the bill passed and the title was agreed to.

Rep. Crockett moved that the vote by which House Bill No. 102 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Rep. Myers: "I am voting 'Aye' on this bill. In view of the argument here the other day on who got the benefit of the equalization fund, I would like to state that every cent of this increase will go to town and city schools."

House Bill No. 78. A Bill for an Act Requiring the Teach-

ing of the Conservation of Natural Resources in the Public Schools 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, 111; nays, 0; absent and not voting, 2.

Those voting in the affirmative were:

Aker	Graham	Nystrom
Allen, Grand Forks	Haag	Ohnstad
Allen, Pierce	Halcrow	Olson, Barnes
Anderson	Halvorson	Olson, Bowman
Arndt	Haugen	Ostgulen
Bagge	Haugland	Peterson, Bottin'au
Bauer	Heckman	Peterson, Ransom
Baumgartner	Hegge	Pyle
Belzer	Hildre	Rettke
Benno	Hofstrand	Rohde
Bergesen	Hogoboom	Rohrer
Bjella	Holm	Runck
Blair	Hovey	Sailer
Bolmeier	Iszler	Sandness
Boulden	Jennings	Saumur
Braun	Johnson, Cass	Schmalenberger
Bubel	Johnson, Richland	Schnell
Burau	Johnson, Rolette	Schwartz
Bymers	Kolpin	Sellens
Callahan	Langley	Severson
Carlson	Larson, Ward	Sharpe
Coghlan	Larson, Wells	Shure
Collette	Leet	Stair
Crockett	Levin	Starck
Dahlen	Lillehaugen	Sticka
Dalzell	Lunde	Stormon
Devlin	Manstrom	Tuff
Drovdal	Marks	Twichell
Ekren	McInnes	Wambheim
Falconer	Mittag	Welder
Fitch	Mollet	Welk
Fleck	Monson	Westby
Forseth	Morland	Williams, Sargent
Fraser	Morrison	Williams, Stutsm'n
Fuglestad	Mortenson	Wolf, McIntosh
Gackle	Myers	Wolf, Morton
Gainor	Nelson	Mr. Speaker
Absent and not voting:		
Moe	Williams, Richland	

So the bill passed and the title was agreed to.

House Bill No. 98. A Bill for an Act to Provide for Participation in the North Dakota Teachers' Insurance and Retirement Fund by Members of the Armed Forces of the United States During the Period of Their Service, and Fixing the Period Within Which Such Persons May Withdraw from Participation and Receive Refund.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the

roll was called and there were ayes, 112; nays, 0; absent and not voting, 1.

Those voting in the affirmative were:

Aker	Haag	Nystrom
Allen, Grand Forks	Halcrow	Ohnstad
Allen, Pierce	Halvorson	Olson, Barnes
Anderson	Haugen	Olson, Bowman
Arndt	Haugland	Ostgulen
Bagge	Heckman	Peterson, Bottin'au
Bauer	Hegge	Peterson, Ransom
Baumgartner	Hildre	Pyle
Belzer	Hofstrand	Rettke
Benno	Hogoboom	Rohde
Bergesen	Holm	Rohrer
Bjella	Hovey	Runck
Blair	Iszler	Sailer
Bolmeier	Jennings	Sandness
Boulden	Johnson, Cass	Saumur
Braun	Johnson, Richland	Schmalenberger
Bubel	Johnson, Rolette	Schnell
Bureau	Kolpin	Schwartz
Bymers	Langley	Sellens
Callahan	Larson, Ward	Severson
Carlson	Larson, Wells	Sharpe
Coghlan	Leet	Shure
Collette	Levin	Stair
Crockett	Lillehaugen	Starck
Dahlen	Lunde	Sticka
Dalzell	Manstrom	Stormon
Devlin	Marks	Tuff
Drovdal	McInnes	Twichell
Ekren	Mittag	Wambheim
Falconer	Moe	Welder
Fitch	Mollet	Welk
Fleck	Monson	Westby
Forseth	Morland	Williams, Sargent
Fraser	Morrison	Williams, Stutsm'n
Fuglestad	Mortenson	Wolf, McIntosh
Gackle	Myers	Wolf, Morton
Gainor	Nelson	Mr. Speaker

Absent and not voting:

Williams, Richland

So the bill passed and the title was agreed to.

House Bill No. 130. A Bill for an Act to Amend and Re-enact Section 2 of Chapter 271 of the Session Laws of 1941, Relating to Tax Upon Cigarettes and Licensing Sale Thereof, and Declaring an Emergency.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 111; nays, 0; absent and not voting, 2.

Those voting in the affirmative were:

Aker	Graham	Nystrom
Allen, Grand Forks	Haag	Ohnstad
Allen, Pierce	Halcrow	Olson, Barnes
Anderson	Halvorson	Olson, Bowman



Arndt	Haugen	Ostgulen
Bagge	Haugland	Peterson, Bottin'au
Bauer	Heckman	Peterson, Ransom
Baumgartner	Hegge	Pyle
Belzer	Hildre	Rettke
Benno	Hofstrand	Rohde
Bergesen	Hogoboom	Rohrer
Bjella	Holm	Runck
Blair	Hovey	Sailer
Bolmeier	Iszler	Sandness
Boulden	Jennings	Saumur
Braun	Johnson, Cass	Schmalenberger
Bubel	Johnson, Rolette	Schnell
Burau	Kolpin	Schwartz
Bymers	Langley	Sellens
Callahan	Larson, Ward	Severson
Carlson	Larson, Wells	Sharpe
Coghlan	Leet	Shure
Collette	Levin	Stair
Crockett	Lillehaugen	Starck
Dahlen	Lunde	Sticka
Dalzell	Manstrom	Stormon
Devlin	Marks	Tuff
Drovdal	McInnes	Twichell
Ekren	Mittag	Wambheim
Falconer	Moe	Welder
Fitch	Mollet	Welk
Fleck	Monson	Westby
Forseth	Morland	Williams, Sargent
Fraser	Morrison	Williams, Stutsm'n
Fuglestad	Mortenson	Wolf, McIntosh
Gackle	Myers	Wolf, Morton
Gainor	Nelson	Mr. Speaker

Absent and not voting:

Johnson, Richland      Williams, Richland

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

Rep. Twichell moved that the vote by which House Bill No. 130 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Rep. Ostgulen moved that House Bill No. 131 be re-committed to the Committee on Public Health, which motion was lost.

Rep. Fuglestad moved the previous question, which motion was lost.

House Bill No. 131. A Bill for an Act Regulating the Practice of Naturopathy 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, 32; nays, 75; absent and not voting, 6.

Those voting in the affirmative were:

Anderson	Haugen	Nelson
Baumgartner	Jennings	Ostgulen
Belzer	Kolpin	Peterson, Bottin'au
Braun	Larson, Ward	Rohde
Bubel	Lillehaugen	Starck
Drovdal	Marks	Tuff

Falconer	Mittag	Welder
Fraser	Mollet	Williams, Sargent
Graham	Monson	Wolf, McIntosh
Haag	Morrison	Wolf, Morton
Halvorson	Mortenson	
Those voting in the negative were:		
Aker	Gackle	Olson, Bowman
Allen, Grand Forks	Gainor	Peterson, Ransom
Allen, Pierce	Halcrow	Pyle
Arndt	Haugland	Rettke
Bagge	Heckman	Rohrer
Bauer	Hegge	Runk
Benno	Hildre	Sailer
Bergesen	Hofstrand	Sandness
Bjella	Hogoboom	Saumur
Blair	Holm	Schmalenberger
Bolmeier	Hovey	Schnell
Boulden	Iszler	Schwartz
Burau	Johnson, Cass	Sellens
Bymers	Johnson, Rolette	Severson
Callahan	Langley	Sharpe
Carlson	Leet	Shure
Coghlan	Levin	Stair
Collette	Lunde	Sticka
Crockett	Manstrom	Stormon
Dahlen	McInnes	Twichell
Dalzell	Moe	Wambheim
Devlin	Morland	Welk
Ekren	Nystrom	Westby
Fitch	Ohnstad	Williams, Stutsman
Fuglestad	Olson, Barnes	Mr. Speaker
Absent and not voting:		
Fleck	Johnson, Richland	Myers
Forseth	Larson, Wells	Williams, Richland

So the bill was lost.

Rep. Crockett changed his vote from 'Aye' to 'Nay' for the purpose of reconsideration.

The Speaker announced that the House will be on the eleventh order of business, second reading of House Bills, until 1:00 o'clock p. m., tomorrow and directed the Clerk to continue the reading of House Bill No. 49. The Clerk continued the reading of House Bill No. 49.

W. M. SMART, Chief Clerk.

CONTINUATION OF THE THIRTY-SIXTH DAY  
AND THE THIRTY-SEVENTH DAY

Bismarck, February 10, 1943

The Speaker announced that the House was still on the eleventh order of business, Second Reading of House Bills, and that the second reading of House Bill No. 49 would now be temporarily interrupted but that it would be resumed later on.

The Speaker announced the House would be on the fifteenth order of business.

GENERAL ORDERS

Rep. Boulden moved that the House resolve itself into a committee of the whole for the consideration of general orders; which motion prevailed, and the House resolved itself into a committee of the whole.

The Speaker called Rep. Boulden to the chair.

When the committee arose it submitted the following report:

Mr. Speaker: The committee of the whole have had under consideration:

House Bill No. 100.

Line 16—After the word 'State' strike out the word 'Treasury' and insert in lieu thereof the word 'Treasurer,' and add the following words "subject to the approval of the Industrial Commission,".

And when so amended recommend the same do pass.

House Bill No. 13.

Line 3—Strike out the figures "\$12,860.00" and insert the figures "\$21,785.00".

Line 9—Insert the word "Commissioner's" prior to the word "Salary" and strike out the figures "\$4,800.00" and insert the figures "\$6,600.00".

Insert new line "9½ Assistant Veterans' Service Commissioner.....\$4,400.00".

Line 10—Strike out the figures "\$3,160.00" and insert the figures "\$5,000.00".

Line 11—Strike out the figures "\$1,100.00" and insert the figures "\$1,625.00".

Line 13—Strike out the figures "\$1,600.00" and insert the figures "\$2,000.00".

Line 14—Strike out the figures "\$500.00" and insert the figures "\$960.00".

Line 15—Strike out the figures "\$1,500.00" and insert the figures "\$1,000.00".

Line 16—Strike out the figures “\$12,860.00” and insert the figures “\$21,785.00”.

And when so amended recommend the same do pass.

House Bill No. 88 was re-referred to the Committee on Tax and Tax Laws.

House Bill No. 85 was re-referred to the Committee on Education.

REP. BOULDEN, Chairman,  
Committee of the Whole.

Rep. Fitch moved that the report of the committee of the whole be adopted, which motion prevailed.

Rep. Fitch moved that House Bill No. 88 be re-referred to the Committee on Tax and Tax Laws and House Bill No. 85 be re-referred to the Committee on Education as recommended by the report of the committee of the whole, which motion prevailed and House Bills 88 and 85 were re-referred.

Rep. Johnson of Cass moved that the rules be suspended and the House return to General Orders for the purpose of having under consideration House Bill No. 77, which motion carried by more than a two-thirds majority.

#### GENERAL ORDERS

Rep. Boulden moved that the House resolve itself into a committee of the whole for the consideration of general orders; which motion prevailed, and the House resolved itself into a committee of the whole.

The Speaker called Rep. Boulden to the chair.

When the committee arose it submitted the following report:

Mr. Speaker: The committee of the whole have had under consideration:

House Bill No. 77.

Line 4—Strike out the figures “\$146,600.00” and insert the figures “\$145,100.00”.

Line 17—Strike out the figures “\$20,000.00” and insert the figures “\$10,000.00”.

Line 18—Strike out in its entirety and renumber the lines.

Line 21—Strike out the figures “\$7,500.00” and insert the figures “\$6,000.00”.

Insert following line 31 the words and figures “To promote the maintenance of existing drainage channels in good agricultural lands and to construct any needed channels—\$50,000.00”.

Line 32—Strike out the figures “\$146,600.00” and insert the figures “\$145,100.00”.

And further amend the report of the Standing Committee as follows:

Line 4—Strike out the figures “\$145,100.00” and insert the figures “\$166,600.00”.

Line 18—Insert the wording “Construction Bond Guarantee Fund.....\$20,000.00”.

Line 21—Strike out the figures “6,000.00” and insert the figures “\$7,500.00”.

Line 32—Strike out the figures “\$145,100.00” and insert the figures “\$166,600.00.”

And recommend that House Bill No. 77 be further amended as follows:

Strike out line 18 in its entirety and re-number the balance of the lines.

In line 32 strike out “\$166,600.00” and in line 4 strike out

"\$166,600.00" and insert in lieu thereof the figures "\$146,600.00" in each line.

And when so amended recommend the same do pass as amended by the standing committee and further amended by the committee of the whole.

REP. BOULDEN, Chairman,  
Committee of the Whole.

Rep. Johnson of Cass moved that the report of the Committee of the Whole be adopted, which motion prevailed.

Rep. Morland moved that the House do now adjourn, which motion prevailed.

W. M. SMART, Chief Clerk.

### THIRTY-SEVENTH DAY

Bismarck, February 10, 1943

The House convened pursuant to adjournment, Speaker Beede presiding.

Prayer was offered by Rev. G. W. Stewart.

Roll call: All members were present except Reps. Bymers and Severson.

### MESSAGES FROM THE SENATE

Senate Chamber

Bismarck, February 10, 1943

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 1. A Bill for an Act Extending the Time for Filing Income Tax Returns, Extending the Time for the Payment of Income, Personal Property and Real Property Taxes, Eliminating Interest and Penalty on Taxes, Exempting Military Income from the Income Tax to Members of the Armed Forces and of the Merchant Marine During the Present War, and Declaring an Emergency.

Senate Bill No. 125. A Bill for an Act to Amend and Re-enact Section 15, Chapter 187, Session Laws of 1941, Providing for the Issuance of Temporary Permits, and Declaring an Emergency.

Senate Concurrent Resolution "P." A Concurrent Resolution Memorializing Congress and the President to Enact the Townsend Plan.

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

W. J. TROUT, Secretary.

Senate Chamber

Bismarck, February 10, 1943

Mr. Speaker: I have the honor to return:

House Bill No. 38. A Bill for an Act to Amend and Re-enact Sections 5631 and 5632 of the Compiled Laws of North Dakota for the Year 1913, as Amended by Chapter 236 of the Session Laws of 1941, Relating to Homestead Estate, Its Exemption from Debts and Declaring an Emergency.

House Concurrent Resolution "E." Regarding the Manufacturing of Rubber from Agricultural Products.

Which the Senate has passed unchanged.

W. J. TROUT, Secretary.

Senate Chamber

Bismarck, February 10, 1943

Mr. Speaker: I have the honor to return:

House Concurrent Resolution "D." Memorializing the

United States Senate Committee on Agriculture to Investigate Utilization of Manpower in Agriculture.

Which the Senate has amended as follows:

In line 19, strike out the word "diary" and insert the word "dairy" in lieu thereof.

W. J. TROUT, Secretary.

Rep. Graham moved that the House concur in the Senate amendment to House Concurrent Resolution "D", which motion prevailed.

Rep. Graham moved that the rules be suspended and that House Concurrent Resolution "D" be considered properly re-engrossed and placed on second reading and final passage, which motion prevailed.

Rep. Graham moved that House Concurrent Resolution "D" be adopted as amended, which motion prevailed and House Concurrent Resolution "D" was adopted.

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

Mr. Speaker: Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the Continuation of the Thirty-fifth Day and the Thirty-sixth Day and finds the same correct.

And recommends that the same be approved.

REP. WELDER, Chairman.

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

#### REPORTS OF STANDING COMMITTEES

The Committee on Enrollment and Engrossment respectfully reports that:

House Bill No. 23.

House Bill No. 39.

Were delivered to the Governor for his approval at the hour of 12 o'clock p. m., February 10, 1943.

REP. MORLAND, Chairman.

Mr. Speaker: Your Committee on Counties to whom was referred House Bill No. 136, have had the same under consideration and recommend that the same be amended as follows:

Rep. Coghlan moved that House Bill No. 136 be amended as follows:

In line six and seven—strike out the words "One dollar and fifteen cents (\$1.15)" and insert the words "One dollar (\$1.00)".

The above motion was seconded by Rep. Schmalenberger and was carried by unanimous vote.

And when so amended recommend the same do pass.

REP. ROHDE, Chairman.

Rep. Schmalenberger moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Tax and Tax Laws to whom was referred House Bill No. 107, have had the same under consideration and recommend that the same be amended as follows:

On line 6 between the word tax and the semicolon insert the following, "plus a penalty of 5 per cent".

And when so amended recommend the same do pass.

REP. McINNES, Chairman.

Rep. Bergesen moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Tax and Tax Laws to whom was referred House Bill No. 53, have had the same under consideration and recommend that the same be indefinitely postponed.

REP. McINNES, Chairman.

Rep. Hovey moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Tax and Tax Laws to whom was referred House Bill No. 67, have had the same under consideration and recommend that the same be indefinitely postponed.

REP. McINNES, Chairman.

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

Mr. Speaker: Your Committee on State Affairs to whom was referred House Bill No. 144, have had the same under consideration and recommend that the same do pass.

REP. TWICHELL, Chairman.

Rep. Falconer moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on State Affairs to whom was referred House Bill No. 64, have had the same under consideration and recommend that the same be amended as follows:

In line 8 of the original bill after the word "Lands" insert the following " , State Fire and Tornado Fund, Workmen's Compensation Bureau, State Bonding Department".

And when so amended recommend the same do pass.

REP. TWICHELL, Chairman.

Rep. Wambheim moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on State Affairs to whom was referred House Bill No. 84, have had the same under consideration and recommend that the same be amended as follows:

In line five of the original Bill after the word "be" strike out the words "Twenty-five Hundred" and insert in lieu thereof the words "Twenty-two Hundred and Fifty".

In line six beginning with the word "The" strike out the remainder of the line, all of line seven, all of line eight and line nine to and including the word "report".

In line nineteen after the word "of" strike out the words "Fifteen Hundred Dollars (\$1,500.00)" and insert in lieu thereof the words "Thirteen Hundred and Eighty Dollars (\$1,380.00)".

And when so amended recommend the same do pass.

REP. TWICHELL, Chairman.

Rep. Crockett moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on State Affairs to whom was referred House Bill No. 73, have had the same under consideration and recommend that the same be re-referred to the Committee on Appropriations.

REP. TWICHELL, Chairman.

Rep. Falconer moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: The majority of your Committee on Tax and Tax Laws to whom was referred House Bill No. 83, have had

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

A. I. SHARPE  
 DAVE HOVEY  
 W. H. SHURE  
 C. F. ARNDT  
 E. J. LANGLEY  
 EDWIN L. BAGGE  
 L. E. CALLAHAN  
 H. W. McINNES  
 A. R. BERGESEN

REP. McINNES, Chairman.

Rep. Bagge moved that the report be adopted.

Mr. Speaker: The minority of your Committee on Tax and Tax Laws to whom was referred House Bill No. 83, have had the same under consideration and recommend that the same be indefinitely postponed.

BEN J. WOLF of McIntosh  
 HAROLD T. MORRISON  
 JOSEPH WELK  
 PETER PETERSON  
 J. N. MOLLET  
 LEONAS MYERS

Rep. Wolf of McIntosh moved that the report be adopted.

Rep. Myers offered as a substitute motion that the report of the minority be substituted for the report of the majority.

Rep. Aker moved the previous question, which motion was lost.

Rep. Bergesen arose to a point of order.

The chair ruled that a motion for the previous question must be seconded by two-thirds of the members present.

Rep. Fitch moved that further debate on House Bill No. 83 be limited to one minute on each side, which motion prevailed.

The question was on the motion of Rep. Myers.

On a viva voce vote the chair was in doubt.

Rep. Fitch demanded a roll call, which request was granted.

ROLL CALL

The question being on the motion of Rep. Myers, the roll was called and there were ayes, 45; nays, 66; absent and not voting, 2.

Those voting in the affirmative were:

Anderson	Iszler	Peterson, Bottin'au
Baumgartner	Jennings	Rettke
Belzer	Kolpin	Rohde
Braun	Larson, Ward	Schmalenberger
Bymers	Larson, Wells	Schwartz
Crockett	Lillehaugen	Schnell
Drovdal	Marks	Stair
Falconer	Mittag	Sticka
Forseth	Mollet	Tuff
Fraser	Monson	Welder
Graham	Mortenson	Welk
Haag	Myers	Williams, Richland
Halvorson	Morrison	Williams, Sargent
Haugen	Olson, Bowman	Wolf, McIntosh
Hegge	Ostgulen	Mr. Speaker



Those voting in the negative were:

Aker	Fitch	Moe
Allen, Grand Forks	Fleck	Morland
Allen, Pierce	Fuglestad	Nelson
Arndt	Gackle	Nystrom
Bagge	Gainor	Ohnstad
Bauer	Halcrow	Olson, Barnes
Benno	Haugland	Peterson, Ransom
Bergesen	Heckman	Pyle
Bjella	Hildre	Runck
Blair	Hofstrand	Sailer
Bolmeier	Hogoboom	Sandness
Boulden	Holm	Saumur
Bubel	Hovey	Sellens
Burau	Johnson, Cass	Sharpe
Callahan	Johnson, Richland	Shure
Carlson	Johnson, Rolette	Starck
Coghlan	Langley	Stormon
Collette	Leet	Twichell
Dahlen	Levin	Wambheim
Dalzell	Lunde	Westby
Devlin	Manstrom	Williams, Stutsm'n
Ekren	McInnes	Wolf, Morton

Absent and not voting:

Rohrer                   Severson

So the motion was declared lost.

Rep. Bolmeier: "I vote 'No' in order to get this on the calendar rather than in favor of the bill."

Rep. Johnson of Cass: "I vote 'No' for the purpose of getting it on the calendar."

Rep. Moe: "I vote 'No' because I want to have three or four more good arguments on it."

The question was then on the adoption of the majority report.

Rep. Levin moved that action on the majority report on House Bill No. 83 be deferred one week, which motion was lost.

The question was again on the adoption of the majority report, which motion prevailed.

#### MESSAGES TO THE SENATE

House of Representatives

Bismarck, February 10, 1943

Mr. President: I have the honor to return:

Senate Concurrent Resolution "L." A Concurrent Resolution Memorializing Congress and the President to Take Immediate Steps Toward Production of Synthetic Rubber from Farm Products.

Which the House has amended.

W. M. SMART, Chief Clerk.

House of Representatives

Bismarck, February 10, 1943

Mr. President: I have the honor to transmit:

House Bill No. 48. A Bill for an Act to Amend and Re-enact Section 436 and 437 Compiled Laws of 1913 Relating to the Area Which Shall Comprise a Registration District, for the Purpose of Registering Vital Statistics, Designating

the Registrar, and Prescribing the Duties of the Local Registrar of Such Registration Districts, Defining Their Powers and Authorizing the Appointment of Sub-Registrars, and Declaring an Emergency.

House Bill No. 80. A Bill for an Act to Amend and Re-enact Section 17 of Chapter 162 of the Session Laws of North Dakota for the Year 1919, as Amended and Re-enacted by Section 6 of Chapter 286 of the Session Laws of North Dakota for the Year 1935, Relating to Decisions of the Workmen's Compensation Bureau, and Providing for Appeals from Such Decisions.

House Bill No. 102. A Bill for an Act to Repeal Section 2 of Chapter 255 of the Session Laws of North Dakota for 1941, Relating to High School Correspondence Work, and to Amend and Re-enact Section 6 of Chapter 255 of the Session Laws of North Dakota for 1941, Relating to High School Tuition and Fixing the Amounts of Such Tuition.

House Bill No. 106. A Bill for an Act to Amend and Re-enact Section 1 of Chapter 220 of the Session Laws of North Dakota for the Year 1935, Relating to Expense Accounts of Public Officers, Specifying the Amount to Be Allowed for Personal Sustenance of Officers, Agents and Employees, Exempting the Governor, of the State of North Dakota, or of Any of Its Subdivisions, While Upon Public Expense Account, Repealing All Acts or Parts of Acts in Conflict Herewith, and Declaring an Emergency.

House Bill No. 109. A Bill for an Act to Amend and Re-enact Section 3610 of Article 7, of Chapter 44 of the 1913 Compiled Laws, by Adding Thereto a Provision that in Cities that Have Adopted the City Manager Form of Government, the City Manager Shall Appoint and Remove the City Treasurer with the Approval of the City Council, and that in Cities Having Adopted the Provisions of Chapter 173 of the Session Laws of North Dakota for the Year 1937, Known as the Civil Service Act, the City Treasurer Shall Be Appointed as Other Full-time City Employees, and Providing that Such City Treasurer May Be Included Within and Under the Provisions of the Civil Service Act, and Repealing All Acts and Parts of Acts in Conflict Herewith.

House Bill No. 130. A Bill for an Act to Amend and Re-enact Section 2 of Chapter 271 of the Session Laws of 1941, Relating to Tax Upon Cigarettes and Licensing Sale Thereof, and Declaring an Emergency.

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

W. M. SMART, Chief Clerk.  
House of Representatives  
Bismarck, February 10, 1943

Mr. President: I have the honor to return:

Senate Bill No. 24. A Bill for an Act Authorizing the Board of Administration to Sell and Convey to the Baptist Old People's Home, a North Dakota Corporation, a Certain Tract in the Southeast Corner of the Capitol Grounds.

Senate Bill No. 49. A Bill for an Act Assessing and Levying from July 1, 1943, to July 1, 1945, on All Licensed Dealers of Motor Vehicle Fuels, a Special Additional License Tax of One Cent Per Gallon on 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 on the State Highway Fund for specific Purposes; Making All Provisions of Initiated Measure Approved June 30, 1926, and Amendments Thereto and Known as the "Motor Vehicle Fuel Tax Law," Other Than Division of Proceeds Between the State and Counties and Other Than for Costs of Administration and Collection of Other Than Penalties for Violation Applicable to Said Special License Tax; Providing for Exemption of Motor Vehicle Fuels Sold and Used for Agricultural and Industrial Purposes; and Fixing Fines and Penalties for the Violation of the Provisions of This Act.

Which the House has passed unchanged.

W. M. SMART, Chief Clerk.

#### REPORT OF STANDING COMMITTEE

Mr. Speaker: Your Committee on Appropriations to whom was referred House Bill No. 1, have had the same under consideration and recommend that the same be amended as follows:

Line 10—Strike out the figures "\$963,396.00" and insert the figures "\$815,164.00".

Line 11—Strike out the figures "\$559,213.52" and insert the figures "\$485,376.00".

Line 13—Strike out the figures "\$72,469.59" and insert the figures "\$67,164.00".

Line 14—Strike out the figures "\$86,137.00" and insert the figures "\$83,985.00".

Line 15—Strike out the figures "\$131,082.64" and insert the figures "\$119,459.64".

Line 16—Strike out the figures "\$120,819.68" and insert the figures "\$113,997.00".

Line 17—Strike out the figures "\$246,200.00" and insert the figures "\$207,378.00".

Line 18—Strike out the figures "\$194,000.00" and insert the figures "\$159,816.00".

Line 19—Strike out the figures "\$348,100.00" and insert the figures "\$267,399.00".

Line 20—Strike out the figures "\$332,000.00" and insert the figures "\$286,675.00".

Line 24—Strike out the figures "\$280,600.00" and insert the figures "\$319,870.00".

Line 25—Strike out the figures "\$480,897.78" and insert the figures "511,900.00".

Line 29—Strike out the figures "\$35,000.00" and insert the figures "\$45,000.00".

Line 30—Strike out the figures "\$64,000.00" and insert the figures "\$76,500.00".

Line 31—Strike out the figures "\$70,000.00" and insert the figures "\$100,000.00".

Line 32—Strike out the figures "\$100,000.00" and insert the figures "\$115,000.00".

Strike out lines in their entirety beginning with line 50 of Section 3 to line 111, inclusive, and insert in lieu thereof the following:

"50	a. (1) College of Engineering	
51	Salaries .....	\$ 96,838.00
52	Maintenance .....	13,227.00
53	(2) State-wide Serv. on natural resources	

54	Salaries .....	17,572.00
55	Maintenance .....	4,751.00
56	b. College of Science, Literature & Arts	
57	Salaries .....	232,104.00
58	Maintenance .....	20,608.00
59	c. School of Commerce	
60	Salaries .....	52,267.00
61	Maintenance .....	2,653.00
62	d. School of Education	
63	Salaries .....	118,105.00
64	Maintenance .....	17,302.00
65	e. School of Law	
66	Salaries .....	28,158.00
67	Maintenance .....	7,015.00
68	f. School of Medicine	
69	Salaries .....	54,332.00
70	Maintenance .....	11,857.00
71	g. Military Training	
72	Salaries .....	1,925.00
73	Maintenance .....	232.00
74	h. Dean of Women's Office	
75	Salaries .....	6,670.00
76	Maintenance .....	660.00
77	i. Dean of Men's Office	
78	Salaries .....	9,400.00
79	Maintenance .....	280.00
80	j. Correspondence Study	
81	Salaries .....	17,646.00
82	Maintenance .....	4,202.00
83	k. Summer Session	
84	Salaries .....	19,435.00
85	Maintenance .....	1,155.00
86	l. General Educational Service	
87	Maintenance .....	9,842.00
88	Total Educational Service .....	748,236.00
89	2. Library	
90	Salaries .....	15,850.00
91	Maintenance .....	16,131.00
92	3. Administration	
93	President's Salary .....	10,560.00
94	Other Salaries .....	53,943.00
95	Maintenance .....	14,365.00
96	4. Student Welfare, Health & Place. Serv.	
97	Salaries .....	9,723.00
98	Maintenance .....	1,835.00
99	5. Buildings & Grounds	
100	Salaries .....	113,553.00
101	Maintenance .....	102,998.00
102	Total Maintenance .....	1,087,194.00
103	Less estimated local income .....	319,870.00
104	Net Maintenance .....	767,324.00
105	6. Improvements & Repairs .....	12,000.00
106	7. Equipment .....	9,000.00
107	8. Fixed Charges .....	21,840.00
108	9. School of Mines (Spec.) .....	5,000.00
109	Total .....	815,164.00

AGRICULTURAL COLLEGE		
110		
111	1. Educational Service:	
112	a. Agriculture	
113	Salaries .....	125,113.00
114	Maintenance .....	24,347.00
115	b. Engineering:	
116	1. College of Engineering	
117	Salaries .....	88,573.00
118	Maintenance .....	4,308.00
119	2. Chemistry	
120	Salaries .....	33,823.00
121	Maintenance .....	8,104.00
122	c. Home Economics	
123	Salaries .....	54,937.00
124	Maintenance .....	7,588.00
125	d. Science, Literature & Arts:	
126	1. College of Liberal Arts	
127	Salaries .....	125,605.00
128	Maintenance .....	5,584.00
129	2. Education	
130	Salaries .....	19,178.00
131	Maintenance .....	1,665.00
132	3. Pharmacy	
133	Salaries .....	21,012.00
134	Maintenance .....	3,101.00
135	e. Music & Bands	
136	Salaries .....	6,026.00
137	Maintenance .....	243.00
138	f. Phys. Educ.—Men	
139	Salaries .....	8,078.00
140	g. Phys. Educ.—Women	
141	Salaries .....	6,436.00
142	Maintenance .....	255.00
143	h. Military Science	
144	Salaries .....	943.00
145	Maintenance .....	205.00
146	i. Extension	
147	Salaries .....	1,089.00
148	Maintenance .....	994.00
149	j. Dean of Men	
150	Salaries .....	3,663.00
151	Maintenance .....	331.00
152	k. Dean of Women	
153	Salaries .....	8,784.00
154	Maintenance .....	309.00
155	l. General Educ. Service	
156	Salaries .....	6,505.00
157	Maintenance .....	7,778.00
158	Total Educational Service .....	574,577.00
159	2. Library	
160	Salaries .....	15,369.00
161	Maintenance .....	4,611.00
162	3. Administration	
163	President's Salary .....	11,600.00
164	Other Salaries .....	43,111.00
165	Maintenance .....	11,400.00
166	4. Student Welfare, Health & Place. Serv.	
167	Salaries .....	9,040.00

168	Maintenance .....	1,012.00
169	5. Buildings & Grounds	
170	Salaries .....	105,445.00
171	Maintenance .....	123,506.00
		<hr/>
172	Total Maintenance .....	899,671.00
173	Less estimated local income:	
174	Interest & Income .....	90,000.00
175	Institutional Collections .....	241,900.00
176	Federal Funds .....	180,000.00
		<hr/>
177	Net Maintenance .....	387,771.00
178	6. Improvements & Repairs .....	28,245.00
179	7. Equipment .....	30,660.00
180	8. Fixed Charges .....	38,700.00

181 Total .....

485,376.00"

Renumber lines from 112 to 127, inclusive to 182 to 197, inclusive.

Strike out lines in their entirety beginning with line 128 to line 239, inclusive, and insert in lieu thereof the following:

"198 AGRIC. COLLEGE—EXTENSION DIVISION		
199	1. Administration	
200	Salaries .....	938.00
201	Maintenance .....	297.00
202	2. Information & Publications	
203	Salaries .....	5,416.00
204	Maintenance .....	600.00
205	3. County Agents	
206	Salaries .....	8,718.00
207	Maintenance .....	1,696.00
208	4. Home Demonstration	
209	Salaries .....	2,763.00
210	Maintenance .....	93.00
211	5. 4-H Club Work	
212	Salaries .....	4,683.00
213	Maintenance .....	586.00
214	6. Rural Young People	
215	Salaries .....	489.00
216	Maintenance .....	61.00
217	7. Field Agents in Agriculture	
218	Salaries .....	15,764.00
219	Maintenance .....	1,843.00
220	8. Forestry	
221	Salaries .....	3,036.00
222	Maintenance .....	315.00
223	9. Field Agents in Home Economics	
224	Salaries .....	4,419.00
225	Maintenance .....	680.00
226	10. Workmen's Compensation .....	4,000.00
227	11. Maintenance	
228	Salaries .....	3,064.00
229	Maintenance .....	7,703.00
		<hr/>
230	Total .....	67,164.00
231	SCHOOL OF FORESTRY	
232	1. Educational Service	
233	Salaries .....	35,136.00
234	Maintenance .....	2,290.00

235	2.	Library	
236		Salaries .....	345.00
237		Maintenance .....	950.00
238	3.	Administration	
239		President's Salary .....	6,600.00
240		Other Salaries .....	6,190.00
241		Maintenance .....	975.00
242	4.	Student Welfare, Health & Place. Serv.	
243		Maintenance .....	385.00
244	5.	Buildings & Grounds	
245		Salaries .....	4,284.00
246		Maintenance .....	7,350.00
247	6.	Nursery & Greenhouse	
248		Salaries .....	20,085.00
249		Maintenance .....	11,877.00
250		Total Maintenance .....	96,467.00
251		Less estimated local income .....	19,000.00
252		Net Maintenance .....	77,467.00
253	7.	Improvements & Repairs .....	1,750.00
254	8.	Equipment .....	2,575.00
255	9.	Fixed Charges .....	2,193.00

256 Total .....

83,985.00

257 ELLENDALE NORMAL & INDUSTRIAL SCHOOL

258	1.	Educational Service	
259		Salaries .....	79,976.00
260		Maintenance .....	5,896.00
261	2.	Library	
262		Salaries .....	2,760.00
263		Maintenance .....	1,575.00
264	3.	Administration	
265		President's Salary .....	7,320.00
266		Other Salaries .....	5,928.00
267		Maintenance .....	3,641.00
268	4.	Student Welfare, Health & Place. Serv.	
269		Salaries .....	3,715.00
270		Maintenance .....	735.00
271	5.	Buildings & Grounds	
272		Salaries .....	18,354.00
273		Maintenance .....	19,934.00
274	6.	Summer School .....	6,000.00
275		Total Maintenance .....	155,834.00
276		Less estimated local income .....	50,000.00
277		Net Maintenance .....	105,834.00
278	7.	Improvements & Repairs .....	5,000.00
279	8.	Equipment .....	5,105.00
280	9.	Fixed Charges .....	3,520.64

281 Total .....

119,459.64

282 SCHOOL OF SCIENCE

283	1.	Educational Service	
284		Salaries .....	114,862.00
285		Maintenance .....	15,876.00
286	2.	Library	
287		Salaries .....	3,360.00
288		Maintenance .....	2,182.00

289	5.	Administration	
290		President's Salary .....	9,900.00
291		Other Salaries .....	3,683.00
292		Maintenance .....	4,501.00
293	4.	Student Welfare, Health & Place. Serv.	
294		Salaries .....	2,514.00
295		Maintenance .....	2,640.00
296	5.	Buildings & Grounds	
297		Salaries .....	22,767.00
298		Maintenance .....	31,712.00
299		Total Maintenance .....	213,997.00
300		Less Estimated Local Income &	
301		Income from Navy Program .....	115,000.00
302		Net Maintenance .....	98,997.00
303	6.	Improvements & Repairs .....	5,000.00
304	7.	Equipment .....	5,000.00
305	8.	Fixed Charges .....	5,000.00

306           Total .....

113,997.00

DICKINSON NORMAL

307			
308	1.	Educational Service	
309		Salaries .....	123,067.00
310		Maintenance .....	10,429.00
311	2.	Library	
312		Salaries .....	4,370.00
313		Maintenance .....	3,216.00
314	3.	Administration	
315		President's Salary .....	7,700.00
316		Other Salaries .....	13,363.00
317		Maintenance .....	5,370.00
318	4.	Student Welfare, Health & Place. Serv.	
319		Salaries .....	2,392.00
320		Maintenance .....	21.00
321	5.	Buildings & Grounds	
322		Salaries .....	20,130.00
323		Maintenance .....	21,215.00
324		Fuel .....	16,905.00
325	6.	Summer School .....	10,500.00

326           Total Maintenance .....

238,678.00

327           Less Estimated Local Income .....

45,000.00

328           Net Maintenance .....

193,678.00

329           7. Improvements & Repairs .....

9,100.00

330           8. Equipment .....

3,000.00

331           9. Fixed Charges .....

1,600.00

332           Total .....

207,378.00

MAYVILLE NORMAL

333			
334	1.	Educational Service	
335		Salaries .....	116,614.00
336		Maintenance .....	7,098.00
337	2.	Library	
338		Salaries .....	7,151.00
339		Maintenance .....	3,255.00
340	3.	Administration	
341		President's Salary .....	6,600.00



## JOURNAL OF THE HOUSE

342	Other Salaries .....	11,678.00
343	Maintenance .....	5,775.00
344	4. Student Welfare, Health & Place. Serv.	
345	Salaries .....	2,884.00
346	Maintenance .....	1,890.00
347	5. Buildings & Grounds	
348	Salaries .....	20,976.00
349	Maintenance .....	33,395.00
350	6. Summer School .....	6,500.00
351	Total Maintenance .....	223,816.00
352	Less Estimated Local Income .....	76,500.00

353	Net Maintenance .....	147,316.00
354	7. Improvements & Repairs .....	4,000.00
355	8. Equipment .....	3,500.00
356	9. Fixed Charges .....	5,000.00
357	Total .....	159,816.00

## MINOT NORMAL

359	1. Educational Service	
360	Salaries .....	205,572.00
361	Maintenance .....	9,152.00
362	2. Library	
363	Salaries .....	10,209.00
364	Maintenance .....	1,415.00
365	3. Administration	
366	President's Salary .....	7,920.00
367	Other Salaries .....	13,121.00
368	Maintenance .....	5,043.00
369	4. Student Welfare, Health & Place. Serv.	
370	Salaries .....	2,317.00
371	Maintenance .....	61.00
372	5. Buildings & Grounds	
373	Salaries .....	46,315.00
374	Maintenance .....	31,201.00
375	6. Summer School .....	17,973.00
376	Total Maintenance .....	350,299.00
377	Less Estimated Local Income .....	100,000.00

378	Net Maintenance .....	250,299.00
379	7. Improvements & Repairs .....	6,600.00
380	8. Equipment .....	5,000.00
381	9. Fixed Charges .....	5,500.00
382	Total .....	267,399.00

## VALLEY CITY NORMAL

383	1. Educational Service	
384	Salaries .....	207,376.00
385	Maintenance .....	9,129.00
386	2. Library	
387	Salaries .....	7,730.00
388	Maintenance .....	5,227.00
389	3. Administration	
390	President's Salary .....	7,000.00
391	Other Salaries .....	16,717.00
392	Maintenance .....	8,918.00
393	4. Student Welfare, Health & Place. Serv.	
394		

395	Salaries .....	5,782.00
396	Maintenance .....	2,102.00
397	5. Buildings & Grounds	
398	Salaries .....	43,774.00
399	Maintenance .....	42,920.00
400	6. Summer School .....	16,000.00
<hr/>		
401	Total Maintenance .....	372,675.00
402	Less Estimated Local Income .....	115,000.00
<hr/>		
403	Net Maintenance .....	257,675.00
404	7. Improvements & Repairs .....	10,500.00
405	8. Equipment .....	8,500.00
406	9. Fixed Charges .....	10,000.00
<hr/>		
407	Total .....	286,675.00"

And further amend by renumbering the lines 240 to 247, inclusive, of Section 4.

And when so amended recommend the same do pass.

REP. JOHNSON OF CASS, Chairman.

Rep. Collette moved that the report be adopted, which motion prevailed and the report was adopted.

SIGNING OF BILLS

The Chief Clerk announced that the Speaker was about to sign the following bills; immediately before signing each bill the title was publicly read.

Senate Bill No. 28.

Senate Bill No. 40.

Senate Bill No. 42.

And the Speaker signed each of the above bills in the presence of the House.

Rep. Morland moved that the House do now recess for fifteen minutes, which motion prevailed.

The House reconvened pursuant to recess taken.

SECOND READING OF HOUSE BILLS

House Bill No. 94. A Bill for an Act Creating a Veteran's Aid Commission, Specifying Its Powers and Duties; and Appropriating the Sum of \$100,000 as a Veteran's Aid Fund and Providing for the Manner of Its Use and Defining Those Entitled to Aid from Such Fund, and Declaring an Emergency.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 97; nays, 0; absent and not voting, 16.

Those voting in the affirmative were:

Allen, Grand Forks	Haag	Nystrom
Allen, Pierce	Halcrow	Ohnstad
Anderson	Haugen	Olson, Barnes
Arndt	Haugland	Olson, Bowman
Bagge	Heckman	Ostgulen
Bauer	Hegge	Peterson, Ransom
Baumgartner	Hildre	Pyle
Belzer	Hofstrand	Rohde
Benno	Hogoboom	Runck

Bergesen	Holm	Sailer
Bjella	Hovey	Sandness
Blair	Iszler	Saumur
Bolmeier	Jennings	Schmalenberger
Braun	Johnson, Cass	Schnell
Bubel	Johnson, Rolette	Schwartz
Bureau	Kolpin	Sellens
Bymers	Langley	Sharpe
Callahan	Larson, Ward	Shure
Carlson	Larson, Wells	Stair
Coghlan	Leet	Starck
Collette	Levin	Sticka
Crockett	Lillehaugen	Stormon
Dahlen	Manstrom	Tuff
Dalzell	Marks	Twichell
Devlin	McInnes	Wambheim
Drovdal	Moe	Welder
Falconer	Mollet	Welk
Fitch	Monson	Westby
Fraser	Morland	Williams, Richland
Fuglestad	Morrison	Wolf, McIntosh
Gackle	Mortenson	Wolf, Morton
Gainor	Nelson	Mr. Speaker
Graham		
Absent and not voting:		
Aker	Johnson, Richland	Rettker
Boulden	Lunde	Rohrer
Ekren	Mittag	Severson
Fleck	Myers	Williams, Sargent
Forseth	Peterson, Bottin'au	Williams, Stutsman
Halvorson		

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

Rep. Fitch moved that the vote by which House Bill No. 94 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 99. A Bill for an Act Making an Appropriation to Provide Funds for the Maintenance of the North Dakota State Guard, as Provided for Under Chapter 230 of the North Dakota Session Laws of 1941, and to Meet Other Requirements Prescribed by the Federal Statutes, and Declaring an Emergency.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 102; nays, 0; absent and not voting, 11.

Those voting in the affirmative were:

Allen, Grand Forks	Halcrow	Nystrom
Allen, Pierce	Haugen	Ohnstad
Anderson	Haugland	Olson, Bowman
Arndt	Heckman	Ostgulen
Bagge	Hegge	Peterson, Bottin'au
Bauer	Hildre	Peterson, Ransom
Baumgartner	Hofstrand	Pyle
Belzer	Hogoboom	Rettker
Benno	Holm	Rohde
Bergesen	Hovey	Runck
Bjella	Iszler	Sailer

Blair	Jennings	Sandness
Bolmeier	Johnson, Cass	Saumur
Boulden	Johnson, Richland	Schmalenberger
Bubel	Johnson, Rolette	Schnell
Burau	Kolpin	Schwartz
Bymers	Langley	Sellens
Callahan	Larson, Ward	Sharpe
Carlson	Larson, Wells	Shure
Coghlan	Leet	Stair
Collette	Levin	Starck
Crockett	Lillehaugen	Sticka
Dahlen	Lunde	Stormon
Devlin	Manstrom	Tuff
Drovdal	Marks	Wambheim
Ekren	McInnes	Welder
Falconer	Mittag	Welk
Fitch	Moe	Westby
Fraser	Mollet	Williams, Richland
Fuglestad	Monson	Williams, Sargent
Gackle	Morland	Williams, Stutsm'n
Gainor	Morrison	Wolf, McIntosh
Graham	Mortenson	Wolf, Morton
Haag	Nelson	Mr. Speaker
Absent and not voting:		
Aker	Forseth	Rohrer
Braun	Halvorson	Severson
Dalzell	Myers	Twichell
Fleck	Olson, Barnes	

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

House Bill No. 74. A Bill for an Act to Amend and Re-enact Sub-section (9) of Section 3 Chapter 9, Session Laws of 1937; Sub-division (a) of Section 6 of Chapter 9, Session Laws of 1937 as Amended by Section 2 of Chapter 6, Session Laws of 1939; Sub-division (b) of Section 6 of Chapter 9 Session Laws of 1937; Relating to Soil Conservation Districts; Defining "Land Occupier", or "Occupier of Land"; the Election, Qualification and Tenure of Supervisors Thereof; Placing Duties Upon the County Commissioners; Locating Soil Conservation District Records and Making Them Available for Public Inspection; 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, 69; absent and not voting, 8.

Those voting in the affirmative were:

Anderson	Falconer	Morrison
Baumgartner	Fitch	Ostgulen
Benno	Gackle	Rohde
Bjella	Graham	Sellens
Bolmeier	Halcrow	Sharpe
Boulden	Haugen	Stair
Callahan	Haugland	Starck
Coghlan	Heckman	Tuff
Crockett	Holm	Westby
Dahlen	Jennings	Williams, Richland
Drovdal	Larson, Wells	Williams, Sargent
Ekren	Marks	Williams, Stutsm'n

Those voting in the negative were:

Allen, Grand Forks	Hovey	Ohnstad
Allen, Pierce	Iszler	Olson, Barnes
Arndt	Johnson, Cass	Olson, Bowman
Bagge	Johnson, Richland	Peterson, Bottin'au
Bauer	Johnson, Rolette	Peterson, Ransom
Belzer	Kolpin	Pyle
Blair	Langley	Rettke
Braun	Larson, Ward	Runck
Bubel	Leet	Sailer
Bureau	Levin	Sandness
Bymers	Lillehaugen	Saumur
Carlson	Lunde	Schmalenberger
Collette	Manstrom	Schnell
Dalzell	McInnes	Schwartz
Devlin	Mittag	Shure
Fraser	Moe	Sticka
Fuglestad	Mollet	Stormon
Gainor	Monson	Wambheim
Haag	Morland	Welder
Hegge	Mortenson	Welk
Hildre	Myers	Wolf, McIntosh
Hofstrand	Nelson	Wolf, Morton
Hogoboom	Nystrom	Mr. Speaker
Absent and not voting:		
Aker	Forseth	Severson
Bergesen	Halvorson	Twichell
Fleck	Rohrer	

'So the bill was declared lost.

Rep. Bauer changed his vote from 'Aye' to 'Nay' for the purpose of reconsideration.

Senate Bill No. 52. A Bill for an Act Amending and Re-enacting Section 396d3 of the 1925 Supplement as Amended and Re-enacted by Chapter 189, Session Laws of 1933 Relating to the Qualifications, Salary and Duties of the State Health Officer.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 98; nays, 6; absent and not voting, 9.

Those voting in the affirmative were:

Allen, Grand Forks	Graham	Morrison
Allen, Pierce	Haag	Myers
Anderson	Halcrow	Nelson
Arndt	Halvorson	Nystrom
Bagge	Haugen	Ohnstad
Bauer	Haugland	Olson, Barnes
Baumgartner	Heckman	Olson, Bowman
Belzer	Hegge	Ostgulen
Benno	Hildre	Peterson, Bottina'u
Bjella	Hofstrand	Peterson, Ransom
Blair	Hogoboom	Pyle
Bolmeier	Holm	Rettke
Boulden	Hovey	Runck
Braun	Iszler	Sailer
Bubel	Jennings	Schmalenberger
Bureau	Johnson, Cass	Schnell
Bymers	Johnson, Richland	Schwartz

Callahan	Johnson, Rolette	Sellens
Carlson	Kolpin	Shure
Coghlan	Langley	Stair
Collette	Larson, Ward	Starck
Crockett	Larson, Wells	Sticka
Dahlen	Leet	Stormon
Dalzell	Levin	Tuff
Devlin	Lillehaugen	Wambheim
Drovdal	Lunde	Welder
Ekren	Manstrom	Welk
Falconer	Marks	Westby
Fitch	McInnes	Williams, Richland
Fraser	Mittag	Williams, Stutsm'n
Fuglestad	Moe	Wolf, McIntosh
Gackle	Monson	Mr. Speaker
Gainor	Morland	

Those voting in the negative were:

Mollet	Saumur	Williams, Sargent
Rohde	Twichell	Wolf, Morton

Absent and not voting:

Aker	Forseth	Sandness
Bergesen	Mortenson	Severson
Fleck	Rohrer	Sharpe

So the bill passed as amended and the title was agreed to.

Rep. Shure: "I voted 'Aye' for the purpose of reconsideration."

Senate Concurrent Resolution "D." Memorializing Congress to Take Action on S 2600 Cited as the "Rubber Supply Act of 1942."

Was read the second time.

Rep. Rohde moved that Senate Concurrent Resolution "D" be adopted, which motion prevailed and Senate Concurrent Resolution "D" was adopted.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: 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.

REP. JOHNSON OF CASS, Chairman.

Rep. Lillehaugen moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Appropriations to whom was referred House Bill No. 18, have had the same under consideration and recommend that the same do pass.

REP. JOHNSON OF CASS, Chairman.

Rep. Lillehaugen moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Appropriations to whom was referred House Bill No. 19, have had the same under consideration and recommend that the same do pass.

REP. JOHNSON OF CASS, Chairman.

Rep. Lillehaugen moved that the report be adopted, which motion prevailed and the report was adopted.

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

REP. JOHNSON OF CASS, Chairman.

Rep. Lillehaugen moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: 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.

REP. JOHNSON OF CASS, Chairman.

Rep. Lillehaugen moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Appropriations to whom was referred House Bill No. 22, have had the same under consideration and recommend that the same do pass.

REP. JOHNSON OF CASS, Chairman.

Rep. Lillehaugen moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Appropriations to whom was referred House Bill No. 89, have had the same under consideration and recommend that the same be indefinitely postponed.

REP. JOHNSON OF CASS, Chairman.

Rep. Collette moved that the report be adopted, which motion prevailed and the report was adopted.

Rep. Bubel requested that the House revert to the seventh order of business, which request was granted.

Rep. Bubel moved that House Bill No. 228 be transferred from the Committee on Ways and Means to the Committee on Cities and Municipal Corporations, which motion prevailed.

Rep. Fitch moved that House Bill No. 152 be transferred from the Committee on Judiciary to the Committee on State Affairs.

Rep. Rohde moved that the motion of Rep. Fitch be laid on the table, which motion prevailed.

Rep. Crockett requested an extension of time on House Bill No. 50 and House Bill No. 68, which request was granted.

Rep. Falconer requested an extension of time on House Bill No. 101, which request was granted.

Rep. Graham moved that the vote by which House Bill No. 63 was indefinitely postponed be reconsidered, which motion was declared carried by the required two-thirds vote.

Rep. Crockett moved that House Bill No. 63 be placed in General Orders.

Rep. Graham seconded the motion, which motion prevailed.

The Speaker announced that the House will be on the eleventh order of business, second reading of House Bills, until 1:45 p. m., tomorrow and directed the Clerk to continue the reading of House Bill No. 49. The Clerk continued the reading of House Bill No. 49.

W. M. SMART, Chief Clerk.

CONTINUATION OF THE THIRTY-SEVENTH DAY  
AND THE THIRTY-EIGHTH DAY

Bismarck, February 11, 1943

The Speaker announced that the House was still on the eleventh order of business, Second Reading of House Bills, and that the second reading of House Bill No. 49 would now be temporarily interrupted but that it would be resumed later on.

The Speaker announced the House would be on the thirteenth order of business.

FIRST READING OF SENATE BILLS

Senate Bill No. 1. A Bill for an Act Extending the Time for Filing Income Tax Returns, Extending the Time for the Payment of Income, Personal Property and Real Property Taxes, Eliminating Interest and Penalty on Taxes, Exempting Military Income from the Income Tax to Members of the Armed Forces and of the Merchant Marine During the Present War, and Declaring an Emergency.

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

Senate Bill No. 125. A Bill for an Act to Amend and Re-enact Section 15, Chapter 187, Session Laws of 1941, Providing for the Issuance of Temporary Permits, and Declaring an Emergency.

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

Senate Concurrent Resolution "P." A Concurrent Resolution Memorializing Congress and the President to Enact the Townsend Plan.

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

REPORT OF STANDING COMMITTEE

Mr. Speaker: A majority of your Committee on Temperance to whom was referred House Bill No. 112, have had the same under consideration and recommend that the same be amended as follows:

In Line 8, after the word "liquors" insert the following:

Provided that nothing in this Act shall be construed to prohibit any person, firm or corporation, duly licensed to sell intoxicating beverages, from advertising his goods by means of neon or other signs placed on or attached to the building or premises in which such business is conducted.

BROWN D. WILLIAMS  
BJORN FUGLESTAD



PETER MOE  
 JOHN HALCROW  
 P. I. DAHLEN  
 J. H. HECKMAN  
 H. C. WILLIAMS  
 M. T. LILLEHAUGEN

And when so amended recommend the same do pass.

REP. WILLIAMS OF RICHLAND, Chairman.

Rep. Halcrow moved that the report be adopted.

Mr. Speaker: A minority of your Committee on Temperance to whom was referred House Bill No. 112, have had the same under consideration and recommend that the same be indefinitely postponed.

K. A. FITCH  
 JOHN J. BAUMGARTNER  
 ELMER HEGGE  
 W. M. CROCKETT  
 GEORGE ALLEN  
 L. W. BELZER  
 M. W. GACKLE

Rep. Fitch moved that the report of the minority be substituted for the report of the majority.

Rep. Starck moved the previous question, which motion prevailed.

The question was on the adoption of the minority report.

On a viva voce vote the chair was in doubt.

Rep. Lillehaugen demanded a roll call, which request was granted.

#### ROLL CALL

The question being on the adoption of the minority report, the roll was called and there were ayes, 64; nays, 47; absent and not voting, 1; passed, 1.

Those voting in the affirmative were:

Allen, Grand Forks	Fitch	Peterson, Bottina'u
Allen, Pierce	Fleck	Pyle
Anderson	Gackle	Rettke
Arndt	Gainor	Rohde
Bagge	Haag	Sailer
Bauer	Haugland,	Saumur
Baumgartner	Hegge	Schnell
Belzer	Hogoboom	Schwartz
Benno	Hovey	Sellens
Bergesen	Johnson, Cass	Sharpe
Boulden	Johnson, Richland	Shure
Bubel	Johnson, Rolette	Stair
Bureau	Larson, Ward	Starck
Bymers	Leet	Sticka
Callahan	Lunde	Tuff
Coghlan	Manstrom	Twichell
Collette	McInnes	Wambheim
Crockett	Mortenson	Welk
Devlin	Nelson	Westbv
Drovdal	Nystrom	Wolf, McIntosh
Ekren	Olson, Barnes	Wolf, Morton
Falconer		

Those voting in the negative were:

Aker	Hildre	Morrison
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Bjella	Hofstrand	Myers
Blair	Holm	Ohnstad
Bolmeier	Iszler	Olson, Bowman
Braun	Jennings	Ostgulen
Carlson	Kolpin	Peterson, Ransom
Dahlen	Langley	Runck
Dalzell	Larson, Wells	Sandness
Forseth	Levin	Schmalenberger
Fraser	Lillehaugen	Severson
Fuglestad	Marks	Stormon
Graham	Mittag	Welder
Halcrow	Moe	Williams, Richland
Halvorson	Mollet	Williams, Sargent
Haugen	Monson	Williams, Stutsman
Heckman	Morland	
Absent and not voting:		
Rohrer		
Passed:		
Mr. Speaker		

So the report of the minority was adopted and House Bill No. 112 was indefinitely postponed.

Rep. Fitch moved that the vote by which House Bill No. 112 was indefinitely postponed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Rep. Bergesen: "I am in favor of regulation but in my opinion this bill discriminates against small newspapers as against the large dailies and I therefore vote 'Aye'."

Rep. Bolmeier: "I vote 'No' and would like my former statement printed in the Journal."

Rep. Bolmeier had previously supplemented the remarks of Rep. Bergesen by calling attention of the House to the fact that whenever reference is made to "Cass County," they seem to limit it to "Fargo." He called their attention to the four "country cousins" sitting back, and suggested that it might be well to watch how they vote.

Rep. Bymers: "I do not think that this bill is in any way going to regulate or do anything to your liquor laws of the state. You are just denying certain business in North Dakota from getting some benefits in a certain line and for that reason I vote 'Aye'."

Rep. Falconer: "I am voting 'Aye' on House Bill No. 112 for the reason I believe that it deprives the small newspapers of a certain income from advertising and it does not in any way control the advertising within the State of North Dakota."

Rep. Hogoboom: "I vote 'Aye' on this because I do not believe the bill will accomplish what they intended to have it accomplish. That's my reason."

Rep. Langley: "I am going to vote 'No' on this question because I believe it is a vote in the right direction."

Rep. Moe: "The statement was made that it would get the little newspapers. You know, it has been the custom in the past to get the 'little fellow' first and the big ones last and I think it will continue that way as long as the world lasts. I vote 'No'."

Rep. Schmalenberger: "I have here a daily paper and have looked through it but cannot find any advertisement of any liquor. Therefore I vote 'No'."

Rep. Schnell: "This bill appears inconsistent because we charge our liquor dealers a license fee to do business within the State of North Dakota and legalize the sale of liquor and at the same time we, in this bill, would turn around and deprive them of the privilege of advertising their product in competition with other newspapers out of the state as well as the radio. I vote 'Aye'."

Rep. Starck: "I vote 'Aye' for the simple reason that I like my liquor and I am interested in the first step that they are trying to take it away from me."

Rep. Williams of Richland: "I am voting 'No' on this bill because the liquor traffic of the United States today is one of the most damnable traffics we have to contend with. I am voting 'No'."

Rep. Fitch moved that the Speaker be excused from voting, which motion prevailed.

#### MESSAGES FROM THE SENATE

Senate Chamber

Bismarck, February 11, 1943

Mr. Speaker: I have the honor to return:

House Bill No. 66. A Bill for an Act to Amend and Re-enact Section 2 of Chapter 238, Session Laws of 1931, Providing for the Letting of Contracts to Furnish Vehicular Transportation to School Districts to the Lowest Bidder; Requiring a Bond; and Fixing the Qualifications of the Operators of Such Vehicles and the Requirements of Such Vehicle.

Which the Senate has indefinitely postponed.

W. J. TROUT, Secretary.

Senate Chamber

Bismarck, February 11, 1943

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 45. A Bill for an Act to Permit a Surviving Husband or Wife to Dissent from the Terms of a Will, and to Elect to Inherit Under the Laws of Succession.

Senate Bill No. 97. A Bill for an Act to Amend and Re-enact Section 1 of Chapter 132 of the Session Laws of 1933, Relating to the Investment of Funds of Domestic Insurance Companies, and Declaring an Emergency.

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

W. J. TROUT, Secretary.

Rep. Morland moved that the absent members be excused, which motion prevailed.

Rep. Morland moved that the House do now adjourn, which motion prevailed.

W. M. SMART, Chief Clerk.

#### THIRTY-EIGHTH DAY

Bismarck, February 11, 1943

The House convened pursuant to adjournment, Speaker Beede presiding.

Prayer was offered by Rev. Paul G. Hayes.

Roll call: All members were present except Representative Rohrer.

Rep. Sellens:

"Ninety-six years ago today a great American was born. A man whom we are all proud to have had as a fellow-countryman. His name was Thomas A. Edison—he emancipated the human race from darkness when he discovered the incandescent lamp; he secured patents on more than one thousand inventions and discoveries, many of which are in use today in a way that contribute to our health, our comfort and convenience.

"Mr. Speaker, I suggest that we stand for a moment as a silent tribute to the memory of this great man and his genius, Thomas Alva Edison."

The House arose in silent tribute to Thomas Alva Edison.

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

Mr. Speaker: Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the continuation of the thirty-sixth day and the thirty-seventh day and recommends that the same be corrected as follows:

One page 324 line 23, strike out letter p before m.

And when so corrected recommends that the same be approved.

REP. WELDER, Chairman.

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

#### PETITIONS AND COMMUNICATIONS

A petition from the Monday Club of Dickinson, North Dakota, with reference to legislation proposed by the North Dakota Education Association, was read from the desk, which communication was referred to the Committee on Education.

A communication from Nell M. Robinson of Dickinson, North Dakota, President of North Dakota Federation of Women's Clubs, concerning Education in the State, was read from the desk, and was referred to the Committee on Education.

A communication from Harry O. Pearce, Principal of the High School, Valley City, North Dakota, with reference to the legislative program of Education for North Dakota, was read from the desk, which communication was referred to the Committee on Education.

A communication from the State Laboratories Department of Bismarck, North Dakota, inviting the members of the House of Representatives to attend an "Open House," Saturday, February 13th from 7 to 10 o'clock p. m., was read from the desk.

An expression of sympathy to Mr. S. K. Skartvedt of Mott, North Dakota, in the loss of his son, who was killed recently while in defense of his Country, which communication was read from the desk, and was signed by members of the House of Representatives.

#### REPORTS OF STANDING COMMITTEES

Mr. Speaker: Your Committee on Insurance to whom was referred House Bill No. 70, have had the same under consideration and recommend that the same be indefinitely postponed.

REP. PETERSON OF BOTTINEAU, Chairman.

Rep .Rohde moved that the report be adopted, which motion prevailed and the report was adopted.

Rep. Fitch moved that the vote by which House Bill No. 70 was indefinitely postponed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Mr. Speaker: Your Committee on Insurance to whom was referred House Bill 119, have had the same under consideration and recommend that the same be amended as follows:

In line 51 (of House Bill No. 119) strike out "1st" and insert "10th".

And when so amended recommend the same do pass.

REP. PETERSON OF BOTTINEAU, Chairman.

Rep .Rohde moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Cities and Municipal Corporations to whom was referred House Bill No. 174, have had the same under consideration and recommend that the same do pass.

REP. WOLF OF MORTON, Chairman.

Rep. Shure moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Cities and Municipal Corporations to whom was referred House Bill No. 145, have had the same under consideration and recommend that the same do pass.

REP. WOLF OF MORTON, Chairman.

Rep. Aker moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Tax and Tax Laws to whom was referred House Bill No. 91, have had the same under consideration and recommend that the same do pass.

REP. McINNES, Chairman.

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

Mr. Speaker: Your Committee on Tax and Tax Laws to whom was referred House Bill No. 127, have had the same under consideration and recommend that the same be amended as follows:

Section 1 line 9—Strike out the word "March" and insert the word "January".

Section 1 line 25—Strike out the word "March" and insert the word "January".

Section 1 line 29—Strike out the word "June" and insert the word "April".

Section 1 line 34—Strike out the word "May" and insert the word "March".

Section 2 line 78—Strike out the word "June" and insert the word "April".

Section 2 line 83—Strike out the word "May" and insert the word "March".

Section 2 line 88—Strike out the word "March" and insert the word "January".

Section 3 line 102 after the word "sale" strike out the comma and insert a period.

Strike out the balance of line 102 and all other lines through 113 and renumber the lines.

And when so amended recommend the same do pass.

REP. McINNES, Chairman.

Rep. Peterson moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Tax and Tax Laws to whom was referred House Bill No. 126, have had the same under consideration and recommend that the same be amended as follows:

In line 14—Strike out the word “March” and insert the word “January”.

In line 15 after the word “year” strike out the comma and insert a period.

Strike out the balance of line 15 and lines 16 and 17 and renumber the lines.

And when so amended recommend the same do pass.

REP. McINNES, Chairman.

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

Mr. Speaker: Your Committee on Judiciary to whom was referred House Bill No. 140, have had the same under consideration and recommend that the same do pass.

REP. OHNSTAD, Chairman.

Rep. Blair moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Judiciary to whom was referred House Bill No. 86, have had the same under consideration and recommend that the same be amended as follows:

On page 2, line 11, after the word “or”, insert the following words, “in case of liens existing by virtue of delinquent unpaid personal property taxes”.

And when so amended recommend the same do pass.

REP. OHNSTAD, Chairman.

Rep. Graham moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Judiciary to whom was referred House Bill No. 150, have had the same under consideration and recommend that the same do pass.

REP. OHNSTAD, Chairman.

Rep. Graham moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Appropriations to whom was referred House Bill No. 73, have had the same under consideration and recommend that the same be indefinitely postponed.

REP. JOHNSON OF CASS, Chairman.

Rep. Marks moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on State Affairs to whom was referred House Bill No. 139, have had the same under consideration and recommend that the same be amended as follows:

In line Thirty of the original Bill after the word “or” insert the word “Initial”.

In line Three Hundred Nineteen after the word “Board.” add the following language “For the purpose of this section, a City Engineer is considered a professional engineer.” And number the additional line Three Hundred Nineteen A.

After line Three Hundred Forty insert lines Three Hundred Forty A and Three Hundred Forty B containing the following language: "The provisions of this act shall not apply to the designing or engineering of County and Township roads."

And when so amended recommend the same do pass.

REP. TWICHELL, Chairman.

Rep. Sandness moved that the report be adopted, which motion prevailed and the report was adopted.

#### HOUSE COMMITTEE ON ENROLLMENT AND ENGROSSMENT

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

House Bill No. 38.

House Concurrent Resolution "E."

House Concurrent Resolution "D."

And find the same correctly Enrolled.

REP. MORLAND, Chairman.

Rep. Moe moved that the report be adopted, which motion prevailed, and the report was adopted.

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

House Bill No. 77.

House Bill No. 100.

House Bill No. 65.

House Bill No. 13.

And find the same correctly Engrossed.

REP. MORLAND, Chairman.

Rep. Ekren moved that the report be adopted, which motion prevailed, and the report was adopted.

Rep. Bauer moved that the vote by which House Bill No. 74 was lost be reconsidered, which motion prevailed.

Rep. Bauer moved that House Bill No. 74 be re-referred to the Committee on State Affairs, which motion prevailed.

Rep. Shure moved that the vote by which Senate Bill No. 52 was passed be reconsidered, which motion prevailed.

Rep. Shure moved that Senate Bill No. 52 be placed in General Orders, which motion prevailed.

Rep. Schnell moved that the vote by which House Bill No. 112 was indefinitely postponed be reconsidered, which motion was lost.

#### SIGNING OF BILLS

The Chief Clerk announced that the Speaker was about to sign the following bills; immediately before signing each bill the title was publicly read.

House Bill No. 38.

House Concurrent Resolution "D."

House Concurrent Resolution "E."

And the Speaker signed each of the above bills in the presence of the House.

#### SECOND READING OF HOUSE BILLS

House Bill No. 100. A Bill for an Act Creating a Veterans' Post-War Rehabilitation Reserve Fund, and Provid-

ing for the Transfer of Monies Thereto and for the Maintenance and Investment 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, 94; nays, 1; absent and not voting, 18.

Those voting in the affirmative were:

Allen, Grand Forks	Haag	Nystrom
Allen, Pierce	Halcrow	Olson, Bowman
Anderson	Haugen	Ostgulen
Arndt	Haugland	Peterson, Bottin'au
Bagge	Heckman	Peterson, Ransom
Baumgartner	Hegge	Pyle
Belzer	Hildre	Rettke
Bergesen	Hogboom	Runk
Bjella	Holm	Sailer
Blair	Hovey	Sandness
Bolmeier	Iszler	Saumur
Boulden	Jennings	Schmalenberger
Braun	Johnson, Cass	Schnell
Bubel	Johnson, Rolette	Schwartz
Bureau	Kolpin	Sellens
Bymers	Langley	Severson
Callahan	Larson, Ward	Sharpe
Carlson	Larson, Wells	Shure
Collette	Leet	Starck
Crockett	Lillehaugen	Sticka
Dahlen	Lunde	Stormon
Dalzell	Manstrom	Tuff
Devlin	Marks	Twichell
Drovdal	Mittag	Welder
Ekren	Mollet	Welk
Falconer	Monson	Williams, Richland
Fitch	Morland	Williams, Sargent
Fleck	Morrison	Williams, Stutsm'n
Forseth	Mortenson	Wolf, McIntosh
Fraser	Myers	Wolf, Morton
Fuglestad	Nelson	Mr. Speaker
Graham		

Those voting in the negative were:

Moe

Absent and not voting:

Aker	Halvorson	Ohnstad
Bauer	Hofstrand	Rohde
Benno	Johnson, Richland	Rohrer
Coghlan	Levin	Stair
Gackle	McInnes	Wambheim
Gainor	Olson, Barnes	Westby

So the bill passed as amended and the title was agreed to.

MESSAGES TO THE SENATE

House of Representatives

Bismarck, February 11, 1943

Mr. President: I have the honor to transmit:

House Concurrent Resolution "E." Regarding the Manufacturing of Rubber from Agricultural Products.

House Concurrent Resolution "D." Memorializing the



United States Senate Committee on Agriculture to Investigate Utilization of Manpower in Agriculture.

House Bill No. 38. A Bill for an Act to Amend and Re-enact Sections 5631 and 5632 of the Compiled Laws of North Dakota for the Year 1913, as Amended by Chapter 236 of the Session Laws of 1941, Relating to Homestead Estate, Its Exemption from Debts and Declaring an Emergency.

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

W. M. SMART, Chief Clerk.

House of Representatives  
Bismarck, February 11, 1943

Mr. President: I have the honor to transmit:

House Bill No. 61. A Bill for an Act Providing for the Filing in Duplicate of Certain Instruments in the County Court, Providing a Method for Preserving the Original Instrument, and Repealing Paragraph (3) of Section 8540 of the Compiled Laws of North Dakota for the Year 1913; Repealing All Acts or Parts of Acts in Conflict Herewith.

House Bill No. 78. A Bill for an Act Requiring the Teaching of the Conservation of Natural Resources in the Public Schools of the State of North Dakota.

House Bill No. 95. A Bill for an Act Creating a Veterans' Emergency Fund, and Providing an Appropriation Therefor, and Providing for the Use of Such Fund by the Veterans' Service Commissioner, and the Manner of Its Disbursement.

House Bill No. 98. A Bill for an Act to Provide for Participation in the North Dakota Teachers' Insurance and Retirement Fund by Members of the Armed Forces of the United States During the Period of Their Service, and Fixing the Period Within Which Such Persons May Withdraw from Participation and Receive Refund.

House Bill No. 65. A Bill for an Act to Amend and Re-enact Section 2596 of the Compiled Laws of North Dakota for 1913, and Sections 2602, 2603, 2604 and 2605, as Amended by Chapter 8 of the Session Laws of 1933, Relating to Cancellation and Re-recording Livestock Brands, Abolishing the Use of Single Figures or Single Letters as Livestock Brands, Providing for Publication and Distribution of Brand Books to Registered Owners of Brands, Making an Appropriation of \$12,600.00 to Carry Out the Provisions of this Act; and Repealing All Acts or Parts of Acts in Conflict Therewith.

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

W. M. SMART, Chief Clerk.

House of Representatives  
Bismarck, February 11, 1943

Mr. President: I have the honor to return:

Senate Bill No. 28. A Bill for an Act Making an Appropriation in the Sum of Three Thousand Dollars (\$3,000.00) to Provide Funds for Increasing the Salaries of Those Employed by the Board of Administration in the Maintenance and Operation of the State Capitol Building, the Liberty Memorial Building, and Capitol Grounds, for the Period from January 1, 1943 to June 30, 1943; and Declaring an Emergency.

Senate Bill No. 40. A Bill for an Act to Amend and Re-enact Sub-section 3 of Section 1 of Chapter 114 of the Session Laws of 1933 Relating to the Propagation and Domestication of Game Birds and Animals, and Declaring an Emergency

Senate Bill No. 42. A Bill for an Act to Pay Workmen's Compensation Premiums on the Salaries of the Justices of the Supreme Court, and Declaring an Emergency.

Which the Speaker has signed.

W. M. SMART, Chief Clerk.

SECOND READING OF HOUSE BILLS

House Bill No. 13. 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.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 91; nays, 6; absent and not voting, 16.

Those voting in the affirmative were:

Allen, Grand Forks	Haag	Nelson
Allen, Pierce	Halcrow	Nystrom
Anderson	Haugen	Ohnstad
Bagge	Haugland	Olson, Bowman
Baumgartner	Heckman	Ostgulen
Belzer	Hegge	Peterson, Ransom
Benno	Hildre	Pyle
Bergesen	Hofstrand	Runk
Bjella	Hogoboom	Sailer
Blair	Holm	Sandness
Bolmeier	Hovey	Schmalenberger
Braun	Iszler	Schnell
Bubel	Jennings	Schwartz
Bureau	Johnson, Cass	Sellens
Bymers	Johnson, Rolette	Severson
Callahan	Kolpin	Sharpe
Carlson	Langley	Shure
Collette	Larson, Ward	Starck
Dahlen	Leet	Sticka
Dalzell	Levin	Stormon
Devlin	Lillehaugen	Tuff
Drovdal	Lunde	Twichell
Ekren	Manstrom	Welder
Falconer	Marks	Welk
Fitch	Moe	Westby
Fleck	Monson	Williams, Richland
Forseth	Morland	Williams, Stutsman
Fraser	Morrison	Wolf, McIntosh
Fuglestad	Mortenson	Wolf, Morton
Gackle	Myers	Mr. Speaker
Graham		

Those voting in the negative were:

Aker	Mittag	Rohde
Arndt	Mollet	Williams, Sargent

Absent and not voting:

Bauer	Johnson, Richland	Rettke
Boulder	Larson, Wells	Rohrer
Coghlan	McInnes	Saumur

Crockett	Olson, Barnes	Stair
Gainor	Peterson, Bottin'au	Wambheim
Halvorson		

So the bill passed as amended and the title was agreed to.

House Bill No. 144. A Bill for an Act to Regulate the Sale of Anti-Freeze; to Provide for the Inspection Thereof; to Prevent Fraud and Deception in the Sale of Anti-Freeze; to Prevent Adulteration and Misbranding Thereof; to Provide for the Enforcement of the Provisions of the Act; to Provide Licensing, Payment and Disposition of License Fees; and Provide 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, 103; nays, 0; absent and not voting, 10.

Those voting in the affirmative were:

Aker	Graham	Nelson
Allen, Grand Forks	Haag	Nystrom
Allen, Pierce	Halcrow	Ohnstad
Anderson	Haugen	Olson, Barnes
Arndt	Haugland	Olson, Bowman
Bagge	Heckman	Ostgulen
Bauer	Hegge	Peterson, Ransom
Baumgartner	Hildre	Pyle
Belzer	Hofstrand	Rettke
Benno	Hogoboom	Rohde
Bergesen	Holm	Runck
Bjella	Hovey	Sailer
Blair	Iszler	Sandness
Bolmeier	Jennings	Schmalenberger
Boulden	Johnson, Cass	Schnell
Braun	Johnson, Richland	Schwartz
Bubel	Johnson, Rolette	Sellens
Burau	Kolpin	Severson
Bymers	Langley	Sharpe
Callahan	Larson, Ward	Shure
Carlson	Larson, Wells	Starck
Coghlan	Leet	Sticka
Collette	Levin	Stormon
Crockett	Lillehaugen	Tuff
Dahlen	Lunde	Twichell
Dalzell	Manstrom	Welder
Devlin	Marks	Welk
Drovdal	Mittag	Westby
Falconer	Mollet	Williams, Richland
Fitch	Monson	Williams, Sargent
Fleck	Morland	Williams, Stutsm'n
Forseth	Morrison	Wolf, McIntosh
Fraser	Mortenson	Wolf, Morton
Gackle	Myers	Mr. Speaker
Gainor		

Absent and not voting:

Ekren	Moe	Saumur
Fuglestad	Peterson, Bottin'au	Stair
Halvorson	Rohrer	Wambheim
McInnes		

So the bill passed and the title was agreed to.

Rep. Twichell moved that the vote by which House Bill No. 144 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 83. A bill for an Act to Equalize Taxation and Replace in Part the Tax on Property; to Provide the Public Revenue to Be Used for Such Replacement by Imposing a Tax on the Gross Receipts from Retail Sales as Defined Herein; to Provide for the Collection of Such Tax, the Distribution and Use of the Revenue Derived Therefrom, and the Administration of Said Law; to Provide for Certain Deductions and Exemptions; Establishing a Lien for the Payment of Such Tax; to Fix Fines and Penalties for the Violation of the Provisions of This Act; to Repeal All Laws or Parts of Laws in Conflict Herewith, and Declaring an Emergency.

Was read the second time.

Rep. Bergesen demanded a call of the House and a call of the House was granted.

The roll was called and disclosed all members present except Reps. Peterson of Bottineau and Rohrer.

Rep. Hofstrand informed the House that Rep. Rohrer was absent on account of illness.

Rep. Fitch moved that the call of the House be dispensed with, which motion prevailed.

Rep. Myers moved the previous question, which motion prevailed.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 69; nays, 43; absent and not voting, 1.

Those voting in the affirmative were:

Aker	Fitch	Mortenson
Allen, Grand Forks	Fleck	Ohnstad
Allen, Pierce	Fuglestad	Olson, Barnes
Arndt	Gackle	Peterson, Ransom
Bagge	Gainor	Pyle
Bauer	Halcrow	Runk
Baumgartner	Haugland	Sailer
Benno	Heckman	Sandness
Bergesen	Hildre	Saumur
Bjella	Hofstrand	Shure
Blair	Hogoboom	Starck
Bolmeier	Holm	Stormon
Boulden	Hovey	Nelson
Bubel	Johnson, Richland	Nystrom
Buran	Johnson, Rolette	Sellens
Callahan	Langley	Severson
Carlson	Leet	Sharpe
Coghlan	Levin	Twichell
Collette	Lunde	Wambheim
Dahlen	Manstrom	Welk
Dalzell	McInnes	Westby
Devlin	Moe	Williams, Stutsm'n
Ekren	Morland	Mr. Speaker
Those voting in the negative were:	Jennings	Peterson, Bottin'au
Anderson	Johnson, Cass	Rettke
Belzer	Kolpin	Rohde
Braun		

Bymers	Larson, Ward	Schwartz
Crockett	Larson, Wells	Schmalenberger
Drovdal	Lillehaugen	Schnell
Falconer	Marks	Stair
Forseth	Mittag	Sticka
Fraser	Mollet	Tuff
Graham	Monson	Welder
Haag	Morrison	Williams, Richland
Halvorson	Myers	Williams, Sargent
Haugen	Olson, Bowman	Wolf, McIntosh
Hegge	Ostgulen	Wolf, Morton
Iszler		

Absent and not voting:

Rohrer

So the bill passed and the title was agreed to.

Rep. Bauer: "I want to explain my vote in just a few words. As long as there is a just God in Heaven who is my witness while I am voting, I will not vote to put anything in the way of the little fellows getting their education or the old folks having some help in their old age. I vote 'Aye'."

Rep. Crockett: "I am going to vote 'No' on this bill for the reason it has outlived its usefulness. It is a tax on poor people. It was an emergency measure in the first place and I want to call the bluff of some fellows who said yesterday that I was bluffing. I want to go on record and I want to see if they will go on record to take off this tax from the poor people. Therefore, I vote 'No'."

Rep. Haugen: "I will say 'amen' to the remarks of Rep. Crockett with regard to calling a bluff. I want to say this further, as long as there is any possibility of this legislature either to repeal or reduce the income tax, which is in my mind the fairest tax of all, I will not vote for the sales tax."

Rep. Heckman: "I am voting for this House Bill No. 83 for two reasons. First, it will maintain the equalization fund at a constant level at ALL times. Second, it will also furnish ways and means of caring for Old Age Assistance and forever settle the question of our responsibility to the wants of the old people for all times. I am voting 'Aye'."

Rep. Marks: "I also wish to explain my vote and have it in the Journal. The reason for that is this; when we go back home I don't want a lot of those people who have instructed me to work against the enactment of the sales tax, to jump on me. I got a letter just today asking me to do everything in my power to kill the sales tax. This man says it is nothing but a 'poor man's tax' and those he has contacted in Burke County think we have carried it long enough. I was one of those who helped enact the sales tax when it was declared an emergency but is it going to remain an emergency the rest of our lives? I vote 'No'."

Rep. Moe: "I want to help Burleigh County get a little more money. I see from the statement from the equalization fund that they received last year \$27,549.41 while my county has not received a cent out of that fund. Therefore, I vote 'Aye'."

Rep. Schnell: "I wish to explain my vote and have it in the Journal. I voted 'No' on this bill for different reasons. If we continue the system of taxation to put the burden of taxa-

tion on people instead of property and income, we will have to do a lot more worrying about the support of the old people in the years to come. You will have more poor old people than we ever had before. That's the system that made old people poor. I can't see why we have not enough income to take care of our schools. I think it is just a bluff because we have a different system in agriculture than we had before and different means of income and I feel that this sales tax is just an unnecessary tax that is just to be paid by people on these family type farms and people in the laboring class.

"The lesson we learned in the past was an expensive one. We are certainly not going to make that same mistake over again. I feel that from here on the income that we have in connection with the four million dollars that we have in the treasury is sufficient to carry us through the next two years and it will give the people in this state time to think about a new system of taxation where you could tax the people who have an income instead of the people who are trying to get a foot-hold and trying to make a living. I vote 'No'."

Objection was made to the remarks of Rep. Schnell on the grounds that he was arguing the merits of the bill rather than explaining his vote. The Speaker ruled that Rep. Schnell must limit his remarks to the explanation of his vote.

Rep. Shure: I voted 'No' for the purpose of reconsideration."

Rep. Twichell: "I vote 'Aye' for the reason that we could not figure any possible way to raise four million dollars in the past two years except through the sales tax and to take care of the equalization fund and the needy."

Rep. Welder: "I believe that we should take care of the aged and the school children but we should take care of them with a more fair tax than the sales tax which is just a poor man's tax. I believe they should be taken care of by the income tax which is taxed on every dollar earned and therefore I vote 'Nay'."

Rep. Williams of Richland: "I am voting 'No' because I think it is an unjust and unfair bill to the taxpayers of North Dakota and when I say taxpayers, I mean you old sod-busters and the laboring men who have paid the taxes in the past fifty years in this State."

Mr. Speaker: "I vote 'Aye' not because I am in favor of the sales tax. I wish from the bottom of my heart to be able to do away with so unjust a tax as the sales tax but until some other way is provided whereby our schools and old and needy people can be taken care of, I cannot vote as I wish. I realize that many in this assembly would be willing to provide other ways and means of raising the necessary money for schools and relief but I realize acutely that these are in the minority and that at this session their efforts to secure funds elsewhere would be unsuccessful."

Rep. Blair: "I think this is a fair and just tax and is necessary at this time. The opponents of the bill want to put on a grandstand and therefore I vote 'Aye'."

Rep. Baumgartner: "I changed my vote from 'No' to 'Aye' because I believe in taking care of the aged which is the only means at this time. We passed a bill today of

\$750,000. for the benefit of the soldiers, therefore I could plainly see that we need the sales tax for the aged people and school children."

Rep. Levin voted "Aye" for the purpose of reconsideration.

Rep. Haugen moved that the House recess for twenty minutes, which motion prevailed.

The House reconvened pursuant to recess taken.

Rep. Bymers moved that permission be given to the Clerk to correct the error on the final record of the roll call before it goes to the printer to show that he voted "Nay" and not "Aye," which motion prevailed.

Rep. Morland asked unanimous consent to amend the title of House Bill No. 77, which consent was granted.

Rep. Morland moved that the title of House Bill No. 77 be amended as follows:

In lines three and four of the title, after the comma, strike out the words "Partial Guarantee of Construction Bonds,".

Which motion prevailed.

Rep. Bergesen asked unanimous consent to further amend the title of House Bill No. 77, which consent was granted.

Rep. Bergesen moved to further amend the title of House Bill No. 77 as follows:

In line 4 after the word "Dams" insert "and Drainage Channels".

Which motion prevailed.

Rep. Morland moved that the rules be suspended and House Bill No. 77 be considered properly engrossed and placed on second reading and final passage, which motion prevailed.

#### SECOND READING OF HOUSE BILLS

House Bill No. 77. A Bill for an Act Making an Appropriation Into the "Administrative Fund" for the State Water Conservation Commission for General Administration Expenses, Partial Guarantee of Construction Bonds, Maintenance of Existing Dams, Planning and Surveying Projects, and Expenses of State Compacts.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 97; nays, 1; absent and not voting, 15.

Those voting in the affirmative were:

Allen, Grand Forks	Gainor	Nystrom
Allen, Pierce	Graham	Ohnstad
Anderson	Haag	Olson, Barnes
Arndt	Halerow	Ostgulen
Bagge	Haugen	Peterson, Bottin'au
Bauer	Haugland	Peterson, Ransom
Baumgartner	Heckman	Pyle
Belzer	Hegge	Rettke
Benno	Hildre	Runck
Bergesen	Hogoboom	Sailer
Bjella	Holm	Sandness
Blair	Hovey	Saumur
Bolmeier	Iszler	Schmalenberger
Boulden	Jennings	Schnell
Bubel	Johnson, Cass	Schwartz

Burau	Johnson, Richland	Sellens
Bymers	Johnson, Rolette	Severson
Callahan	Kolpin	Shure
Carlson	Langley	Stair
Coghlan	Larson, Ward	Starck
Collette	Larson, Wells	Sticka
Crockett	Leet	Stormon
Dahlen	Levin	Tuff
Dalzell	Lunde	Twichell
Devlin	Manstrom	Wambheim
Drovdal	McInnes	Welder
Ekren	Mittag	Welk
Falconer	Monson	Westby
Fitch	Morland	Williams, Stutsm'n
Forseth	Morrison	Wolf, McIntosh
Fraser	Mortenson	Wolf, Morton
Fuglestad	Nelson	Mr. Speaker

Gackle  
Those voting in the negative were:  
Moe

Absent and not voting:

Aker	Lillehaugen	Rohde
Braun	Marks	Rohrer
Fleck	Mollet	Sharpe
Halvorson	Myers	Williams, Richland
Hofstrand	Olson, Bowman	Williams, Sargent

So the bill passed.

Rep. Johnson of Richland moved that the title of House Bill No. 77 be further amended by inserting after the words "and Drainage Channels" the following: "and Construction of Needed Drainage Channels,".

Which motion prevailed.

The Speaker then announced that the title as amended was agreed to.

Rep. Dahlen moved that the vote by which House Bill No. 77 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 7. A Bill for an Act Making an Appropriation for the Crippled Children's School at Jamestown, 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, the roll was called and there were ayes, 101; nays, 0; absent and not voting, 12.

Those voting in the affirmative were:

Aker	Haag	Nystrom
Allen, Grand Forks	Halcrow	Ohnstad
Allen, Pierce	Halvorson	Olson, Barnes
Anderson	Haugen	Olson, Bowman
Arndt	Haugland	Ostgulén
Bagge	Heckman	Peterson, Bottin'au
Bauer	Hegge	Peterson, Ransom
Baumgartner	Hildre	Pyle
Belzer	Hofstrand	Rettke
Benno	Hogoboom	Runck



Bergesen	Holm	Sailer
Bjella	Hovey	Sandness
Blair	Iszler	Saumur
Bolmeier	Jennings	Schmalenberger
Boulden	Johnson, Cass	Schnell
Braun	Johnson, Richland	Schwartz
Bubel	Johnson, Rolette	Sellens
Burau	Kolpin	Severson
Bymers	Langley	Shure
Callahan	Larson, Ward	Stair
Carlson	Larson, Wells	Starck
Coghlan	Leet	Sticka
Crockett	Lillehaugen	Stormon
Dahlen	Lunde	Tuff
Dalzell	Manstrom	Twichell
Devlin	McInnes	Wambheim
Drovdal	Mittag	Welder
Ekren	Moe	Welk
Falconer	Monson	Westby
Fitch	Morland	Williams, Stutsm'n
Forseth	Morrison	Wolf, McIntosh
Fraser	Mortenson	Wolf, Morton
Fuglestad	Myers	Mr. Speaker
Gainor	Nelson	
Absent and not voting:		
Collette	Levin	Rohrer
Fleck	Marks	Sharpe
Gackle	Mollet	Williams, Richland
Graham	Rohde	Williams, Sargent

So the bill passed and the title was agreed to.

House Bill No. 18. 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, the roll was called and there were ayes, 100; nays, 0; absent and not voting, 13.

Those voting in the affirmative were:

Aker	Haag	Nelson
Allen, Grand Forks	Halcrow	Nystrom
Allen, Pierce	Halvorson	Ohnstad
Anderson	Haugen	Olson, Barnes
Arndt	Haugland	Olson, Bowman
Bagge	Heckman	Ostgulen
Bauer	Hegge	Peterson, Bottin'au
Baumgartner	Hildre	Peterson, Ransom
Belzer	Hofstrand	Pyle
Benno	Hogoboom	Rettke
Bergesen	Holm	Runck
Bjella	Hovey	Sailer
Blair	Iszler	Saumur
Bolmeier	Jennings	Schmalenberger
Boulden	Johnson, Cass	Schnell
Braun	Johnson, Richland	Schwartz
Bubel	Johnson, Rolette	Sellens
Burau	Kolpin	Severson

Bymers	Langley	Shure
Callahan	Larson, Ward	Stair
Carlson	Larson, Wells	Starck
Coghlan	Leet	Sticka
Crockett	Lillehaugen	Stormon
Dahlen	Lunde	Tuff
Dalzell	Manstrom	Twichell
Devlin	McInnes	Wambheim
Drovdal	Mittag	Welder
Ekren	Moe	Welk
Falconer	Monson	Westby
Fitch	Morland	Williams, Stutsm'n
Forseth	Morrison	Wolf, McIntosh
Fraser	Mortenson	Wolf, Morton
Fuglestad	Myers	Mr. Speaker
Gainor		
Absent and not voting:		
Collette	Marks	Sandness
Fleck	Mollet	Sharpe
Gackle	Rohde	Williams, Richland
Graham	Rohrer	Williams, Sargent
Levin		

So the bill passed and the title was agreed to.

House Bill No. 19. 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, the roll was called and there were ayes, 99; nays, 0; absent and not voting, 14.

Those voting in the affirmative were:

Aker	Fuglestad	Nelson
Allen, Grand Forks	Gainor	Nystrom
Allen, Pierce	Haag	Ohnstad
Anderson	Halcrow	Olson, Barnes
Arndt	Halvorson	Olson, Bowman
Bagge	Haugen	Ostgulen
Bauer	Haugland	Peterson, Bottin'au
Baumgartner	Heckman	Peterson, Ransom
Belzer	Hildre	Pyle
Benno	Hofstrand	Rettke
Bergesen	Hogoboom	Runk
Bjella	Holm	Sailer
Blair	Hovey	Saumur
Bolmeier	Iszler	Schmalenberger
Boulden	Jennings	Schnell
Braun	Johnson, Cass	Schwartz
Bubel	Johnson, Richland	Sellens
Burau	Johnson, Rolette	Severson
Bymers	Kolpin	Shure
Callahan	Langley	Stair
Coghlan	Larson, Ward	Starck
Collette	Larson, Wells	Sticka
Crockett	Leet	Stormon
Dahlen	Levin	Tuff
Dalzell	Lillehaugen	Twichell
Devlin	Lunde	Wambheim

Drovdal	McInnes	Welder
Ekren	Manstrom	Welk
Falconer	Mittag	Westby
Fitch	Monson	Williams, Stutsm'n
Fleck	Morland	Wolf, McIntosh
Forseth	Morrison	Wolf, Morton
Fraser	Myers	Mr. Speaker
Absent and not voting:		
Carlson	Moe	Sandness
Gackle	Mollet	Sharpe
Graham	Mortenson	Williams, Richland
Hegge	Rohde	Williams, Sargent
Marks	Rohrer	

So the bill passed and the title was agreed to.

House Bill No. 20. 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, the roll was called and there were ayes, 96; nays, 0; absent and not voting, 17.

Those voting in the affirmative were:

Aker	Haag	Myers
Allen, Grand Forks	Halcrow	Nelson
Allen, Pierce	Halvorson	Nystrom
Anderson	Haugen	Ohnstad
Arndt	Haugland	Olson, Barnes
Bagge	Heckman	Olson, Bowman
Bauer	Hegge	Ostgulen
Baumgartner	Hildre	Peterson, Ransom
Belzer	Hofstrand	Pyle
Benno	Hogoboom	Rettke
Bergesen	Holm	Runck
Bjella	Hovey	Sailer
Blair	Iszler	Saumur
Bolmeier	Jennings	Schmalenberger
Boulden	Johnson, Cass	Schwartz
Braun	Johnson, Richland	Sellers
Bubel	Johnson, Rolette	Severson
Burau	Kolpin	Schnell
Bymers	Langley	Shure
Callahan	Larson, Wells	Starck
Crockett	Larson, Ward	Sticka
Dahlen	Leet	Stormon
Dalzell	Levin	Tuff
Devlin	Lillehaugen	Twichell
Drovdal	Lunde	Wambheim
Ekren	Manstrom	Welder
Falconer	McInnes	Welk
Fitch	Mittag	Westby
Fleck	Moe	Williams, Stutsm'n
Forseth	Monson	Wolf, McIntosh
Fuglestad	Morland	Wolf, Morton
Gainor	Morrison	Mr. Speaker
Absent and not voting:		
Carlson	Marks	Sandness
Coghlan	Mollet	Sharpe

Collette	Mortenson	Stair
Fraser	Peterson, Bottin'au	Williams, Richland
Gackle	Rohde	Williams, Sargent
Graham	Rohrer	

So the bill passed and the title was agreed to.

House Bill No. 21. 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, the roll was called and there were ayes, 94; nays, 0; absent and not voting, 19.

Those voting in the affirmative were:

Aker	Halcrow	Nelson
Allen, Grand Forks	Halvorson	Nystrom
Allen, Pierce	Haugen	Ohnstad
Anderson	Haugland	Olson, Bowman
Arndt	Heckman	Olson, Barnes
Bagge	Hegge	Ostgulen
Bauer	Hildre	Peterson, Ransom
Baumgartner	Hofstrand	Pyle
Benno	Hogoboom	Rettke
Belzer	Holm	Runck
Bergesen	Hovey	Sailer
Bjella	Iszler	Saumur
Blair	Jennings	Schmalenberger
Bolmeier	Johnson, Cass	Schnell
Boulton	Johnson, Rolette	Schwartz
Braun	Kolpin	Sellens
Bubel	Langley	Severson
Burau	Larson, Ward	Shure
Bymers	Larson, Wells	Starck
Callahan	Leet	Sticka
Crockett	Levin	Stormon
Dahlen	Lillehaugen	Tuff
Dalzell	Lunde	Twichell
Devlin	Manstrom	Wambheim
Drovdal	McInnes	Welder
Ekren	Mittag	Welk
Falconer	Moe	Westby
Fitch	Monson	Williams, Stutsm'n
Forseth	Morland	Wolf, McIntosh
Fuglestad	Morrison	Wolf, Morton
Gainor	Myers	Mr. Speaker

Absent and not voting:

Carlson	Johnson, Richland	Rohrer
Coghan	Marks	Sandness
Collette	Mollet	Sharpe
Fleck	Mortenson	Stair
Fraser	Peterson, Bottin'au	Williams, Richland
Gackle	Rohde	Williams, Sargent
Graham		

So the bill passed and the title was agreed to.

House Bill No. 22. A Bill for an Act Making an Appropriation for St. John's Orphanage of Fargo, North Dakota, Providing the Methods of Expenditure and Audit Thereof; Supervision and Inspection 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, 93; nays, 0; absent and not voting, 20.

Those voting in the affirmative were:

Aker	Haag	Morrison
Allen, Grand Forks	Halcrow	Myers
Allen, Pierce	Halvorson	Nelson
Anderson	Haugen	Nystrom
Arndt	Haugland	Ohnstad
Bagge	Heckman	Olson, Barnes
Bauer	Hegge	Olson, Bowman
Baumgartner	Hildre	Ostgulen
Belzer	Hofstrand	Peterson, Ransom
Benno	Hogoboom	Pyle
Bergesen	Holm	Runck
Bjella	Hovey	Sailer
Blair	Iszler	Saumur
Bolmeier	Jennings	Schmalenberger
Boulden	Johnson, Cass	Schnell
Braun	Johnson, Richland	Schwartz
Bubel	Johnson, Rolette	Sellens
Bureau	Kolpin	Severson
Bymers	Langley	Shure
Callahan	Larson, Ward	Starck
Crockett	Larson, Wells	Sticka
Dahlen	Leet	Stormon
Dalzell	Levin	Tuff
Devlin	Lillehaugen	Wambheim
Drovdal	Lunde	Welder
Ekren	Manstrom	Welk
Falconer	McInnes	Westby
Fitch	Mittag	Williams, Stutsm'n
Forseth	Moe	Wolf, McIntosh
Fuglestad	Monson	Wolf, Morton
Gainor	Morland	Mr. Speaker
Absent and not voting:		
Carlson	Marks	Sandness
Collette	Mollet	Sharpe
Coghlan	Mortenson	Stair
Fleck	Peterson, Bottin'au	Twichell
Fraser	Rettke	Williams, Richland
Gackle	Rohde	Williams, Sargent
Graham	Rohrer	

So the bill passed and the title was agreed to.

### REPORT OF STANDING COMMITTEE

Mr. Speaker: Your Committee on Highways and Bridges to whom was referred House Bill No. 68, have had the same under consideration and recommend that the same do pass.

REP. CROCKETT, Chairman.

Rep. Fleck moved that the report be adopted, which motion prevailed and the report was adopted.

Rep. Bergesen moved that the House be on the eleventh order of business, Second Reading of House Bills, and that the Clerk continue the reading of House Bill No. 49 until 12:00 o'clock tomorrow noon, which motion prevailed and the Clerk continued the reading of House Bill No. 49.

W. M. SMART, Chief Clerk.

CONTINUATION OF THE THIRTY-EIGHTH DAY AND  
THE THIRTY-NINTH DAY

Bismarck, February 12, 1943

The Speaker announced that the House was still on the eleventh order of business, second reading of House bills, and that the second reading of House Bill No. 49 would now be temporarily interrupted but that it would be resumed later on.

The Speaker announced the House would be on the thirteenth order of business.

## FIRST READING OF SENATE BILLS

Senate Bill No. 45. A Bill for an Act to Permit a Surviving Husband or Wife to Dissent from the Terms of a Will, and to Elect to Inherit Under the Laws of Succession.

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

Senate Bill No. 97. A Bill for an Act to Amend and Re-enact Section 1 of Chapter 132 of the Session Laws of 1933, Relating to the Investment of Funds of Domestic Insurance Companies, and Declaring an Emergency.

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

Rep. Graham moved that the rules be suspended and that House Bills No. 119, 127, 126, 86, 139 and Senate Bill No. 52 be placed in General Orders and acted upon in General Orders in this legislative day.

Which motion prevailed.

## GENERAL ORDERS

Rep. Aker moved that the House resolve itself into a committee of the whole for the consideration of general orders; which motion prevailed, and the House resolved itself into a committee of the whole.

The Speaker called Rep. Aker to the chair.

When the committee arose it submitted the following report:

Mr. Speaker: The committee of the whole have had under consideration:

House Bill 119.

In line 51 (of House Bill No. 119) strike out "1st" and insert "10th".

And when so amended recommend the same do pass.

House Bill No. 127.

Section 1 line 9—Strike out the word "March" and insert the word "January".

Section 1 line 25—Strike out the word “March” and insert the word “January”.

Section 1 line 29—Strike out the word “June” and insert the word “April”.

Section 1 line 34—Strike out the word “May” and insert the word “March”.

Section 2 line 78—Strike out the word “June” and insert the word “April”.

Section 2 line 83—Strike out the word “May” and insert the word “March”.

Section 2 line 88—Strike out the word “March” and insert the word “January”.

Section 3 line 102 after the word “sale” strike out the comma and insert a period.

Strike out the balance of line 102 and all other lines through 113 and renumber the lines.

And when so amended recommend the same do pass.

And recommend the following further amendments:

On line thirty-eight of Section 1, after the word, “realized” insert “from such sales” and strike out the word “therefrom”.

After the word “distributed” at the end of line thirty-nine add a new sentence to read as follows: “The proceeds realized from any rental and landlord’s share of the crops shall be apportioned in the same manner as other rental proceeds are distributed under the present law.”

And renumber the lines to permit the insertion of that sentence.

House Bill No. 126.

In line 14—Strike out the word “March” and insert the word “January”.

In line 15 after the word “year” strike out the comma and insert a period.

Strike out the balance of line 15 and lines 16 and 17 and renumber the lines.

And when so amended recommend the same do pass.

House Bill No. 86.

On page 2, line 11, after the word “or”, insert the following words, “in case of liens existing by virtue of delinquent unpaid personal property taxes”.

And when so amended recommend the same do pass.

House Bill No. 139.

In line Thirty of the original Bill after the word “or” insert the word “Initial”.

In line Three Hundred Nineteen after the word “Board.” add the following language “For the purpose of this section, a City Engineer is considered a professional engineer.” And number the additional line Three Hundred Nineteen A.

After line Three Hundred Forty insert lines Three Hundred Forty A and Three Hundred Forty B containing the following language: “The provisions of this act shall not apply to the designing or engineering of County and Township roads.”

And when so amended recommend the same do pass.

And recommend the following further amendment:

In line 49 insert the word “Professional” before the word “Engineers”.

Senate Bill No. 52.

In line 19 insert a period after the word "Health" and strike out the remainder of line 19 and line 20.

And when so amended recommend the same do pass.

House Bill No. 136.

In line six and seven—strike out the words "One dollar and fifteen cents (\$1.15)" and insert the words "One dollar (\$1.00)".

And when so amended recommend the same do pass.

House Bill No. 107.

On line 6 between the word tax and the semicolon insert the following, "plus a penalty of 5 per cent".

And when so amended recommend the same do pass.

And recommend the following further amendment:

Line 1 section 2 after the word "Repeal" including the period and parenthetical mark, strike out all of Section 2 and substitute the following:

"SECTION 2. REPEAL.) All Acts and parts of Acts in conflict herewith are hereby repealed, except that such parts of Chapter 240 of the Session Laws of North Dakota for 1937 as amended by Chapter 227 of the Session Laws of North Dakota for the year 1939, as amended by Chapter 273 of the Session Laws of North Dakota for the year 1941, as may be necessary for the enforcement of any contracts made pursuant thereto shall remain in force."

And amend the title by adding after the word "year" "and repealing all Acts or Parts of Acts in Conflict therewith including certain exceptions,".

House Bill No. 64.

In line 8 of the original bill after the word "Lands" insert the following " , State Fire and Tornado Fund, Workmen's Compensation Bureau, State Bonding Department and Bank of North Dakota".

And when so amended recommend the same do pass.

House Bill No. 84.

In line five of the original Bill after the word "be" strike out the words "Twenty-five Hundred Dollars (\$2,500.00)" and insert in lieu thereof the words "Twenty-two Hundred and Fifty Dollars (\$2,250.00)".

In line six beginning with the word "The" strike out the remainder of the line, all of line seven, all of line eight and line nine to and including the word "report".

In line nineteen after the word "of" strike out the words "Fifteen Hundred Dollars (\$1,500.00)" and insert in lieu thereof the words "Thirteen Hundred and Eighty Dollars (\$1,380.00)".

Renumber the lines.

And when so amended recommend the same do pass.

Action on House Bill No. 1 was deferred until General Orders following 2:00 o'clock p. m. Monday.

House Bill No. 63 was re-referred to the Committee on Livestock.

REP. AKER, Chairman.

Committee of the Whole.

Rep. Bolmeier moved that the report of the Committee of the Whole be adopted, which motion prevailed.



Rep. Sellens moved that the vote by which the report of the Committee on Printing was adopted be reconsidered, which motion prevailed.

Rep. Sellens moved that the report of the Committee on Printing be amended to call for the printing of 2,000 copies of the House Journal instead of the 2,500 as now ordered, which motion prevailed.

Rep. Sellens moved that the report of the Committee on Printing as amended be adopted, which motion prevailed.

Rep. Olson of Bowman moved that the absent member be excused, which motion prevailed.

Rep. Olson of Bowman moved that the House do now adjourn, which motion prevailed.

W. M. SMART, Chief Clerk.

### THIRTY-NINTH DAY

Bismarck, February 12, 1943

The House convened pursuant to adjournment, Speaker Beede presiding.

Prayer was offered by Rev. Paul G. Hayes.

Roll call: All members were present except Reps. Fitch, Johnson of Cass, Johnson of Richland and Rohrer.

### MESSAGES FROM THE SENATE

Senate Chamber

Bismarck, February 12, 1943.

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 24. A Bill for an Act Authorizing the Board of Administration to Sell and Convey to the Baptist Old People's Home, a North Dakota Corporation, a Certain Tract in the southeast Corner of the Capitol Grounds.

Senate Bill No. 49. A Bill for an Act Assessing and Levying from July 1, 1943, to July 1, 1945, on All Licensed Dealers of Motor Vehicle Fuels, a Special Additional License Tax of One Cent Per Gallon on 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 on the State Highway Fund for specific Purposes; Making All Provisions of Initiated Measure Approved June 30, 1926, and Amendments Thereto and Known as the "Motor Vehicle Fuel Tax Law," Other Than Division of Proceeds Between the State and Counties and Other Than for Costs of Administration and Collection of Other Than Penalties for Violation Applicable to Said Special License Tax; Providing for Exemption of Motor Vehicle Fuels Sold and Used for Agricultural and Industrial Purposes; and Fixing Fines and Penalties for the Violation of the Provisions of This Act.

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

W. J. TROUT, Secretary.

Senate Chamber

Bismarck, February 12, 1943

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 99. A Bill for an Act to Amend and Re-enact Section 4881a7 of the 1925 Supplement to the Compiled Laws of North Dakota, Relating to Incorporated Mutual Insurance Companies, and Declaring an Emergency.

Senate Bill No. 100. A Bill for an Act to Amend and Re-enact Section 5061 of the Compiled Laws of North Dakota for the Year 1913, Relating to the Government of Fraternal Benefit Societies, and Declaring an Emergency.

Senate Bill No. 101. A Bill for an Act to Amend and Re-enact Section 4863 of the 1925 Supplement to the Compiled Laws of North Dakota for the Year 1913, as Amended by Chapter 145 of the Session Laws of 1929, and Further Amended by Chapter 131 of the Session Laws of 1933, Relating to Capital Stock of Domestic and Other Insurance Companies, and Declaring an Emergency.

Senate Bill No. 102. A Bill for an Act to Amend and Re-enact Section 172 of the Compiled Laws of North Dakota for the Year 1913, Relating to the Duties of the Commissioner of Insurance, and Declaring an Emergency.

Senate Bill No. 103. A Bill for an Act to Amend and Re-enact Section 4870 of the Compiled Laws of North Dakota for the Year 1913, Relating to the Organization of Domestic Mutual Life Insurance Companies, and Declaring an Emergency.

Senate Bill No. 137. A Bill for an Act Providing for Acknowledgements by Persons Serving in or with the Armed Forces of the United States Within or Without the United States, and Validating Acknowledgements Made Since September 16, 1940 in Accordance with the Provisions of This Act and Declaring an Emergency.

Senate Bill No. 5. A Bill for an Act Making an Appropriation for the Operation, Maintenance and Miscellaneous Expenses of the Poultry Improvement Board.

Senate Bill No. 54. A Bill for an Act Requiring and Compelling All Licensed Beer Dealers to Make Available Reports, Records, Books, Vouchers, and Other Pertinent Documents to the State Tax Commissioner; Providing for Examination; Providing Penalties for Delinquencies and for Violations.

Senate Bill No. 116. A Bill for an Act to Amend and Re-enact Section 1178 of the Compiled Laws of 1913 Providing for the Employment and Dismissal of School Teachers, Their Qualifications, and Their Minimum Salaries.

Senate Bill No. 118. A Bill for an Act to Provide for the Method and Time for Renewing Contracts of Teachers, Principals, and Superintendents in the Public Schools of the State of North Dakota, and Providing for a Penalty for Violation of Teacher's Contract.

Senate Bill No. 136. A Bill for an Act to Limit the Time for Commencement of All Actions and Interposition of All Defenses and Counterclaims Grounded Upon Certain Defects in Proceedings for and Preliminary to Foreclosure of Real Estate Mortgages Where the Foreclosure Sales in Such Proceedings Were Had Prior to January 1st, 1943, and to Validate and Confirm Such Mortgage Foreclosure Sales.

Senate Bill No. 147. A Bill for an Act Making an Appropriation for the Purpose of Paying for Oleomargarine Stamps.

Senate Concurrent Resolution "H." A Concurrent Resolution Providing for the Amendment of Section 158 of Article 9 of the Constitution of North Dakota as Amended by Article

13 of the Amendments Thereof as Further Amended by Article 50 of the Amendments Thereof, Relating to the Sale of School and Public Lands, and for Resale to Purchasers on Contract Whose Contracts Have Been Cancelled.

Senate Concurrent Resolution "Q." For His Invaluable Services Rendered by the Honorable E. W. Camp, in the Organization and the Starting on Its Way, the Government of the State of North Dakota.

Senate Concurrent Resolution "R." In Appreciation for His Invaluable Services Rendered by the Honorable Fred B. Fancher in the Organization and Starting on Its Way, the Government of the State of North Dakota.

Senate Concurrent Resolution "S." For His Invaluable Services Rendered by the Honorable Henry M. Peterson, in the Organization and Starting on Its Way, the Government of the State of North Dakota.

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

W. J. TROUT, Secretary.  
Senate Chamber

Bismarck, February 12, 1943

Mr. Speaker: I have the honor to return:

House Bill No. 3. A Bill for an Act Making an Appropriation to Provide Funds for the Arrest and Return of Fugitives from Justice.

House Bill No. 4. A Bill for an Act Making an Appropriation for the Purpose of Paying Premiums on Bonds of State Officials.

House Bill No. 12. 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. 14. 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. 15. 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 Boys' and Girls' Club Work at State and District Fairs.

House Bill No. 32. 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. 36. A Bill for an Act Making an Appropriation to Pay the Expenses and Per Diem of Presidential Electors.

House Bill No. 56. A Bill for an Act Making an Appropriation for the Payment of Salaries, Postage, Office Supplies and Printing in the State Department of Health, and Declaring an Emergency.

Which the Senate has passed unchanged.

W. J. TROUT, Secretary.

Rep. Crockett moved that the rules be suspended for the purpose of hearing Lincoln's Gettysburg Address given by Bob Beatt of the Bismarck High School and that he be

granted the privilege of escorting him to the rostrum, which motion prevailed.

Bob Beatt was escorted to the rostrum by Rep. Crockett and the House was favored by the recitation of Lincoln's Gettysburg Address in commemoration of Abraham Lincoln's birthday.

#### MESSAGE FROM THE SENATE

Senate Chamber

Bismarck, February 12, 1943

Mr. Speaker: I have the honor to request the return of: House Bill No. 66. A Bill for an Act to Amend and Re-enact Section 2 of Chapter 238, Session Laws of 1931, Providing for the Letting of Contracts to Furnish Vehicular Transportation to School Districts to the Lowest Bidder; Requiring a Bond; and Fixing the Qualifications of the Operators of Such Vehicles and the Requirements of Such Vehicle.

W. J. TROUT, Secretary.

Rep. Braun moved that the request of the Senate to have returned House Bill No. 66 be granted, which motion prevailed.

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

Mr. Speaker: Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the Continuation of the Thirty-seventh Day and the Thirty-eighth Day and recommends that the same be corrected as follows:

On page 343 change "Senate Bill No. 135" to read "Senate Bill No. 125" and correct the title to correspond.

And when so corrected recommends that the same be approved.

REP. WELDER, Chairman.

Rep. Lunde moved that the report be adopted, which motion prevailed and the report was adopted.

#### PETITIONS AND COMMUNICATIONS

A communication from Lester Larson, Secretary-Treasurer of Sinclair Sturton, Farmers Union Local No. 549, Cleveland, North Dakota, with a resolution attached referring to the present sales tax, was read from the desk.

#### REPORTS OF STANDING COMMITTEES

Mr. Speaker: Your Committee on Judiciary to whom was referred House Bill No. 122, have had the same under consideration and recommend that the same do pass.

REP. OHNSTAD, Chairman.

Rep. Mollet moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Judiciary to whom was referred House Bill No. 132, have had the same under consideration and recommend that the same be indefinitely postponed.

REP. OHNSTAD, Chairman.

Rep. Kolpin moved that the report be adopted, which motion prevailed and the report was adopted.

Rep. Gackle moved that the vote by which House Bill No. 132 was indefinitely postponed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Mr. Speaker: 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.

REP. OHNSTAD, Chairman.

Rep. Schmalenberger moved that the report be adopted, which motion prevailed and the report was adopted.

Rep. Rohde moved that the vote by which Senate Bill No. 59 was indefinitely postponed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

#### REPORTS OF SELECT COMMITTEES

Rep. Dalzell reported that the Committee to arrange for the House photograph had so far been unsuccessful in its efforts to secure the services of a Photographer.

Rep. Aker moved that the rules of the House be amended as follows:

"A member may rise to explain his vote upon any measure before the House, when called to vote upon a roll call, and upon his request, his words shall be taken down by the stenographer and printed in the journal, but he shall not speak more than one minute in explaining his vote, and must confine himself to an explanation of his vote."

Rep. Crockett moved that the motion of Rep. Aker be laid on the table, which motion prevailed.

A division was called for and disclosed 52 voting for and 39 voting against.

So the motion prevailed and the proposed amendment was tabled.

#### REPORT OF STANDING COMMITTEE

Mr. Speaker: Your Committee on State Affairs to whom was referred House Bill No. 155, have had the same under consideration and recommend that the same be indefinitely postponed.

REP. TWICHELL, Chairman.

Rep. Crockett moved that the report be adopted, which motion prevailed and the report was adopted.

Rep. Crockett moved that the vote by which House Bill No 155 was indefinitely postponed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

#### MESSAGES TO THE SENATE

House of Representatives  
Bismarck, February 12, 1943

Mr. President: I have the honor to transmit:

House Bill No. 94. A Bill for an Act Creating a Veteran's Aid Commission, Specifying Its Powers and Duties; and Appropriating the Sum of \$100,000 as a Veteran's Aid Fund and Providing for the Manner of Its Use and Defining Those Entitled to Aid from Such Fund, and Declaring an Emergency.

House Bill No. 99. A Bill for an Act Making an Appropriation to Provide Funds for the Maintenance of the North Dakota State Guard, as Provided for Under Chapter 230 of the North Dakota Session Laws of 1941, and to Meet Other Requirements Prescribed by the Federal Statutes, and Declaring an Emergency.

House Bill No. 144. A Bill for an Act to Regulate the Sale

of Anti-Freeze; to Provide for the Inspection Thereof; to Prevent Fraud and Deception in the Sale of Anti-Freeze; to Prevent Adulteration and Misbranding Thereof; to Provide for the Enforcement of the Provisions of the Act; to Provide Licensing, Payment and Disposition of License Fees; and Provide Penalties for Violation Thereof.

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

W. M. SMART, Chief Clerk.

House of Representatives

Bismarck, February 12, 1943

Mr. President: I have the honor to return:

Senate Concurrent Resolution "D." Memorializing Congress to Take Action on S 2600 Cited as the "Rubber Supply Act of 1942."

Which the House has passed unchanged.

W. M. SMART, Chief Clerk.

#### SECOND READING OF HOUSE BILLS

House Bill No. 174. A Bill for an Act to Amend and Re-enact Section 1321a2 of the 1925 Supplement to the Compiled Laws of North Dakota, Providing for Annual School Election for the City of Fargo; the Number of Polling Places, Election Officials, and Hours of Election, 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, 99; nays, 0; absent and not voting, 14.

Those voting in the affirmative were:

Anderson	Halcrow	Ohnstad
Allen, Grand Forks	Halvorson	Olson, Barnes
Allen, Pierce	Haugen	Olson, Bowman
Arndt	Haugland	Ostgulen
Bagge	Heckman	Peterson, Ransom
Bauer	Hegge	Pyle
Baumgartner	Hildre	Rettke
Belzer	Hofstrand	Rohde
Benno	Hogoboom	Runck
Bergesen	Holm	Sailer
Bjella	Hovey	Saumur
Blair	Iszler	Schmalenberger
Bolmeier	Jennings	Schnell
Boulden	Johnson, Rolette	Schwartz
Braun	Kolpin	Sellens
Burau	Langley	Severson
Bymers	Larson, Wells	Sharpe
Callahan	Leet	Shure
Coghlan	Levin	Stair
Collette	Lillehaugen	Starck
Crockett	Lunde	Sticka
Dahlen	Marks	Stormon
Dalzell	Manstrom	Tuff
Devlin	McInnes	Wambheim
Drovdal	Mittag	Welder
Ekren	Moe	Welk
Falconer	Mollet	Westby

Fleck	Monson	Williams, Richland
Fraser	Morrison	Williams, Sargent
Fuglestad	Morland	Williams, Stutsm'n
Gainor	Myers	Wolf, McIntosh
Graham	Nelson	Wolf, Morton
Haag	Nystrom	Mr. Speaker
Absent and not voting:		
Aker	Gackle	Peterson, Bottin'au
Bubel	Johnson, Cass	Rohrer
Carlson	Johnson, Richland	Sandness
Fitch	Larson, Ward	Twichell
Forseth	Mortenson	

So the bill passed and the title was agreed to.

Rep. Myers: "I believe the intent of this bill is all right and I am going to vote for it although I believe it is unconstitutional as it is special legislation for the City of Fargo."

House Bill No. 145. A Bill for an Act to Provide for the Dissolution of Village Park Districts, and Outlining the Procedure to Be Followed.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 99; nays, 0; absent and not voting, 14.

Those voting in the affirmative were:

Allen, Grand Forks	Haag	Ohnstad
Allen, Pierce	Halvorson	Olson, Barnes
Anderson	Haugen	Olson, Bowman
Arndt	Haugland	Ostgulen
Bagge	Heckman	Peterson, Ransom
Bauer	Hegge	Pyle
Baumgartner	Hildre	Rettke
Belzer	Hofstrand	Rohde
Benno	Hogoboom	Runck
Bergesen	Holm	Sailer
Bjella	Hovey	Saumur
Blair	Iszler	Schmalenberger
Bolmeier	Jennings	Schnell
Boulden	Johnson, Rolette	Schwartz
Braun	Kolpin	Sellens
Bureau	Langley	Severson
Bymers	Larson, Ward	Sharpe
Callahan	Larson, Wells	Shure
Carlson	Leet	Starck
Coghlan	Levin	Sticka
Collette	Lillehaugen	Stormon
Crockett	Lunde	Tuff
Dahlen	Manstrom	Twichell
Dalzell	Marks	Wambheim
Devlin	McInnes	Welder
Drovdal	Mittag	Welk
Ekren	Moe	Westby
Falconer	Mollet	Williams, Richland
Fleck	Monson	Williams, Sargent
Fraser	Morrison	Williams, Stutsm'n
Gackle	Myers	Wolf, McIntosh
Gainor	Nelson	Wolf, Morton

Graham	Nystrom	Mr. Speaker
Absent and not voting:		
Aker	Halcrow	Peterson, Bottin'au
Bubel	Johnson, Cass	Rohrer
Fitch	Johnson, Richland	Sandness
Forseth	Morland	Stair
Fuglestad	Mortenson	

So the bill passed as amended and the title was agreed to.

#### MESSAGE TO THE SENATE

House of Representatives  
Bismarck, February 12, 1943

Mr. President: I have the honor to return:

House Bill No. 66. A Bill for an Act to Amend and Re-enact Section 2 of Chapter 238, Session Laws of 1931, Providing for the Letting of Contracts to Furnish Vehicular Transportation to School Districts to the Lowest Bidder; Requiring a Bond; and Fixing the Qualifications of the Operators of Such Vehicles and the Requirements of Such Vehicle.

Which the Senate has requested.

W. M. SMART, Chief Clerk.

#### SECOND READING OF HOUSE BILLS

House Bill No. 91. A Bill for an Act Relating to Taxation in School Districts, Providing That the Voters of School District May Authorize Levies in Excess of the Legal Limitations for Certain Periods, and Providing for the Time and Manner of Holding Such Elections, and Repealing That Portion of Section 13 of Chapter 235 of the Session Laws for North Dakota for 1929 Relating to School Districts, and All Other Acts or Parts of Acts in Conflict Herewith.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 100; nays, 0; absent and not voting, 13.

Those voting in the affirmative were:

Aker	Haag	Nystrom
Allen, Grand Forks	Halcrow	Ohnstad
Allen, Pierce	Halvorson	Olson, Barnes
Anderson	Haugen	Olson, Bowman
Arndt	Haugland	Ostgulen
Bagge	Heckman	Peterson, Ransom
Bauer	Hegge	Pyle
Baumgartner	Hildre	Rettke
Belzer	Hofstrand	Rohde
Benno	Hogboom	Runck
Bergesen	Holm	Sailer
Bjella	Hovey	Saumur
Blair	Iszler	Schmalenberger
Bolmeier	Jennings	Schnell
Boulden	Johnson, Rolette	Schwartz
Braun	Kolpin	Sellens
Bubel	Langley	Sharpe
Burau	Larson, Ward	Shure
Bymers	Larson, Wells	Starck
Callahan	Leet	Sticka
Carlson	Levin	Stormon



Coghlan	Lillehaugen	Tuff
Collette	Lunde	Twichell
Crockett	Manstrom	Wambheim
Dahlen	Marks	Welder
Dalzell	McInnes	Welk
Devlin	Mittag	Westby
Drovdal	Moe	Williams, Richland
Ekren	Mollet	Williams, Sargent
Falconer	Monson	Williams, Stutsm'n
Fleck	Morrison	Wolf, McIntosh
Fraser	Myers	Wolf, Morton
Gackle	Nelson	Mr. Speaker
Graham		
Absent and not voting:		
Fitch	Johnson, Richland	Rohrer
Forseth	Morland	Sandness
Fuglestad	Mortenson	Severson
Gainor	Peterson, Bottin'au	Stair
Johnson, Cass		

So the bill passed and the title was agreed to.

Rep. Bergesen moved that the vote by which House Bill No. 91 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 140. A Bill for an Act to Amend and Re-enact Section 4398, of the 1925 Supplement Relating to the Residence Requirements for Dissolution of Marriage and Declaring an Emergency.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 98; nays, 0; absent and not voting, 15.

Those voting in the affirmative were:

Aker	Haag	Nystrom
Allen, Grand Forks	Halcrow	Ohnstad
Allen, Pierce	Halvorson	Olson, Barnes
Anderson	Haugen	Olson, Bowman
Arndt	Haugland	Ostgulen
Bagge	Heckman	Peterson, Ransom
Bauer	Hegge	Pyle
Baumgartner	Hildre	Rettke
Belzer	Hofstrand	Rohde
Benno	Hogoboom	Runck
Bergesen	Holm	Sailer
Bjella	Hovey	Sandness
Blair	Iszler	Schmalenberger
Bolmeier	Jennings	Schnell
Boulden	Johnson, Rolette	Schwartz
Braun	Kolpin	Sharpe
Bubel	Langley	Shure
Bureau	Larson, Ward	Starck
Bymers	Larson, Wells	Sticka
Callahan	Leet	Stormon
Carlson	Levin	Tuff
Coghlan	Lillehaugen	Twichell
Collette	Lunde	Wambheim
Crockett	Manstrom	Welder
Dahlen	Marks	Welk
Devlin	McInnes	Westby

Drovdal	Mittag	Williams, Richland
Ekren	Moe	Williams, Sargent
Falconer	Mollet	Williams, Stutsm'n
Fleck	Monson	Wolf, McIntosh
Fraser	Morrison	Wolf, Morton
Gackle	Myers	Mr. Speaker
Graham	Nelson	
Absent and not voting:		
Dalzell	Johnson, Cass	Rohrer
Fitch	Johnson, Richland	Saumur
Forseth	Morland	Sellens
Fuglestad	Mortenson	Severson
Gainor	Peterson, Bottin'au	Stair

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

Rep. Bergesen moved that further action on House Bill No. 68 be deferred until after 2:00 o'clock P. M. Monday, which motion prevailed.

House Bill No. 150. A Bill for an Act to Amend and Re-enact Section 1 of Chapter 207, Session Laws of 1935, as Amended by Section 1 of Chapter 209, Session Laws of 1941, Relating to Refunding Special Improvement Warrants, Validating Proceedings Heretofore Taken for Such Refunding and Warrants Issued Thereunder, 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, 103; nays, 0; absent and not voting, 10.

Those voting in the affirmative were:

Aker	Halcrow	Ohnstad
Allen, Grand Forks	Halvorson	Olson, Barnes
Allen, Pierce	Haugen	Olson, Bowman
Anderson	Haugland	Ostgulen
Arndt	Heckman	Peterson, Ransom
Bagge	Hegge	Pyle
Bauer	Hildre	Rettke
Baumgartner	Hofstrand	Rohde
Belzer	Hogoboom	Runck
Benno	Holm	Sailer
Bergesen	Hovey	Sandness
Bjella	Iszler	Schmalenberger
Blair	Jennings	Schnell
Bolmeier	Johnson, Rolette	Schwartz
Boulden	Kolpin	Sellens
Braun	Langley	Severson
Bubel	Larson, Ward	Sharpe
Burau	Larson, Wells	Shure
Bymers	Leet	Stair
Callahan	Levin	Starck
Carlson	Lillehaugen	Sticka
Coghlan	Lunde	Stormon
Collette	Manstrom	Tuff
Crockett	Marks	Twichell
Dahlen	McInnes	Wambheim
Dalzell	Mittag	Welder
Devlin	Moe	Welk

Drovdal	Mollet	Westby
Ekren	Monson	Williams, Richland
Falconer	Morrison	Williams, Sargent
Fleck	Morland	Williams, Stutsm'n
Gackle	Myers	Wolf, McIntosh
Gainor	Nelson	Wolf, Morton
Graham	Nystrom	Mr. Speaker
Haag		
Absent and not voting:		
Fitch	Johnson, Cass	Peterson, Bottin'au
Forseth	Johnson, Richland	Rohrer
Fraser	Mortenson	Saumur
Fuglestad		

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

Rep. Bergeson moved that the rules be suspended and that the House proceed to vote on House Bill No. 49, the second reading of the same being now completed.

Rep. Graham seconded the motion, which motion prevailed.

The Speaker called Rep. Twichell to the Chair so that he could be in the Chair when the Roll was called on the final passage of House Bill No. 49, the Revised Code of North Dakota for 1943.

Rep. Twichell was here in the Legislature, he was not a member but was present, in 1895 when the last Revised Code of North Dakota was adopted. In honor to our respected mentor and guide and for whom we have the greatest respect, I feel it is a privilege to have him in the Chair and place before him the final passage of our new Code.

#### SECOND READING OF HOUSE BILLS

House Bill No. 49. A Bill for an Act for the Adoption of the Revised Code of North Dakota for 1943, Consisting of Sixty-five Titles, as a Complete Body of Laws, and Repealing All Laws Not Specifically Excepted.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 102; nays, 0; absent and not voting, 11.

Those voting in the affirmative were:

Allen, Pierce	Haugen	Olson, Barnes
Arndt	Heckman	Olson, Bowman
Bagge	Hegge	Ostgulen
Bauer	Halcrow	Peterson, Ransom
Baumgartner	Haugland	Pyle
Benno	Hildre	Rettke
Belzer	Hofstrand	Rohde
Bergesen	Hogoboom	Runck
Bjella	Holm	Sailer
Blair	Hovey	Sandness
Bolmeier	Iszler	Saumur
Braun	Jennings	Schwartz
Bubel	Johnson, Rolette	Schmalenberger
Burau	Kolpin	Schnell
Bymers	Larson, Ward	Sellens
Callahan	Larson, Wells	Severson

Carlson	Langley	Sharpe
Coghlan	Leet	Shure
Collette	Levin	Stair
Crockett	Lillehaugen	Starck
Dahlen	Lunde	Sticka
Dalzell	McInnes	Stormon
Devlin	Manstrom	Tuff
Drovdal	Marks	Twichell
Ekren	Mittag	Wambheim
Falconer	Moe	Welder
Fleck	Mollet	Welk
Fraser	Monson	Westby
Fuglestad	Morland	Williams, Richland
Gackle	Morrison	Williams, Sargent
Gainor	Myers	Williams, Stutsm'n
Graham	Nelson	Wolf, McIntosh
Haag	Nystrom	Wolf, Morton
Halvorson	Ohnstad	Mr. Speaker
Absent and not voting:		
Aker	Fitch	Mortenson
Allen, Grand Forks	Forseth	Peterson, Bottin'au
Anderson	Johnson, Cass	Rohrer
Boulden	Johnson, Richland	

So the bill passed and the title was agreed to.

Mr. Speaker moved that the vote by which House Bill No. 49 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Rep. Fleck requested that the House revert to the seventh order of business, which request was granted.

Rep. Fleck moved that an extension of time be granted on House Bill No. 108, which motion prevailed.

Rep. Levin moved that an extension of time be granted on House Bill No. 117 and House Bill No. 156, which motion prevailed.

Rep. Drovdal moved that the absent members be excused, which motion prevailed.

Rep. Saumur moved that the House do now adjourn, which motion prevailed.

W. M. SMART, Chief Clerk.

## FORTIETH DAY

Bismarck, February 13, 1943

The House convened at 2:00 o'clock p. m., pursuant to adjournment, Speaker Beede presiding.

Prayer was offered by Rev. Paul G. Hayes.

Roll call: All members were present except Reps. Baumgartner, Fitch, Forseth, Johnson of Cass, Johnson of Richland, Monson and Mortenson.

## MESSAGES TO THE SENATE

House of Representatives -

Bismarck, February 13, 1943

Mr. President: I have the honor to transmit:

House Bill No. 49. A Bill for an Act for the Adoption of the Revised Code of North Dakota for 1943, Consisting of Sixty-five Titles, as a Complete Body of Laws, and Repealing All Laws Not Specifically Excepted.

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

W. M. SMART, Chief Clerk.

House of Representatives

Bismarck, February 13, 1943

Mr. President: I have the honor to transmit:

House Bill No. 7. A Bill for an Act Making an Appropriation for the Crippled Children's School at Jamestown, 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. 13. 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.

House Bill No. 18. 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. 19. 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. 20. 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. 21. 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. 22. A Bill for an Act Making an Appropriation for St. John's Orphanage of Fargo, North Dakota, Providing the Methods of Expenditure and Audit Thereof; Supervision and Inspection Therefor.

House Bill No. 83. A Bill for an Act to Equalize Taxation and Replace in Part the Tax on Property; to Provide the Public Revenue to Be Used for Such Replacement by Imposing a Tax on the Gross Receipts from Retail Sales as Defined Herein; to Provide for the Collection of Such Tax, the Distribution and Use of the Revenue Derived Therefrom, and the Administration of Said Law; to Provide for Certain Deductions and Exemptions; Establishing a Lien for the Payment of Such Tax; to Fix Fines and Penalties for the Violation of the Provisions of This Act; to Repeal All Laws or Parts of Laws in Conflict Herewith, and Declaring an Emergency.

House Bill No. 91. A Bill for an Act Relating to Taxation in School Districts, Providing That the Voters of School District May Authorize Levies in Excess of the Legal Limitations for Certain Periods, and Providing for the Time and Manner of Holding Such Elections, and Repealing That Portion of Section 13 of Chapter 235 of the Session Laws for North Dakota for 1929 Relating to School Districts, and All Other Acts or Parts of Acts in Conflict Herewith.

House Bill No. 100. A Bill for an Act Creating a Veterans' Post-War Rehabilitation Reserve Fund, and Providing for the Transfer of Monies Thereto and for the Maintenance and Investment Thereof.

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

W. M. SMART, Chief Clerk.

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

Mr. Speaker: Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the Continuation of the Thirty-eighth Day and the Thirty-ninth Day and finds the same correct.

And recommends that the same be approved.

REP. WELDER, Chairman.

Rep. Holm moved that the report be adopted, which motion prevailed and the report was adopted.

#### MESSAGES FROM THE SENATE

Senate Chamber

Bismarck, February 13, 1943

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 41. A Bill for an Act to Amend and Re-enact Section 988 of the Compiled Laws of the State of North Dakota for the Year of 1913, as Amended and Re-enacted by Chapter 201 of the 1923 Session Laws and Chapter 132 of the 1925 Session Laws, Relating to the Disability of Electors in Marking Their Ballots.

Senate Bill No. 84. A Bill for an Act to Amend and Re-enact Section 3276 of the Compiled Laws of North Dakota

for 1913 Relating to Supervision of Fiscal Affairs by the County Commissioners, and Repealing All Acts or Parts of Acts in Conflict Herewith.

Senate Bill No. 85. A Bill for an Act Requiring the Numbering of Forms by the Printer, Prescribing a Penalty for the Violation of the Act, and Repealing All Acts or Parts of Acts in Conflict Herewith.

Senate Bill No. 86. A Bill for an Act Requiring Verification of Cash and Bank Balances in Hands of County Treasurer, and Repealing All Acts or Parts of Acts in Conflict Herewith.

Senate Bill No. 87. A Bill for an Act to Amend and Re-enact Section 2079b9 of the 1925 Supplement to the Compiled Laws of North Dakota for 1913, Relating to Records of Local Bond Issues, and Repealing All Acts or Parts of Acts in Conflict Herewith.

Senate Bill No. 88. A Bill for an Act to Amend and Re-enact Subsection (e) of Section 1 of Chapter 279 of the Session Laws of North Dakota for 1931, the Same Being an Amendment of Section 2166 of the Compiled Laws of North Dakota for 1913 as Amended and Re-enacted by Section 3 of Chapter 241 of the Session Laws of North Dakota for 1929, as Further Amended by Chapter 279 of the Session Laws of North Dakota for 1941, Relating to the Collection of Personal Property Taxes by the County Sheriff, and Repealing All Acts or Parts of Acts in Conflict Herewith.

Senate Bill No. 89. A Bill for an Act to Amend and Re-enact Section 2159 of the Compiled Laws of North Dakota for 1913, Relating to the Records of the County Treasurer, and Repealing All Acts or Parts of Acts in Conflict Herewith.

Senate Bill No. 90. A Bill for an Act to Amend and Re-enact Sections 3369 and 3370 of the Compiled Laws of North Dakota for 1913, Relating to County Warrant Procedures, and Repealing Section 3289 of the Compiled Laws of North Dakota for 1913 and All Acts or Parts of Acts in Conflict Herewith.

Senate Bill No. 91. A Bill for an Act to Establish the Responsibility of the County Treasurer, and Requiring Him to Make an Annual Settlement of His Tax List and to Make an Annual Report, and Repealing Sections 3342 and 3343 of the Compiled Laws of 1913.

Senate Bill No. 92. A Bill for an Act to Amend and Re-enact Section 3267 of the Compiled Laws of North Dakota for 1913, Relating to the Duties of the Chairman of the Board of County Commissioners and Repealing All Acts or Parts of Acts in Conflict Herewith.

Senate Bill No. 93. A Bill for an Act to Amend and Re-enact Section 3349 of the Compiled Laws of North Dakota for 1913, Relating to the Treasurer's Record of Warrants Paid, and Repealing All Acts in Conflict Herewith.

Senate Bill No. 94. A Bill for an Act to Amend and Re-enact Section 3367 of the Compiled Laws of North Dakota for 1913 and Repealing Section 2161 of the Compiled Laws of North Dakota for 1913, Both Sections Relating to the Duties of the County Auditor.

Senate Bill No. 106. A Bill for an Act to Provide Revenue

for the Enforcement of the North Dakota Cosmetic Act; to Prevent Adulteration and Misbranding of Cosmetics; to Provide for Registration and Licensing Thereof; and to Provide Penalties for Violation Thereof.

Senate Bill No. 109. A Bill for an Act to Amend and Re-enact Section 3271 of the Compiled Laws of North Dakota for 1913, Relating to the Record of Proceedings of the Board of County Commissioners, and Repealing All Acts in Conflict Therewith.

Senate Bill No. 110. A Bill for an Act to Amend and Re-enact Section 2157 of the Compiled Laws of North Dakota of the Year 1913 as Amended by Chapter 228 of the Session Laws of 1929 Relating to the Issuance of Tax Receipts and the Form Thereof.

Senate Bill No. 111. A Bill for an Act to Amend and Re-enact Section 2180 of the Compiled Laws of North Dakota for 1913, Relating to the Duties of the County Treasurer, and Repealing All Acts or Parts of Acts in Conflict Therewith.

Senate Bill No. 112. A Bill for an Act to Amend and Re-enact Section 2160 of the Compiled Laws of North Dakota of the Year 1913 Relating to Issuance of Receipts.

Senate Bill No. 113. A Bill for an Act to Amend and Re-enact Section 2174 (a) and (b) of the Compiled Laws of North Dakota for 1913 as Amended by Chapter 242 of the Session Laws of 1929, Relating to Delinquent Personal Taxes and Repealing Section 2174 (c) of the Compiled Laws of North Dakota for 1913 and All Acts or Parts of Acts in Conflict Therewith.

Senate Bill No. 117. A Bill for an Act Amending and Re-enacting Subdivisions (a), (b) and (c) of Section 4 of Chapter 235 of the Session Laws of North Dakota for 1929, as Amended and Re-enacted by Section 1 of Chapter 288 of the Session Laws of North Dakota for 1941, Relating to Limitations Upon the Rate of Tax Levies for General and Special County Purposes, and Providing for Exceptions to Such Limitations.

Senate Bill No. 193. A Bill for an Act to Amend and Re-enact Section 994 of the Compiled Laws of North Dakota, 1913, Providing for Preparing and Printing Absent Voter Ballots.

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

W. J. TROUT, Secretary.

Senate Chamber

Bismarck, February 13, 1943

Mr. Speaker: I have the honor to return:

House Bill No. 38. A Bill for an Act to Amend and Re-enact Sections 5631 and 5632 of the Compiled Laws of North Dakota for the Year 1913, as Amended by Chapter 236 of the Session Laws of 1941, Relating to Homestead Estate, Its Exemption from Debts and Declaring an Emergency.

House Concurrent Resolution "D." Memorializing the United States Senate Committee on Agriculture to Investigate Utilization of Manpower in Agriculture.



House Concurrent Resolution "E." Regarding the Manufacturing of Rubber from Agricultural Products.  
Which the President has signed.

W. J. TRÖUT, Secretary.

#### PETITIONS AND COMMUNICATIONS

A petition referring to sales tax and old age assistance, signed by forty-two citizens of the State of North Dakota, was read from the desk, which petition was referred to the Committee on Public Welfare.

#### MESSAGE FROM THE GOVERNOR

State of North Dakota

#### OFFICE OF THE GOVERNOR

Bismarck, February 12, 1943

To the House of Representatives of the State of North Dakota:

This is to notify you that I have today approved the following House bills:

House Bill No. 23. A Bill for an Act Making an Appropriation to the North Dakota Firemen's Association.

House Bill No. 39. A Bill for an Act to Amend and Re-enact Section 6 of Chapter 235 of the Session Laws of the State of North Dakota for the Year 1929 as Amended by Chapter 176 of the Session Laws of 1939 and Further Amended by Chapter 206 of the Session Laws of 1941, Relating to Park District Tax Levies and Providing a Method for Raising Money by the Park District for Specific Purposes in Excess of the Amount Allowed by Law and Providing for a Levy by Park Districts Owning and Maintaining Airports, Purchasing or Acquiring Lands for Airports and for Operating and Maintaining the Same.

House Bill No. 41. A Bill for an Act to Provide for the Completion of Code Revision by the Code Revision Commission, Reappropriating Moneys Heretofore Appropriated, Making an Additional Appropriation and Declaring an Emergency.

House Bill No. 54. A Bill for an Act to Amend and Re-enact Section 26 of Chapter 148 of the Session Laws of 1931 as Amended by Chapter 157 of the Session Laws of 1941; Providing for Permits and Fees.

And the same have been filed with the Secretary of State.

JOHN MOSES, Governor.

#### REPORTS OF STANDING COMMITTEES

Mr. Speaker: Your Committee on Counties to whom was referred House Bill No. 125, have had the same under consideration and recommend that the same do pass.

REP. ROHDE, Chairman.

Rep. Holm moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Livestock to whom was referred House Bill No. 167, have had the same under consideration and recommend that the same do pass.

REP. HALVORSON, Chairman.

Rep. Hofstrand moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Livestock to whom was referred House Bill No. 168, have had the same under consideration and recommend that the same do pass.

REP. HALVORSON, Chairman.

Rep. Hofstrand moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Education to whom was referred House Bill No. 171, have had the same under consideration and recommend that the same do pass.

REP. HOFSTRAND, Chairman.

Rep. Langley moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Education to whom was referred House Bill No. 189, have had the same under consideration and recommend that the same be amended as follows:

In line 3 of the title strike out the words "high schools and".

In line 1 of the bill strike out the words "high schools and".

In line 6 of the bill strike out the last word "high" and in line 7 strike out the words "schools and".

In line 10 of the bill strike out the words "schools and".

And when so amended recommend the same do pass.

REP. HOFSTRAND, Chairman.

Rep. Haugen moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Education to whom was referred House Bill No. 175, have had the same under consideration and recommend that the same do pass.

REP. HOFSTRAND, Chairman.

Rep. Welder moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Cities and Municipal Corporations to whom was referred House Bill No. 192, have had the same under consideration and recommend that the same do pass.

REP. WOLF OF MORTON, Chairman.

Rep. Olson of Barnes moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Cities and Municipal Corporations to whom was referred House Bill No. 179, have had the same under consideration and recommend that the same be indefinitely postponed.

REP. WOLF OF MORTON, Chairman.

Rep. Heckman moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Public Safety to whom was referred Senate Bill No. 50, have had the same under consideration and recommend that the same do pass.

REP. SHARPE, Chairman.

Rep. Lunde moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Tax and Tax Laws to whom was referred House Bill No. 201, have had the same under consideration and recommend that the same do pass.

REP. McINNES, Chairman.

Rep. Myers moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Game and Fish to whom

was referred Senate Bill No. 55, have had the same under consideration and recommend that the same do pass.

REP. BENNO, Chairman.

Rep. Williams of Sargent moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Temperance to whom was referred House Bill No. 205, have had the same under consideration and recommend that the same do pass.

REP. WILLIAMS OF RICHLAND, Chairman.

Rep. Dahlen moved that the report be adopted, which motion prevailed and the report was adopted.

The Speaker announced that action on House Bill No. 224 would be deferred until Monday because of the fact the bill had not yet been printed.

#### HOUSE COMMITTEE ON ENROLLMENT AND ENGROSSMENT

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

House Bill No 77.

And find the same correctly Engrossed.

REP. MORLAND, Chairman.

Rep. Moe moved that the report be adopted, which motion prevailed, and the report was adopted.

#### HOUSE COMMITTEE ON ENROLLMENT AND ENGROSSMENT

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

House Bill No. 119.

House Bill No. 127.

House Bill No. 126.

House Bill No. 86.

House Bill No. 139.

House Bill No. 136.

House Bill No. 107.

House Bill No. 64.

House Bill No. 84.

And find the same correctly Engrossed.

REP. MORLAND, Chairman.

Rep. Stair moved that the report be adopted, which motion prevailed, and the report was adopted.

Rep. Rohde moved that the vote by which Senate Bill No. 59 was indefinitely postponed be reconsidered, which motion prevailed.

Rep. Rohde moved that Senate Bill No. 59 be re-referred to the Committee on Judiciary, which motion prevailed.

Rep. Blair requested permission of the House to withdraw House Bill No. 194, which motion prevailed.

Rep. Graham: Attention has been called to the fact that there was a misspelling of one word in the original copy of House Concurrent Resolution "D", in that the word "Dairy" was spelled "Diary". The enrolled bill with the word properly spelled has already been signed and sent to the Governor. In order to correct the records I would move that the rules be suspended and that the permanent journal show that the Senate

amendment correcting this misspelling was properly concurred in by the House and the Resolution re-engrossed and adopted as amended before the final enrollment of said Resolution.

Rep. Morland moved that the permanent journal be corrected by substituting the word "No" for the word "Aye" in line 20 on page 357, which motion prevailed.

#### SIGNING OF BILLS

The Chief Clerk announced that the Speaker was about to sign the following bills; immediately before signing each bill the title was publicly read.

Senate Bill No. 49.

Senate Bill No. 24.

And the Speaker signed each of the above bills in the presence of the House.

#### REPORTS OF STANDING COMMITTEES

Mr. Speaker: Your Committee on Agriculture to whom was referred Senate Bill No. 67, have had the same under consideration and recommend that the same be amended as follows:

In line 5, after the word "Dakota", strike out the period and insert a comma, and add the following words, "except where such land is being cleared for the purpose of plowing it up for agricultural purposes".

And when so amended recommend the same do pass.

REP. OLSON OF BOWMAN, Chairman.

Rep. Dalzell moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Agriculture to whom was referred House Bill No. 135, have had the same under consideration and recommend that the same be amended as follows:

In the title strike out the following words, "said original section so amended and".

And when so amended recommend the same do pass.

REP. OLSON OF BOWMAN, Chairman.

Rep. Gainor moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Agriculture to whom was referred House Concurrent Resolution "N," have had the same under consideration and recommend that the same be indefinitely postponed.

REP. OLSON OF BOWMAN, Chairman.

Rep. Gainor moved that the report be adopted.

Rep. Rohde offered as a substitute motion that House Concurrent Resolution "N" be adopted, which motion prevailed.

Rep. Rohde moved that the vote by which House Concurrent Resolution "N" was adopted be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

#### MESSAGE TO THE SENATE

House of Representatives  
Bismarck, February 13, 1943

Mr. President: I have the honor to return:

Senate Bill No. 24. A Bill for an Act Authorizing the

Board of Administration to Sell and Convey to the Baptist Old People's Home, a North Dakota Corporation, a Certain Tract in the Southeast Corner of the Capitol Grounds.

Senate Bill No. 49. A Bill for an Act Assessing and Levying from July 1, 1943, to July 1, 1945, on All Licensed Dealers of Motor Vehicle Fuels, a Special Additional License Tax of One Cent Per Gallon on 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 on the State Highway Fund for specific Purposes; Making All Provisions of Initiated Measure Approved June 30, 1926, and Amendments Thereto and Known as the "Motor Vehicle Fuel Tax Law," Other Than Division of Proceeds Between the State and Counties and Other Than for Costs of Administration and Collection of Other Than Penalties for Violation Applicable to Said Special License Tax; Providing for Exemption of Motor Vehicle Fuels Sold and Used for Agricultural and Industrial Purposes; and Fixing Fines and Penalties for the Violation of the Provisions of This Act.

Which the Speaker has signed.

W. M. SMART, Chief Clerk.

Mr. Speaker: Your Committee on Military Affairs to whom was referred House Bill No. 162, have had the same under consideration and recommend that the same do pass.

REP. FALCONER, Chairman.

Rep. Dahlen moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Military Affairs to whom was referred House Bill No. 124, have had the same under consideration and recommend that the same do pass.

REP. FALCONER, Chairman.

Rep. Welk moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Military Affairs to whom was referred House Bill No. 123, have had the same under consideration and recommend that the same do pass.

REP. FALCONER, Chairman.

Rep. Starck moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Military Affairs to whom was referred House Bill No. 101, have had the same under consideration and recommend that the same be amended as follows:

In the title of the bill strike out the period, insert a comma and add "and declaring an emergency."

On page 2, Section 2, line 23 after the word "members" insert the following:

"consisting of the Governor, Attorney General, Commissioner of Agriculture and Labor and twelve other members,". Put a period after the word, "Governor" and strike out the words, "and to serve at the pleasure of the Governor."

At the end of Section 2 and as a part thereof insert the following:

"The Council shall hold meetings as often as may be necessary. Each member of the Council shall be notified of said meeting by letter at least five days before the date thereof."

On page 4, Section 3, insert paragraph "h" as follows:

"h. To perform all duties authorized by the Governor under the laws, the constitution, and war powers."

On page 4, Section 4, line 78 strike out the first word "any" and insert "or".

On page 4, Section 4 strike out all of paragraph of "b".

On page 5, Section 4 strike out all of paragraph "c".

On page 8, Section 11, line 172 strike out the words "Forty Thousand (\$40,000.00) Dollars" and insert the following: "Twenty Thousand (\$20,000.00) Dollars per annum beginning at the approval of this Act."

And when so amended recommend the same do pass.

REP. FALCONER, Chairman.

Rep. Rettke moved that the report be adopted, which motion prevailed and the report was adopted.

Rep. Morland asked unanimous consent to amend House Bill No. 119, which consent was granted.

Rep. Morland moved that House Bill No. 119 be amended by changing the spelling of the word "Sudon" on line 36 to read: "Sudan", which motion prevailed.

Rep. Morland moved that the rules be suspended and House Bill No. 119 be considered properly re-engrossed and placed on second reading and final passage, which motion prevailed.

SECOND READING OF HOUSE BILLS

House Bill No. 119. A Bill for an Act to Amend and Re-enact Sections 189b3, 189b5, 189b9, 189b15, of the 1925 Supplement to the Compiled Laws of the State of North Dakota for the Year 1913, as Amended by Chapter 137, Session Laws of North Dakota for 1933, Relating to the Operation of the State Hail Insurance Department, Defining the Duties of the Commissioner of Insurance, Defining the Crops to Be Insured, Relating to the Duty of Assessors, and the Indemnity to Be Paid for Hail Insurance Losses, 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, 70; nays, 29; absent and not voting, 14.

Those voting in the affirmative were:

Allen, Grand Forks	Haag	Olson, Barnes
Allen, Pierce	Halcrow	Olson, Bowman
Anderson	Halvorson	Ostgulen
Bagge	Haugen	Peterson, Bottin'au
Bauer	Haugland	Rohde
Belzer	Heckman	Rohrer
Bergesen	Iszler	Sailer
Bjella	Kolpin	Schmalenberger
Bubel	Larson, Ward	Schnell
Burau	Larson, Wells	Severson
Bymers	Leet	Stair
Callahan	Levin	Starck
Carlson	Lillehaugen	Sticka
Crockett	Lunde	Stormon
Dahlen	Marks	Tuff
Devlin	Mittag	Welder
Drovdal	Mollet	Welk

Ekren	Morland	Williams, Richland
Falconer	Morrison	Williams, Sargent
Fraser	Myers	Williams, Stutsm'n
Fuglestad	Nelson	Wolf, McIntosh
Gackle	Nystrom	Wolf, Morton
Gainor	Ohnstad	Mr. Speaker
Graham		

Those voting in the negative were:

Aker	Hegge	Rettke
Arndt	Hildre	Runck
Blair	Hogoboom	Sandness
Bolmeier	Holm	Saumur
Boulden	Jennings	Sellens
Braun	Johnson, Rolette	Sharpe
Coghlan	Langley	Shure
Collette	Manstrom	Twichell
Dalzell	Moe	Westby
Fleck	Peterson, Ransom	

Absent and not voting:

Baumgartner	Hovey	Mortenson
Benno	Johnson, Cass	Pyle
Fitch	Johnson, Richland	Schwartz
Forseth	McInnes	Wambheim
Hofstrand	Monson	

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

Rep. Starck moved that the vote by which House Bill No. 119 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 127. A Bill for an Act to Amend and Re-enact Sections 18, 19, and 20 of Chapter 286 of the 1941 Session Laws, Relating to the Terms of Private Sale and Redemption and Repurchase of County Tax Deed Land, Distribution of the Proceeds, Rights of Owner to Repurchase, Disposition of Rental and Landlord's Share of the Crop, Time of Assessment for Taxation, and Declaring an Emergency.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 98; nays, 1; absent and not voting, 14.

Those voting in the affirmative were:

Aker	Haag	Ohnstad
Allen, Grand Forks	Halcrow	Olson, Barnes
Allen, Pierce	Halvorson	Olson, Bowman
Anderson	Haugen	Ostgulen
Arndt	Haugland	Peterson, Bottin'au
Bagge	Heckman	Peterson, Ransom
Bauer	Hegge	Rettke
Belzer	Hildre	Rohde
Benno	Hofstrand	Rohrer
Bergesen	Hogoboom	Runck
Bjella	Holm	Sailer
Blair	Hovey	Sandness
Boulden	Iszler	Saumur
Braun	Jennings	Schmalenberger
Bubel	Johnson, Rolette	Schnell
Bureau	Kolpin	Sellens

Bymers	Langley	Severson
Callahan	Larson, Ward	Sharpe
Carlson	Larson, Wells	Shure
Collette	Leet	Starck
Coghlan	Levin	Sticka
Crockett	Lillehaugen	Stormon
Dalzell	Lunde	Tuff
Devlin	Manstrom	Twichell
Drovdal	Marks	Welder
Ekren	Mittag	Welk
Falconer	Moe	Williams, Richland
Fleek	Mollet	Williams, Sargent
Fraser	Morland	Williams, Stutsm'n
Fuglestad	Morrison	Wolf, McIntosh
Gackle	Myers	Wolf, Morton
Gainor	Nelson	Mr. Speaker
Graham	Nystrom	

Those voting in the negative were:

Bolmeier

Absent and not voting:

Baumgartner	Johnson, Richland	Schwartz
Dahlen	McInnes	Stair
Fitch	Monson	Wambheim
Forseth	Mortenson	Westby
Johnson, Cass	Pyle	

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

Rep. Rohde moved that the vote by which House Bill No. 127 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 126. A Bill for an Act to Amend and Re-enact Section 2 of Chapter 237 of the 1939 Session Laws, Relating to the Terms of Lease by Counties of Real Property Acquired by Tax-Deed, and Declaring an Emergency.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 94; nays, 0; absent and not voting, 19.

Those voting in the affirmative were:

Aker	Haag	Ohnstad
Allen, Grand Forks	Halcrow	Olson, Barnes
Allen, Pierce	Haugen	Olson, Bowman
Anderson	Haugland	Ostgulen
Arndt	Heckman	Peterson, Bottin'au
Bauer	Hegge	Peterson, Ransom
Belzer	Hildre	Rettke
Benno	Hofstrand	Rohde
Bergesen	Hogoboom	Rohrer
Bjella	Holm	Runk
Blair	Iszler	Sailer
Bolmeier	Jennings	Saumur
Boulden	Johnson, Rolette	Schmalenberger
Braun	Kolpin	Schnell
Bubel	Langley	Sellens
Bureau	Larson, Ward	Severson
Bymers	Larson, Wells	Sharpe
Callahan	Leet	Shure



Carlson	Levin	Starck
Collette	Lillehaugen	Sticka
Coghlan	Lunde	Stormon
Crockett	Manstrom	Tuff
Dalzell	Marks	Twichell
Devlin	Mittag	Welder
Drovdal	Moe	Welk
Ekren	Mollet	Williams, Richland
Falconer	Morland	Williams, Sargent
Fleck	Morrison	Williams, Stutsm'n
Fuglestad	Myers	Wolf, McIntosh
Gackle	Nelson	Wolf, Morton
Gainor	Nystrom	Mr. Speaker
Graham		

## Absent and not voting:

Bagge	Hovey	Pyle
Baumgartner	Johnson, Cass	Sandness
Dahlen	Johnson, Richland	Schwartz
Fitch	McInnes	Stair
Forseth	Monson	Wambheim
Fraser	Mortenson	Westby
Halvorson		

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

Rep. Bauer: "Since Mr. Callahan's name is on that bill it's O. K. and I'll vote 'Aye'."

House Bill No. 86. A Bill for an Act to Amend and Re-enact Section 10248 of the 1925 Supplement to the 1913 Compiled Laws of North Dakota Relating to the Removal, Concealing, Selling or Disposing of Chattels Subject to Liens.

Was read the 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, 69; absent and not voting, 14.

Those voting in the affirmative were:

Anderson	Crockett	Mollet
Belzer	Drovdal	Morrison
Bergesen	Gackle	Nelson
Blair	Gainor	Nystrom
Bolmeier	Graham	Ohnstad
Boulden	Haugland	Ostgulen
Bymers	Hofstrand	Rohrer
Callahan	Iszler	Severson
Coghlan	Leet	Tuff
Collette	Marks	Wambheim

Those voting in the negative were:

Aker	Heckman	Peterson, Ransom
Allen, Grand Forks	Hegge	Rettke
Allen, Pierce	Hildre	Rohde
Arndt	Hogoboom	Runk
Bagge	Holm	Sailer
Bauer	Jennings	Saumur
Benno	Johnson, Rolette	Schmalenberger
Bjella	Kolpin	Schnell
Braun	Langley	Sellens
Bubel	Larson, Ward	Sharpe
Burau	Larson, Wells	Shure

Carlson	Levin	Stair
Dalzell	Lillehaugen	Starck
Devlin	Lunde	Sticka
Ekren	Manstrom	Stormon
Falconer	McInnes	Twichell
Fleck	Mittag	Welder
Fraser	Moe	Welk
Fuglestad	Morland	Williams, Sargent
Haag	Myers	Williams, Stutsm'n
Halcrow	Olson, Barnes	Wolf, McIntosh
Halvorson	Olson, Bowman	Wolf, Morton
Haugen	Peterson, Bottin'au	Mr. Speaker
Absent and not voting:		
Baumgartner	Johnson, Cass	Sandness
Dahlen	Johnson, Richland	Schwartz
Fitch	Monson	Westby
Forseth	Mortenson	Williams, Richland
Hovey	Pyle	

So the bill was declared lost.

Rep. Moe moved that the vote by which House Bill No. 86 was lost be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Rep. Bergesen moved that further action on House Bill No. 139 be deferred until after 2:00 o'clock p. m. Monday, which motion prevailed.

Rep. Sellens asked unanimous consent to amend House Bill No. 136, which consent was granted.

Rep. Sellens moved that House Bill No. 136 be amended by striking out the period at the end of the title, inserting a comma and adding the words, "and declaring an emergency."

And by adding to the body of the bill: "Section 2. This act is hereby declared to be an emergency measure and shall be in full force and effect from and after its passage and approval."

Which motion prevailed.

Rep. Sellens moved that the rules be suspended and House Bill No. 136 be considered properly re-engrossed and placed on second reading and final passage, which motion prevailed.

House Bill No. 136. A Bill for an Act to Amend and Re-enact Subsection 31 of Section 3514 of the 1913 Compiled Laws, Relating to the Fees to Be Charged by Sheriffs for Boarding Prisoners, and Declaring an Emergency.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 97; nays, 1; absent and not voting, 15.

Those voting in the affirmative were:

Aker	Haag	Olson, Barnes
Allen, Grand Forks	Halcrow	Olson, Bowman
Allen, Pierce	Halvorson	Ostgulen
Arndt	Haugen	Peterson, Bottin'au
Bagge	Haugland	Peterson, Ransom
Bauer	Heckman	Rettke
Belzer	Hegge	Rohde
Benno	Hildre	Rohrer
Bergesen	Hofstrand	Runck

Bjella	Hogoboom	Sandness
Blair	Holm	Saumur
Bolmeier	Iszler	Schmalenberger
Bouliden	Jennings	Schnell
Braun	Johnson, Rolette	Sellens
Bubel	Kolpin	Severson
Bureau	Langley	Sharpe
Bymers	Larson, Ward	Shure
Callahan	Larson, Wells	Stair
Carlson	Leet	Starck
Coghlan	Levin	Sticka
Collette	Lillehaugen	Stormon
Crockett	Lunde	Tuff
Dahlen	Manstrom	Twichell
Dalzell	Marks	Wambheim
Devlin	McInnes	Welder
Drovdal	Mittag	Welk
Ekren	Mollet	Westby
Falconer	Morland	Williams, Sargent
Fleck	Morrison	Williams, Stutsm'n
Fraser	Myers	Wolf, McIntosh
Fuglestad	Nyström	Wolf, Morton
Gainor	Ohnstad	Mr. Sneaker
Graham		

Those voting in the negative were:

Anderson

Absent and not voting:

Baumgartner	Johnson, Cass	Nelson
Fitch	Johnson, Richland	Pyle
Forseth	Moe	Sailer
Gackle	Monson	Schwartz
Hovey	Mortenson	Williams, Richland

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

Rep. Rohde moved that the vote by which House Bill No. 136 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

House Bill No. 107. A Bill for an Act to Amend and Re-enact Subsections 1 and 2 of Section 1, Chapter 273, Session Laws of North Dakota for the Year 1941; Providing for an Adjustment of Delinquent Taxes for 1939 and Prior Years, and Repealing All Acts or Parts of Acts in Conflict Therewith Including Certain Exceptions, and Declaring an Emergency.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 90; nays, 2; absent and not voting, 21.

Those voting in the affirmative were:

Aker	Halcrow	Ohnstad
Allen, Pierce	Halvorson	Olson, Bowman
Arndt	Haugen	Ostgulen
Bagge	Haugland	Peterson, Bottin'au
Bauer	Heckman	Peterson, Ransom
Belzer	Hegge	Rattke
Benno	Hildre	Rohde

Bergesen	Hofstrand	Rohrer
Bjella	Hogoboom	Runk
Blair	Holm	Sandness
Bolmeier	Iszler	Schmalenberger
Boulden	Jennings	Schnell
Braun	Johnson, Rolette	Sellens
Bubel	Kolpin	Severson
Burau	Langley	Sharpe
Bymers	Larson, Ward	Stair
Callahan	Larson, Wells	Starck
Carlson	Leet	Sticka
Coghlan	Levin	Stormon
Crockett	Lillehaugen	Tuff
Dahlen	Lunde	Twichell
Dalzell	Manstrom	Wambheim
Devlin	Marks	Welder
Drovdal	McInnes	Welk
Ekren	Mittag	Westby
Falconer	Mollet	Williams, Sargent
Fraser	Morland	Williams, Stutsm'n
Fuglestad	Morrison	Wolf, McIntosh
Graham	Myers	Wolf, Morton
Haag	Nelson	Mr. Speaker

Those voting in the negative were:

Allen, Grand Forks Shure

Absent and not voting:

Anderson	Gajnor	Nystrom
Baumgartner	Hovey	Olson, Barnes
Collette	Johnson, Cass	Pyle
Fitch	Johnson, Richland	Sailer
Fleck	Moe	Saumur
Forseth	Monson	Schwartz
Gackle	Mortenson	Williams, Richland

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

Rep. Twichell moved that the vote by which House Bill No. 167 was passed be reconsidered, and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 64. A Bill for an Act to Amend and Re-enact Chapter 109 of the Session Laws of 1941, by Providing a Penalty for Non-compliance 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, 93; nays, 0; absent and not voting, 20.

Those voting in the affirmative were:

Aker	Haag	Ohnstad
Allen, Grand Forks	Halcrow	Olson, Bowman
Allen, Pierce	Halvorson	Ostgulen
Arndt	Haugland	Peterson, Bottin'au
Bagge	Heckman	Peterson, Ransom
Bauer	Hegge	Rettke
Belzer	Hildre	Rohde
Bergesen	Hofstrand	Rohrer
Bjella	Hogoboom	Runk
Blair	Holm	Sandness
Bolmeier	Iszler	Saumur

Boulden	Jennings	Schmalenberger
Braun	Johnson, Rolette	Schnell
Bureau	Kolpin	Sellens
Bymers	Langley	Severson
Callahan	Larson, Ward	Sharpe
Carlson	Larson, Wells	Shure
Coghlan	Leet	Stair
Collette	Levin	Sticka
Crockett	Lillehaugen	Stormon
Dahlen	Lunde	Tuff
Dalzell	Manstrom	Twichell
Devlin	Marks	Wambheim
Drovdal	McInnes	Welder
Ekren	Mittag	Welk
Falconer	Moe	Westby
Fraser	Mollet	Williams, Sargent
Fuglestad	Morland	Williams, Stutsm'n
Gackle	Morrison	Wolf, McIntosh
Gainor	Myers	Wolf, Morton
Graham	Nelson	Mr. Speaker

## Absent and not voting:

Anderson	Haugen	Olson, Barnes
Baumgartner	Hovey	Pyle
Benno	Johnson, Cass	Sailer
Bubel	Johnson, Richland	Schwartz
Fitch	Monson	Starck
Fleck	Mortenson	Williams, Richland
Forseth	Nystrom	

So the bill passed as amended and the title was agreed to.

House Bill No. 84. A Bill for an Act Amending and Re-enacting Section 4 of Chapter 168 of the Laws of 1919 and Acts Amendatory Thereof, Pertaining to Salary of Clerical Help.

Was read the second time.

## ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 94; nays, 0; absent and not voting, 19.

Those voting in the affirmative were:

Aker	Halcrow	Olson, Bowman
Allen, Pierce	Haugland	Ostgulen
Anderson	Heckman	Peterson, Bottin'au
Arndt	Hegge	Peterson, Ransom
Bagge	Hildre	Rettke
Bauer	Hofstrand	Rohde
Belzer	Hogboom	Rohrer
Benno	Holm	Runck
Bergesen	Iszler	Sailer
Bjella	Jennings	Sandness
Blair	Johnson, Rolette	Saumur
Bolmeier	Kolpin	Schmalenberger
Braun	Langley	Sellens
Bureau	Larson, Ward	Severson
Bymers	Larson, Wells	Sharpe
Callahan	Leet	Shure
Carlson	Lillehaugen	Starck
Coghlan	Lunde	Stair
Collette	McInnes	Sticka

Crockett	Manstrom	Stormon
Dahlen	Marks	Tuff
Dalzell	Mittag	Twichell
Devlin	Moe	Wambheim
Drovdal	Mollet	Welder
Ekren	Morland	Welk
Falconer	Morrison	Westby
Fraser	Myers	Williams, Sargent
Fuglestad	Nelson	Williams, Stutsm'n
Gackle	Nystrom	Wolf, McIntosh
Gainor	Ohnstad	Wolf, Morton
Graham	Olson, Barnes	Mr. Speaker
Haag		

Absent and not voting:

Allen, Grand Forks	Halvorson	Monson
Baumgartner	Haugen	Mortenson
Boulden	Hovey	Pyle
Bubel	Johnson, Cass	Schnell
Fitch	Johnson, Richland	Schwartz
Fleck	Levin	Williams, Richland
Forseth		

So the bill passed as amended and the title was agreed to.

House Bill No. 122. A Bill for an Act Providing for Acknowledgments by Persons in Military or Naval Service, 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, 92; nays, 0; absent and not voting, 21.

Those voting in the affirmative were:

Aker	Halcrow	Olson, Bowman
Allen, Pierce	Haugland	Ostgulen
Anderson	Heckman	Peterson, Bottin'au
Arndt	Hegge	Peterson, Ransom
Bagge	Hildre	Rettke
Bauer	Hofstrand	Rohde
Belzer	Hogoboom	Runck
Benno	Holm	Sailer
Bergesen	Iszler	Sandness
Bjella	Jennings	Saumur
Blair	Johnson, Rolette	Schmalenberger
Bolmeier	Kolpin	Sellens
Braun	Langley	Severson
Burau	Larson, Ward	Sharpe
Bymers	Larson, Wells	Shure
Callahan	Leet	Stair
Carlson	Lillehaugen	Starck
Coghlan	Lunde	Sticka
Collette	Manstrom	Stormon
Crockett	Marks	Tuff
Dahlen	McInnes	Twichell
Dalzell	Mittag	Wambheim
Devlin	Moe	Welder
Drovdal	Mollet	Welk
Ekren	Morland	Westby
Falconer	Morrison	Williams, Sargent
Fraser	Myers	Williams, Stutsm'n

Fuglestad	Nelson	Wolf, McIntosh
Gackle	Nystrom	Wolf, Morton
Graham	Ohnstad	Mr. Speaker
Haag	Olson, Barnes	
Absent and not voting:		
Allen, Grand Forks	Gainor	Monson
Baumgartner	Halvorson	Mortenson
Boulden	Haugen	Pyle
Bubel	Hovey	Rohrer
Fitch	Johnson, Cass	Schnell
Fleck	Johnson, Richland	Schwartz
Forseth	Levin	Williams, Richland

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

#### FIRST READING OF SENATE BILLS

Senate Bill No. 5. A Bill for an Act Making an Appropriation for the Operation, Maintenance and Miscellaneous Expenses of the Poultry Improvement Board.

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

Senate Bill No. 54. A Bill for an Act Requiring and Compelling All Licensed Beer Dealers to Make Available Reports, Records, Books, Vouchers, and Other Pertinent Documents to the State Tax Commissioner; Providing for Examination; Providing Penalties for Delinquencies and for Violations.

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

Senate Bill No. 99. A Bill for an Act to Amend and Re-enact Section 4881a7 of the 1925 Supplement to the Compiled Laws of North Dakota, Relating to Incorporated Mutual Insurance Companies, and Declaring an Emergency.

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

Senate Bill No. 100. A Bill for an Act to Amend and Re-enact Section 5061 of the Compiled Laws of North Dakota for the Year 1913, Relating to the Government of Fraternal Benefit Societies, and Declaring an Emergency.

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

Senate Bill No. 101. A Bill for an Act to Amend and Re-enact Section 4863 of the 1925 Supplement to the Compiled Laws of North Dakota for the Year 1913, as Amended by Chapter 145 of the Session Laws of 1929, and Further Amended by Chapter 131 of the Session Laws of 1933, Relating to Capital Stock of Domestic and Other Insurance Companies, and Declaring an Emergency.

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

Senate Bill No. 102. A Bill for an Act to Amend and Re-enact Section 172 of the Compiled Laws of North Dakota for the Year 1913, Relating to the Duties of the Commissioner of Insurance, and Declaring an Emergency.

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

Senate Bill No. 103. A Bill for an Act to Amend and Re-enact Section 4870 of the Compiled Laws of North Dakota

for the Year 1913, Relating to the Organization of Domestic Mutual Life Insurance Companies, and Declaring an Emergency.

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

Senate Bill No. 116. A Bill for an Act to Amend and Re-enact Section 1178 of the Compiled Laws of 1913 Providing for the Employment and Dismissal of School Teachers, Their Qualifications, and Their Minimum Salaries.

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

Senate Bill No. 118. A Bill for an Act to Provide for the Method and Time for Renewing Contracts of Teachers, Principals, and Superintendents in the Public Schools of the State of North Dakota, and Providing for a Penalty for Violation of Teacher's Contract.

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

Senate Bill No. 136. A Bill for an Act to Limit the Time for Commencement of All Actions and Interposition of All Defenses and Counterclaims Grounded Upon Certain Defects in Proceedings for and Preliminary to Foreclosure of Real Estate Mortgages Where the Foreclosure Sales in Such Proceedings Were Had Prior to January 1st, 1943, and to Validate and Confirm Such Mortgage Foreclosure Sales.

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

Senate Bill No. 137. A Bill for an Act Providing for Acknowledgements by Persons Serving in or with the Armed Forces of the United States Within or Without the United States, and Validating Acknowledgements Made Since September 16, 1940 in Accordance with the Provisions of This Act and Declaring an Emergency.

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

Senate Bill No. 147. A Bill for an Act Making an Appropriation for the Purpose of Paying for Oleomargarine Stamps.

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

Senate Concurrent Resolution "R." In Appreciation for His Invaluable Services Rendered by the Honorable Fred B. Fancher in the Organization and Starting on Its Way, the Government of the State of North Dakota.

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

Senate Concurrent Resolution "S." For His Invaluable Services Rendered by the Honorable Henry M. Peterson, in the Organization and Starting on Its Way, the Government of the State of North Dakota.

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

Senate Concurrent Resolution "Q." For His Invaluable Services Rendered by the Honorable E. W. Camp, in the Organization and the Starting on Its Way, the Government of the State of North Dakota.



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

Senate Concurrent Resolution "H." A Concurrent Resolution Providing for the Amendment of Section 158 of Article 9 of the Constitution of North Dakota as Amended by Article 13 of the Amendments Thereof as Further Amended by Article 50 of the Amendments Thereof, Relating to the Sale of School and Public Lands, and for Resale to Purchasers on Contract Whose Contracts Have Been Cancelled.

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

#### SECOND READING OF SENATE BILLS

Senate Bill No. 52. A Bill for an Act Amending and Re-enacting Section 396d3 of the 1925 Supplement as Amended and Re-enacted by Chapter 189, Session Laws of 1933 Relating to the Qualifications, Salary and Duties of the State Health Officer.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 89; nays, 5; absent and not voting, 19.

Those voting in the affirmative were:

Aker	Gainor	Ohnstad
Allen, Grand Forks	Graham	Olson, Barnes
Allen, Pierce	Haag	Olson, Bowman
Anderson	Halcrow	Ostgulen
Arndt	Haugen	Peterson, Bottin'au
Bagge	Heckman	Rettke
Bauer	Hegge	Rohde
Belzer	Hildre	Runck
Benno	Hofstrand	Sailer
Bergesen	Hogoboom	Sandness
Bjella	Holm	Saumur
Blair	Iszler	Schmalenberger
Bolmeier	Johnson, Rolette	Sellens
Boulden	Kolpin	Severson
Bubel	Langley	Sharpe
Burau	Larson, Ward	Shure
Bymers	Larson, Wells	Starck
Callahan	Leet	Sticka
Carlson	Lillehaugen	Stair
Coghlan	Lunde	Stormon
Collette	Manstrom	Tuff
Dahlen	Marks	Twichell
Dalzell	McInnes	Wambheim
Devlin	Moe	Welk
Drovdal	Mollet	Westby
Ekren	Morland	Williams, Sargent
Falconer	Morrison	Williams, Stutsm'n
Fraser	Myers	Wolf, Morton
Fuglestad	Nelson	Mr. Speaker
Gackle	Nystrom	
Those voting in the negative were:		
Braun	Mittag	Wolf, McIntosh
Jennings	Welder	
Absent and not voting:		
Baumgartner	Hovey	Peterson, Ransom

Crockett	Johnson, Cass	Pyle
Fitch	Johnson, Richland	Rohrer
Fleck	Levin	Schnell
Forseth	Monson	Schwartz
Halvorson	Mortenson	Williams, Richland
Haugland		

So the bill passed as amended and the title was agreed to.

Rep. Westby 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.

Rep. Sticka moved that the absent members be excused, which motion prevailed.

At the conclusion of business the House paused a moment to pay tribute to its lady member and lady employees on this Valentine's Day and presented to them beautiful baskets of flowers. The presentations were eloquently delivered by Rep. Bymers and Rep. Blair with other appropriate remarks by Rep. Graham. Rep. Bergesen spoke on behalf of the male employees of the House whom he stated had made the occasion possible. Miss Haugland responded with remarks of appreciation for herself and the lady employees.

Rep. Aker moved that the House do now recess until 1:59 o'clock p. m. Monday, which motion prevailed.

W. M. SMART, Chief Clerk.

FORTIETH DAY AFTER RECESS AND  
THE FORTY-SECOND DAY

Bismarck, February 15, 1943

The House convened at 1:59 o'clock p. m., Monday pursuant to recess. Speaker Beede presiding.

Rep. Aker moved the House do now adjourn, which motion prevailed.

W. M. SMART, Chief Clerk.

FORTY-SECOND DAY

Bismarck, February 15, 1943

The House convened at 2:00 o'clock p. m., pursuant to adjournment, Speaker Beede presiding.

Prayer was offered by Father Humphrey.

Roll call: All members were present except Representatives Bauer, Devlin, Fitch, Hofstrand, Schwartz, Sticka.

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

Mr. Speaker: Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the fortieth day and finds the same correct.

And recommends that the same be approved.

REP. WELDER, Chairman.

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

PETITIONS AND COMMUNICATIONS

A letter from Marie Moran, Corresponding Secretary of Minot Coterie Club, Minot, North Dakota, endorsing the legislation proposed by the North Dakota Education Association, was referred to the Committee on Education.

The following communications urging favorable consideration of the high school correspondence law and appropriation were received from:

Lowell Helstedt of Bergen, N. D.

Mrs. W. R. Jordan of Luverne, North Dakota.

Mellicent Helstedt of Bergen, North Dakota.

Miss Eleanor Trihub of Bergen, North Dakota.

Mrs. Henry Berklund of Judson, North Dakota.

Pearl Halstead, Maxbass, North Dakota.

Mrs. Sever J. Quam, Prin., Schools at Hamar, N. D.

Ida Midstakke, supervisor, and Mrs. Martha Nord, assistant, Hansboro, N. D.

Sister Quonocentia, St. Agnes Academy, Kenmare, N. D.

Which communications were read from the desk and referred to the Committee on Appropriations.

A petition signed by forty-two citizens of Griggs County, with reference to a dog tax, was read from the desk, which petition was referred to the Committee on Livestock.

#### REPORTS OF STANDING COMMITTEES

Mr. Speaker: Your Committee on Agriculture to whom was referred House Bill No. 196, have had the same under consideration and recommend that the same do pass.

REP. OLSON OF BOWMAN, Chairman.

Rep. Hofstrand moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Public Health to whom was referred House Bill No. 159, have had the same under consideration and recommend that the same do pass.

REP. PETERSON OF RANSOM, Chairman.

Rep. Sailer moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Public Health to whom was referred House Bill No. 142, have had the same under consideration and recommend that the same do pass.

REP. PETERSON OF RANSOM, Chairman.

Rep. Ostgulen moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Election and Election Privileges to whom was referred House Bill No. 117, have had the same under consideration and recommend that the same do pass.

REP. LEVIN, Chairman.

Rep. Rohde moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Election and Election Privileges to whom was referred House Concurrent Resolution "Q," have had the same under consideration and recommend that the same do pass.

REP. LEVIN, Chairman.

Rep. Nelson moved that the report be adopted.

Rep. Nystrom offered as a substitute motion that House Concurrent Resolution "Q" be indefinitely postponed.

Further action on House Concurrent Resolution "Q" was delayed until the same was printed.

Mr. Speaker: 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.

REP. SHURE, Chairman.

Rep. Dahlen moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Federal Relations to whom was referred House Concurrent Resolution "M," have had the same under consideration and return the Resolution without recommendation.

REP. SHURE, Chairman.

Rep. Lillehaugen moved that House Concurrent Resolution "M" be placed on the calendar.

Rep. Wambheim offered as a substitute motion that House Concurrent Resolution "M" be indefinitely postponed, which motion was lost.

The question was on the original motion, which motion pre-

vailed and House Concurrent Resolution "M" was placed on the calendar.

Action on House Concurrent Resolution "R" was deferred until the same was printed.

Mr. Speaker: Your Committee on School and Public Lands to whom was referred Senate Bill No. 70, have had the same under consideration and recommend that the same do pass.

REP, ANDERSON, Chairman.

Rep. Benno moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on School and Public Lands to whom was referred House Bill No. 169, have had the same under consideration and recommend that the same do pass.

REP, ANDERSON, Chairman.

Rep. Manstrom moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on School and Public Lands to whom was referred House Bill No. 118, have had the same under consideration and recommend that the same do pass.

REP, ANDERSON, Chairman.

Rep. Bubel moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Tax and Tax Laws to whom was referred House Bill No. 88, have had the same under consideration and recommend that the same be further amended as follows:

In Section 4 strike out the figure "1" and insert the letter "A".

In the following subsection strike out the figure "2" and insert the letter "B".

Strike out the letter "A" following and insert the figure "1".

Strike out the letter "B" following and insert the figure "2".

Strike out the letter "C" and insert the figure "3".

In subsection 3 strike out the figure "3" and insert the letter "C".

In the following strike out the letters A, B, C, and D and insert the figures 1, 2, 3, and 4.

In section 9 after the word "insurance" insert the words "or otherwise".

And when so amended recommend the same do pass.

REP. McINNES, Chairman.

Rep. Shure moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Tax and Tax Laws to whom was referred House Bill No. 198, have had the same under consideration and recommend that the same do pass.

REP. McINNES, Chairman.

Rep. Myers moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Tax and Tax Laws to whom was referred House Bill No. 199, have had the same under consideration and recommend that the same do pass.

REP. McINNES, Chairman.

Rep. Welk moved that the report be adopted, which motion prevailed and the report was adopted.

MESSAGES FROM THE SENATE

Senate Chamber

Bismarck, February 15, 1943

Mr. Speaker: I have the honor to transmit:

Senate Concurrent Resolution "D." Memorializing Congress to Take Action on S 2600 Cited as the "Rubber Supply Act of 1942."

Senate Concurrent Resolution "L." A Concurrent Resolution Memorializing Congress and the President to Take Immediate Steps Toward Production of Synthetic Rubber from Farm Products.

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

W. J. TROUT, Secretary.

Senate Chamber

Bismarck, February 15, 1943

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 34. A Bill for an Act to Amend and Re-enact Sections 3, 4, 7, 8, 9 and 10 of Chapter 229, of the Session Laws of 1941, Relating to the North Dakota State Farm, and Making an Appropriation Therefor.

Senate Bill No. 81. A Bill for an Act to Amend and Re-enact Section 10521 of the Compiled Laws of North Dakota for the Year 1913.

Senate Bill No. 123. A Bill for an Act to Authorize the State Highway Commissioner to Cancel Certain Contracts for the Construction, Reconstruction, or Repair of Highways or Bridges Which Cannot Be Performed Because of War Conditions, and to Make Full Settlement with Such Contractors, and Declaring an Emergency.

Senate Bill No. 135. A Bill for an Act to Amend and Re-enact Sections 859 and 860 of the Compiled Laws of North Dakota for the Year 1913, as Amended by Chapters 139 and 142 of the Session Laws of 1939—and Providing a Penalty for the Violation Thereof.

Senate Concurrent Resolution "T." A Concurrent Resolution Memorializing Congress to Make No Further Extension of Game Reserves in the State of North Dakota.

Senate Concurrent Resolution "B-1." A Concurrent Resolution Protesting Favoritism for Youth of Japanese Extraction, in the Advantages of Higher Education.

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

W. J. TROUT, Secretary.

Senate Chamber

Bismarck, February 15, 1943

Mr. Speaker: I have the honor to return:

House Bill No. 66. A Bill for an Act to Amend and Re-enact Section 2 of Chapter 238, Session Laws of 1931, Providing for the Letting of Contracts to Furnish Vehicular Transportation to School Districts to the Lowest Bidder; Requiring a Bond; and Fixing the Qualifications of the Operators of Such Vehicles and the Requirements of Such Vehicle.

Which the Senate has indefinitely postponed.

W. J. TROUT, Secretary.

Senate Chamber  
Bismarck, February 15, 1943

Mr. Speaker: I have the honor to return:

House Bill No. 58. A Bill for an Act to Amend and Re-enact Chapter 156 of the Session Laws of 1941, Making It a Misdemeanor for Any Person to Hunt and Pursue Any Wild Life With the Aid of a Spot Light or Any Other Kind of Artificial Light, Except Under Certain Conditions.

Which the Senate has amended as follows:

In line 11 of the printed bill, after the word "owl," and the comma, insert the word "rabbit" and a comma.

W. J. TROUT, Secretary.

#### REPORTS OF STANDING COMMITTEES

Mr. Speaker: Your Committee on State Affairs to whom was referred House Bill No. 110, have had the same under consideration and recommend that the same do pass.

REP. TWICHELL, Chairman.

Rep. Haugen moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on State Affairs to whom was referred House Bill No. 188, have had the same under consideration and recommend that the same do pass.

REP. TWICHELL, Chairman.

Rep. Wambheim moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on State Affairs to whom was referred House Bill No. 185, have had the same under consideration and recommend that the same do pass.

REP. TWICHELL, Chairman.

Rep. Welder moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on State Affairs to whom was referred House Bill No. 220, have had the same under consideration and recommend that the same do pass.

REP. TWICHELL, Chairman.

Rep. Crockett moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Education to whom was referred Senate Bill No. 116, have had the same under consideration and recommend that the same do pass.

REP. HOFSTRAND, Chairman.

Rep. Heckman moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Education to whom was referred House Concurrent Resolution "P," have had the same under consideration and recommend that the same do pass.

REP. HOFSTRAND, Chairman.

Rep. Holm moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on School and Public Lands to whom was referred House Bill No. 60, have had the same under consideration and recommend that the same be indefinitely postponed.

REP. ANDERSON, Chairman.

Rep. Rohde moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Banks and Banking to whom was referred House Bill No. 108, have had the same under consideration and recommend that the same be indefinitely postponed.

REP. FLECK, Chairman.

Rep. Shure moved that the report be adopted.

Rep. Aker offered as a substitute motion that House Bill No. 108 be re-referred to the Committee on Banks and Banking, which motion was lost.

The question was on the original motion, which motion prevailed and House Bill No. 108 was indefinitely postponed.

Mr. Speaker: Your Committee on Education to whom was referred House Bill No. 224, have had the same under consideration and recommend that the same be indefinitely postponed.

REP. HOFSTRAND, Chairman.

Rep. Welder moved that the report be adopted.

Rep. Dahlen offered as a substitute motion that House Bill No. 224 be placed on the calendar.

Rep. Lillehaughen seconded the motion.

Rep. Dahlen moved that his motion be withdrawn, which motion prevailed.

Rep. Dahlen offered as a substitute motion that House Bill No. 224 be placed in General Orders.

Rep. Starck seconded the motion.

On a viva voce vote the chair was in doubt.

A rising vote disclosed 48 voting for and 30 voting against so the motion prevailed and House Bill No. 224 was ordered placed in General Orders.

Mr. Speaker: Your Committee on Tax and Tax Laws to whom was referred House Bill No. 227, have had the same under consideration and recommend that the same be indefinitely postponed.

REP. McINNES, Chairman.

Rep. Callahan moved that the report be adopted.

Rep. Johnson of Richland offered as a substitute motion that House Bill No. 227 be placed on the calendar.

Rep. Johnson moved that his substitute motion be withdrawn. Objection was entered to the motion.

Rep. Aker moved that Rep. Johnson of Richland be granted permission to withdraw his motion, which motion was lost.

The question was on the substitute motion of Rep. Johnson of Richland, which motion was lost.

The question was on the original motion of Rep. Callahan, which motion prevailed and House Bill No. 227 was indefinitely postponed.

Rep. Rohde moved that the vote by which House Bill No. 227 was indefinitely postponed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Mr. Speaker: Your Committee on State Affairs to whom was referred House Bill No. 181, have had the same under consideration and recommend that the same be indefinitely postponed.

REP. TWICHELL, Chairman.

Rep. Haugland moved that the report be adopted, which motion prevailed and the report was adopted.



Rep. Crockett moved that the vote by which House Bill No. 181 was indefinitely postponed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Mr. Speaker: Your Committee on State Affairs to whom was referred House Bill No. 104, have had the same under consideration and recommend that the same be indefinitely postponed.

REP. TWICHELL, Chairman.

Rep. Nystrom moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on State Affairs to whom was referred House Bill No. 96, have had the same under consideration and recommend that the same be indefinitely postponed.

REP. TWICHELL, Chairman.

Rep. Westby moved that the report be adopted, which motion prevailed and the report was adopted.

Rep. Twichell moved that the vote by which House Bill No. 96 was indefinitely postponed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

#### HOUSE COMMITTEE ON ENROLLMENT AND ENGROSSMENT

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

House Bill No. 119.

House Bill No. 136.

And find the same correctly Engrossed.

REP. MORLAND, Chairman.

Rep. Ekren moved that the report be adopted, which motion prevailed, and the report was adopted.

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

House Bill No. 56.

House Bill No. 32.

House Bill No. 36.

House Bill No. 15.

House Bill No. 14.

House Bill No. 12.

House Bill No. 4.

House Bill No. 3.

And find the same correctly Enrolled.

REP. MORLAND, Chairman.

Rep. Ekren moved that the report be adopted, which motion prevailed, and the report was adopted.

#### REPORTS OF STANDING COMMITTEES

Mr. Speaker: A majority of your Committee on Apportionment to whom was referred Senate Bill No. 36, have had

the same under consideration and recommend that the same be indefinitely postponed.

M. T. LILLEHAUGEN  
 WM. H. RETTKE  
 MORRIS LARSON  
 WM. H. TUFF  
 ELMER HEGGE  
 OLAF OSTGULEN  
 J. W. JENNINGS  
 W. M. CROCKETT  
 P. G. WESTBY  
 THOS. V. DEVLIN  
 J. N. MOLLET  
 A. J. SANDNESS  
 A. H. SCHMALENBERGER  
 CORNELIUS BYMERS  
 WM. B. FALCONER  
 BRYNHILD HAUGLAND  
 BERNT ANDERSON  
 WM. BAUER  
 ALAN STAIR  
 G. M. ISZLER  
 HAROLD BURAU  
 W. M. NELSON  
 JOHN J. BAUMGARTNER  
 ED HAAG  
 THEODORE MONSON  
 I. B. ROHRER  
 REP. LILLEHAUGEN, Chairman.

Rep. Nelson moved that the report be adopted.

Mr. Speaker: A minority of your Committee on Apportionment to whom was referred Senate Bill No. 36, have had the same under consideration and recommend that the same do pass.

L. K. MORLAND  
 HARRY CARLSON  
 E. A. LUNDE  
 A. M. ALLEN (Grand Forks)  
 K. L. BOULDEN  
 GEO. H. SAUMUR  
 P. K. HOLM  
 H. W. McINNES  
 WESLEY L. BOLMEIER  
 MAL GAINOR  
 CURTIS OLSON (Barnes)  
 A. H. NYSTROM  
 D. S. BLAIR  
 KENNETH K. PYLE  
 M. S. AKER  
 J. T. PETERSON (Ransom)  
 WILFRED COLLETTE  
 JOHN COGHLAN  
 L. L. TWICHELL  
 VERNON M. JOHNSON (Rich'nd)  
 EARL MANSTROM  
 REP. LILLEHAUGEN, Chairman.

Rep. Morland moved that the report of the minority be substituted for the report of the majority.

Rep. Crockett moved the previous question.

The question was on the adoption of the minority report.

Rep. Bolmeier demanded a roll call, which request was granted.

#### ROLL CALL

The question being on the adoption of the minority report, the roll was called and there were ayes, 46; nays, 61; absent and not voting, 6.

Those voting in the affirmative were:

Aker	Gainor	Morland
Allen, Grand Forks	Halcrow	Nystrom
Allen, Pierce	Hildre	Olson, Barnes
Bagge	Hogoboom	Peterson, Ransom
Bergesen	Holm	Pyle
Bjella	Hovey	Runk
Blair	Johnson, Cass	Saumur
Bolmeier	Johnson, Richland	Sellens
Boulden	Johnson, Rolette	Severson
Callahan	Langley	Sharpe
Carlson	Leet	Shure
Collette	Lunde	Sticka
Dahlen	Manstrom	Stormon
Dalzell	McInnes	Twichell
Fitch	Moe	Wambheim

Those voting in the negative were:

Anderson	Haugland	Ostgulen
Arndt	Heckman	Peterson, Bottina'u
Bauer	Hegge	Rettke
Baumgartner	Hofstrand	Rohde
Belzer	Iszler	Rohrer
Benno	Jennings	Sailer
Braun	Kolpin	Sandness
Bubel	Larson, Ward	Schmalenberger
Bureau	Larson, Wells	Schnell
Bymers	Levin	Stair
Crockett	Lillehaugen	Starck
Drovdal	Marks	Tuff
Ekren	Mittag	Welder
Falconer	Mollet	Welk
Fleck	Monson	Westby
Fraser	Morrison	Williams, Richland
Fuglestad	Myers	Williams, Sargent
Graham	Nelson	Williams, Stutsm'n
Haag	Ohnstad	Wolf, McIntosh
Halvorson	Olson, Bowman	Mr. Speaker

Absent and not voting:

Coghan	Forseth	Schwartz
Devlin	Mortenson	Wolf, Morton

So the motion was lost.

The question was on the original motion that the report of the majority be adopted, which motion prevailed.

Rep. Lillehaugen moved that the vote by which Senate Bill No. 36 was indefinitely postponed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

#### REPORTS OF STANDING COMMITTEES

The Committee on Enrollment and Engrossment respectfully reports that:

House Concurrent Resolutions "D" and "E" were delivered to the Secretary of State at the hour of 1:40 o'clock p. m., Feb. 15, 1943.

REP. MORLAND, Chairman.

The Committee on Enrollment and Engrossment respectfully reports that:

House Bill No. 38 was delivered to the Governor for his approval at the hour of 1:40 o'clock p. m., Feb. 15, 1943.

REP. MORLAND, Chairman.

#### MESSAGE TO THE SENATE

House of Representatives  
Bismarck, February 15, 1943

Mr. President: I have the honor to transmit:

House Bill No. 77. A Bill for an Act Making an Appropriation Into the "Administrative Fund" for the State Water Conservation Commission for General Administration Expenses, Maintenance of Existing Dams and Drainage Channels, Construction of Needed Drainage Channels, Planning and Surveying Projects, and Expenses of State Compacts.

House Bill No. 107. A Bill for an Act to Amend and Re-enact Subsections 1 and 2 of Section 1, Chapter 273, Session Laws of North Dakota for the Year 1941; Providing for an Adjustment of Delinquent Taxes for 1939 and Prior Years, and Repealing All Acts or Parts of Acts in Conflict Therewith Including Certain Exceptions, and Declaring an Emergency.

House Bill No. 119. A Bill for an Act to Amend and Re-enact Sections 189b3, 189b5, 189b9, 189b15, of the 1925 Supplement to the Compiled Laws of the State of North Dakota for the Year 1913, as Amended by Chapter 137, Session Laws of North Dakota for 1933, Relating to the Operation of the State Hail Insurance Department, Defining the Duties of the Commissioner of Insurance, Defining the Crops to Be Insured, Relating to the Duty of Assessors, and the Indemnity to Be Paid for Hail Insurance Losses, Repealing Acts in Conflict Herewith, and Declaring an Emergency.

House Bill No. 127. A Bill for an Act to Amend and Re-enact Sections 18, 19, and 20 of Chapter 286 of the 1941 Session Laws, Relating to the Terms of Private Sale and Redemption and Repurchase of County Tax Deed Land, Distribution of the Proceeds, Rights of Owner to Repurchase, Disposition of Rental and Landlord's Share of the Crop, Time of Assessment for Taxation, and Declaring an Emergency.

House Bill No. 136. A Bill for an Act to Amend and Re-enact Subsection 31 of Section 3514 of the 1913 Compiled Laws, Relating to the Fees to Be Charged by Sheriffs for Boarding Prisoners, and Declaring an Emergency.

House Bill No. 140. A Bill for an Act to Amend and Re-enact Section 4398, of the 1925 Supplement Relating to the Residence Requirements for Dissolution of Marriage and Declaring an Emergency.

House Bill No. 145. A Bill for an Act to Provide for the Dissolution of Village Park Districts, and Outlining the Procedure to Be Followed.

House Bill No. 150. A Bill for an Act to Amend and Re-enact Section 1 of Chapter 207, Session Laws of 1935, as Amended by Section 1 of Chapter 209, Session Laws of 1941,

Relating to Refunding Special Improvement Warrants, Validating Proceedings Heretofore Taken for Such Refunding and Warrants Issued Thereunder, and Declaring an Emergency.

House Bill No. 174. A Bill for an Act to Amend and Re-enact Section 1321a2 of the 1925 Supplement to the Compiled Laws of North Dakota, Providing for Annual School Election for the City of Fargo; the Number of Polling Places, Election Officials, and Hours of Election, and Declaring an Emergency.

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

W. M. SMART, Chief Clerk.

Rep. Fleck moved that the rules be suspended and that the Speaker appoint a committee of three to escort Lt. Kraft to the rostrum, which motion prevailed.

The Speaker appointed Reps. Twichell, Graham and Fleck as a committee of three to escort Lt. Kraft to the rostrum.

The Speaker introduced Lt. Kraft who addressed the House briefly on her appointment from North Dakota and training in the Women's Auxiliary Army Corps and urged each member to assist in interesting the young women of our State to enlist thus releasing more of our young men for combat duty.

The Speaker thanked Lt. Kraft for her remarks.

Rep. Haugen moved that the House recess for fifteen minutes and that the Committee appointed to escort Lt. Kraft to the rostrum at this time escort her to the lunch room for lunch, which motion prevailed.

The House re-convened pursuant to recess taken, Speaker Beede presiding.

#### SIGNING OF BILLS

The Chief Clerk announced the Speaker was about to sign the following bills; immediately before signing each bill the title was publicly read.

House Bill No. 3.

House Bill No. 4.

House Bill No. 12.

House Bill No. 14.

House Bill No. 15.

House Bill No. 36.

House Bill No. 32.

House Bill No. 56.

Senate Concurrent Resolution "D."

Senate Concurrent Resolution "L."

And the Speaker signed each of the above bills in the presence of the House.

#### SECOND READING OF HOUSE BILLS

House Bill No. 68. A Bill for an Act Removing Statutory Limitations on Salaries to Be Paid to the State Highway Commissioner, Chief Engineer, Engineers, Assistant Engineers and Draftsmen in the Highway Department Between July 1, 1943 and June 30, 1945; Repealing All Acts and Parts of Acts in Conflict Herewith.

Was read the second time.

## ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 87; nays, 14; absent and not voting, 12.

Those voting in the affirmative were:

Aker	Fraser	Morland
Allen, Grand Forks	Fuglestad	Nelson
Allen, Pierce	Gackle	Nystrom
Anderson	Gainor	Ohnstad
Arndt	Graham	Olson, Barnes
Bagge	Haag	Peterson, Bottina'u
Bauer	Haugland	Peterson, Ransom
Baumgartner	Heckman	Pyle
Belzer	Hegge	Rettke
Benno	Hildre	Runk
Bergesen	Hogoboom	Sailer
Bjella	Holm	Sandness
Blair	Hovey	Saumur
Bolmeier	Iszler	Schmalenberger
Boulden	Johnson, Cass	Schnell
Bubel	Johnson, Richland	Sellens
Bureau	Johnson, Rolette	Severson
Bymers	Kolpin	Sharpe
Callahan	Langley	Shure
Carlson	Larson, Ward	Stair
Coghlan	Larson, Wells	Starck
Collette	Leet	Sticka
Crockett	Levin	Stormon
Dahlen	Lillehaugen	Twichell
Drovdal	Lunde	Wambheim
Ekren	Manstrom	Westby
Falconer	Marks	Williams, Stutsm'n
Fitch	McInnes	Wolf, McIntosh
Fleck	Monson	Wolf, Morton

Those voting in the negative were:

Braun	Morrison	Welder
Jennings	Myers	Welk
Mittag	Ostgulen	Williams, Richland
Moe	Rohde	Mr. Speaker
Mollet	Tuff	

Absent and not voting:

Dalzell	Halvorson	Olson, Bowman
Devlin	Haugen	Rohrer
Forseth	Hofstrand	Schwartz
Halcrow	Mortenson	Williams, Sargent

So the bill passed and the title was agreed to.

Rep. Saumur moved that the vote by which House Bill No. 68 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Rep. Rohde moved that further action on House Bill No. 125 be deferred one legislative day, which motion prevailed.

## MESSAGES TO THE SENATE

House of Representatives

Bismarck, February 15, 1943

Mr. President: I have the honor to transmit:

House Bill No. 3. A Bill for an Act Making an Appro-

priation to Provide Funds for the Arrest and Return of Fugitives from Justice.

House Bill No. 4. A Bill for an Act Making an Appropriation for the Purpose of Paying Premiums on Bonds of State Officials.

House Bill No. 12. 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. 14. 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. 15. 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. 36. A Bill for an Act Making an Appropriation to Pay the Expenses and Per Diem of Presidential Electors.

House Bill No. 32. 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. 56. A Bill for an Act Making an Appropriation for the Payment of Salaries, Postage, Office Supplies and Printing in the State Department of Health, and Declaring an Emergency.

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

W. M. SMART, Chief Clerk.

House of Representatives

Bismarck, February 15, 1943

Mr. President: I have the honor to return:

Senate Concurrent Resolution "L." A Concurrent Resolution Memorializing Congress and the President to Take Immediate Steps Toward Production of Synthetic Rubber from Farm Products.

Senate Concurrent Resolution "D." Memorializing Congress to Take Action on S 2600 Cited as the "Rubber Supply Act of 1942."

Which the Speaker has signed.

W. M. SMART, Chief Clerk.

#### SECOND READING OF HOUSE BILLS

House Bill No. 167. A Bill for an Act to Amend and Re-enact Section 5, Chapter 5 of the Session Laws of the State of North Dakota for the Year 1937, Relating to Dealers in Livestock; Authorizing the Public Service Commission to Appoint Inspectors With Powers of Peace Officers for the Enforcement of the Provisions of Said Act.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 95; nays, 7; absent and not voting, 11.

Those voting in the affirmative were:

Allen, Grand Forks	Graham	Olson, Barnes
Allen, Pierce	Haag	Olson, Bowman
Anderson	Halcrow	Ostgulen
Arndt	Haugen	Peterson, Bottina'u

Bagge	Haugland	Peterson, Ransom
Bauer	Heckman	Pyle
Baumgartner	Hegge	Rettke
Belzer	Hildre	Rohde
Benno	Hogoboom	Runk
Bergesen	Holm	Sailer
Bjella	Hovey	Saumur
Bolmeier	Iszler	Schmalenberger
Boulden	Johnson, Rolette	Schnell
Braun	Kolpin	Sellens
Bureau	Langley	Sharpe
Bubel	Larson, Ward	Shure
Bymers	Larson, Wells	Stair
Callahan	Leet	Starck
Carlson	Levin	Sticka
Coghlan	Lillehaugen	Stormon
Collette	Lunde	Tuff
Crockett	Manstrom	Twichell
Dahlen	Marks	Welder
Dalzell	McInnes	Welk
Drovdal	Mittag	Westby
Ekren	Mollet	Williams, Richland
Falconer	Monson	Williams, Sargent
Fitch	Morland	Williams, Stutsman
Fleck	Morrison	Wolf, McIntosh
Fraser	Nelson	Wolf, Morton
Fuglestad	Nystrom	Mr. Speaker
Gainor	Ohnstad	
Those voting in the negative were:		
Aker	Moe	Sandness
Blair	Myers	Severson
Gackle		
Absent and not voting:		
Devlin	Jennings	Rohrer
Forseth	Johnson, Cass	Schwartz
Halvorson	Johnson, Richland	Wambheim
Hofstrand	Mortenson	

So the bill passed and the title was agreed to.

Rep. Rohde moved that the vote by which House Bill No. 167 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 168. A Bill for an Act Requiring Owners of Dogs to Keep Them Under Control at Any and All Times when Such Dogs Are Away from the Premises of the Owner and Further Requiring Owners or Keepers of Dogs to Keep Them Tied or Confined During the Nighttime, Except When Under the Immediate Control of the Keeper or Owner, Requiring All Dogs be Registered by the County Auditor by an Attached Tag on Collar; Defining the Duties of the County Auditor; Providing a Penalty, and Declaring an Emergency.

Was read the second time.

Rep. Rohde moved the previous question, which motion prevailed.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 43; nays, 60; absent and not voting, 10.

Those voting in the affirmative were:

Aker	Haugland	Peterson, Bottina'u
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Anderson	Hegge	Pyle
Arndt	Hildre	Runck
Belzer	Holm	Sandness
Benno	Hovey	Schmalenberger
Bergesen	Johnson, Richland	Schnell
Bjella	Kolpin	Sellens
Collette	Langley	Severson
Dahlen	Larson, Ward	Sharpe
Drovdal	Lunde	Stair
Ekren	McInnes	Westby
Fleck	Moe	Williams, Richland
Fraser	Nystrom	Williams, Stutsm'n
Fuglestad	Ohnstad	Williams, Sargent
Halcrow		

Those voting in the negative were:

Allen, Grand Forks	Haag	Nelson
Allen, Pierce	Haugen	Olson, Barnes
Bagge	Heckman	Olson, Bowman
Bauer	Hogoboom	Ostgulen
Baumgartner	Iszler	Peterson, Ransom
Blair	Jennings	Rettke
Bolmeier	Johnson, Cass	Rohde
Boulden	Johnson, Rolette	Sailer
Braun	Larson, Wells	Saumur
Bubel	Leet	Shure
Bureau	Levin	Starck
Bymers	Lillehaugen	Sticka
Callahan	Manstrom	Stormon
Carlson	Marks	Tuff
Coghlan	Mittag	Twichell
Crockett	Mollet	Welk
Dalzell	Monson	Wambheim
Gackle	Morland	Wolf, McIntosh
Gainor	Morrison	Wolf, Morton
Graham	Myers	Mr. Speaker
Absent and not voting:		
Devlin	Halvorson	Rohrer
Falconer	Hofstrand	Schwartz
Fitch	Mortenson	Welder
Forseth		

So the bill was declared lost.

Rep. Twichell: "I vote 'No' for the purpose of reconsideration."

House Bill No. 171. A Bill for an Act to Amend and Re-enact Section 1390a of the Supplement to the 1913 Compiled Laws of North Dakota, Authorizing the Erection and Equipping of Teacherages and Dormitories, and Providing Boarding Facilities at Cost, and Repealing All Acts or Parts of Acts in Conflict Herewith, and Declaring an Emergency.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 84; nays, 18; absent and not voting, 11.

Those voting in the affirmative were:

Aker	Gainor	Olson, Barnes
Allen, Grand Forks	Graham	Olson, Bowman
Allen, Pierce	Haag	Ostgulen
Anderson	Halcrow	Peterson, Bottina'u
Arndt	Haugen	Peterson, Ransom

Bagge	Haugland	Pyle
Bauer	Heckman	Rettke
Baumgartner	Hegge	Rohde
Belzer	Hogoboom	Runck
Bergesen	Hovey	Sailer
Bjella	Iszler	Saumur
Bolmeier	Johnson, Richland	Schmalenberger
Bubel	Kolpin	Schnell
Burau	Langley	Sellens
Bymers	Larson, Ward	Severson
Callahan	Leet	Sharpe
Carlson	Levin	Stair
Coghlan	Lillehaugen	Sticka
Collette	Lunde	Stormon
Crockett	McInnes	Wambheim
Dahlen	Mittag	Welder
Dalzell	Mollet	Welk
Drovdal	Monson	Westby
Ekren	Morland	Williams, Richland
Falconer	Morrison	Williams, Sargent
Fraser	Myers	Williams, Stutsm'n
Fuglestad	Nystrom	Wolf, Morton
Gackle	Ohnstad	Mr. Speaker
Those voting in the negative were:		
Blair	Johnson, Cass	Nelson
Boulden	Johnson, Rolette	Shure
Braun	Larson, Wells	Starck
Hildre	Manstrom	Tuff
Holm	Marks	Twichell
Jennings	Moe	Wolf, McIntosh
Absent and not voting:		
Benno	Forseth	Rohrer
Devlin	Halvorson	Sandness
Fitch	Hofstrand	Schwartz
Fleck	Mortenson	

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

Rep. Allen of Grand Forks: "I change my vote from 'Nay' to 'Aye' for the purpose of reconsideration."

House Bill No. 175. A Bill for an Act to Amend and Re-enact Section 1179 of the Compiled Laws for 1913, as Amended by Chapter 257 of the Session Laws of 1941, Relating to Powers of School Districts to Admit Pupils from Other Districts, Providing for Payment of Tuition and Transportation, and Repealing All Acts and Parts of Acts in Conflict Herewith.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 101; nays, 5; absent and not voting, 7.

Those voting in the affirmative were:

Allen, Grand Forks	Haugen	Olson, Bowman
Allen, Pierce	Haugland	Ostgulen
Anderson	Heckman	Peterson, Bottina'u
Arndt	Hegge	Peterson, Ransom
Bagge	Hildre	Pyle
Bauer	Hofstrand	Rettke
Baumgartner	Hogoboom	Rohde
Belzer	Holm	Runck

Benno	Hovey	Sailer
Bergesen	Iszler	Sandness
Bjella	Jennings	Saumur
Blair	Johnson, Cass	Schmalenberger
Bolmeier	Johnson, Richland	Schnell
Boulden	Johnson, Rolette	Sellens
Braun	Kolpin	Severson
Bubel	Langley	Sharpe
Burau	Larson, Ward	Shure
Bymers	Larson, Wells	Stair
Callahan	Leet	Starck
Carlson	Levin	Sticka
Coghlan	Lillehaugen	Stormon
Collette	Lunde	Tuff
Dahlen	Marks	Twichell
Dalzell	McInnes	Wambheim
Drovdal	Mittag	Welder
Ekren	Mollet	Welk
Falconer	Monson	Westby
Fraser	Morland	Williams, Richland
Fuglestad	Morrison	Williams, Sargent
Gainor	Myers	Williams, Stutsm'n
Graham	Nelson	Wolf, McIntosh
Haag	Nystrom	Wolf, Morton
Halcrow	Ohnstad	Mr. Speaker
Halvorson	Olson, Barnes	
Those voting in the negative were:		
Aker	Gackle	Moe
Crockett	Manstrom	
Absent and not voting:		
Devlin	Forseth	Rohrer
Fitch	Mortenson	Schwartz
Fleck		

So the bill passed and the title was agreed to.

Rep. Bergesen moved that House Bill No. 192 be placed in General Orders, which motion prevailed.

House Bill No. 201. A Bill for an Act to Amend and Re-enact Section 5 of Chapter 276 of the Session Laws of 1931 Providing for Abatements of Real and Personal Property Taxes, Due to Depreciation or Other Cause, and Declaring an Emergency.

Was read the second time.

Rep. Crockett moved that House Bill No. 201 be indefinitely postponed, which motion was lost.

Rep. Crockett demanded a roll call, which was denied.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 73; nays, 29; absent and not voting, 11.

Those voting in the affirmative were:

Aker	Heckman	Olson, Barnes
Anderson	Hegge	Olson, Bowman
Arndt	Hildre	Peterson, Ransom
Bagge	Hofstrand	Pyle
Baumgartner	Hogoboom	Rettke
Benno	Hovey	Rohde
Bergesen	Jennings	Runck
Bjella	Johnson, Cass	Saumur
Bolmeier	Kolpin	Schmalenberger
Braun	Langley	Schnell

Burau	Larson, Ward	Sellens
Bymers	Larson, Wells	Severson
Collette	Leet	Sharpe
Dahlen	Lunde	Shure
Drovdal	Manstrom	Starck
Ekren	McInnes	Sticka
Falconer	Moe	Stormon
Fuglestad	Mollet	Tuff
Gackle	Morland	Wambheim
Gainor	Morrison	Welk
Graham	Myers	Westby
Haag	Nelson	Williams, Stutsm'n
Halcrow	Nystrom	Wolf, McIntosh
Haugen	Ohnstad	Wolf, Morton
Haugland		

Those voting in the negative were:

Allen, Grand Forks	Crockett	Monson
Allen, Pierce	Dalzell	Peterson, Bottina'u
Bauer	Fraser	Sailer
Belzer	Halvorson	Sandness
Blair	Iszler	Stair
Boulden	Johnson, Rolette	Twichell
Bubel	Levin	Williams, Richland
Callahan	Lillehaugen	Williams, Sargent
Carlson	Marks	Mr. Speaker
Coghlan	Mittag	

Absent and not voting:

Devlin	Holm	Rohrer
Fitch	Johnson, Richland	Schwartz
Fleck	Mortenson	Welder
Forseth	Ostgulen	

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

Rep. Wolf of McIntosh moved that the vote by which House Bill No. 201 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Rep. Bergesen moved that House Bill No. 205 be re-referred to the Committee on Temperance.

Rep. Aker offered as a substitute motion that House Bill No. 205 be indefinitely postponed.

Rep. Aker withdrew his motion.

The question was on Rep. Bergesen's motion, which motion prevailed and House Bill No. 205 was re-referred to the Committee on Temperance.

House Bill No. 162. A Bill for an Act Concerning the Guardianship of Incompetent Veterans, and Other Incompetent and Minor Beneficiaries of the Veterans Administration, and Concerning Commitment to the Veterans Administration or Other Agency of the United States of Persons Eligible for Care or Treatment and to Make Uniform the Law With Reference Thereto, and Declaring an Emergency.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 104; nays, 0; absent and not voting, 9.

Those voting in the affirmative were:

Allen, Pierce	Haugen	Olson, Barnes
Anderson	Haugland	Olson, Bowman

Arndt	Heckman	Ostgulen
Bagge	Hegge	Peterson, Bottina'u
Bauer	Hildre	Peterson, Ransom
Baumgartner	Hofstrand	Pyle
Belzer	Hogoboom	Rettke
Benno	Holm	Rohde
Bergesen	Hovey	Runck
Bjella	Iszler	Sailer
Blair	Jennings	Sandness
Bolmeier	Johnson, Cass	Saumur
Boulden	Johnson, Richland	Schmalenberger
Braun	Johnson, Rolette	Schnell
Bubel	Kolpin	Sellens
Bureau	Langley	Severson
Callahan	Larson, Ward	Sharpe
Carlson	Larson, Wells	Shure
Coghlan	Leet	Stair
Collette	Levin	Starck
Crockett	Lillehaugen	Sticka
Dahlen	Lunde	Stormon
Dalzell	Manstrom	Tuff
Drovdal	Marks	Twichell
Ekren	McInnes	Wambheim
Falconer	Mittag	Welder
Fitch	Moe	Welk
Fleck	Mollet	Westby
Fraser	Monson	Williams, Richland
Gackle	Morland	Williams, Sargent
Gainor	Morrison	Williams, Stutsman
Graham	Myers	Wolf, McIntosh
Haag	Nelson	Wolf, Morton
Halcrow	Nystrom	Mr. Speaker
Halvorson	Ohnstad	
Absent and not voting:		
Aker	Devlin	Mortenson
Allen, Grand Forks	Forseth	Rohrer
Bymers	Fuglestad	Schwartz

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

House Bill No. 124. A Bill for an Act to Amend and Re-enact Section 1779 of the Supplement to the Compiled Laws, 1913, as Amended by Chapter 200 of the Session Laws, 1933; Board of Trustees of North Dakota Soldiers' Home, and Declaring an Emergency.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 102; nays, 0; absent and not voting, 11.

Those voting in the affirmative were:

Aker	Haag	Nystrom
Allen, Pierce	Halcrow	Nelson
Anderson	Halvorson	Ohnstad
Arndt	Haugen	Olson, Barnes
Bagge	Haugland	Olson, Bowman
Bauer	Heckman	Ostgulen
Baumgartner	Hegge	Peterson, Bottina'u
Belzer	Hildre	Peterson, Ransom
Benno	Hofstrand	Pyle
Bergesen	Hogoboom	Rettke

Bjella	Holm	Rohde
Blair	Hovey	Runck
Bolmeier	Iszler	Sailer
Boulden	Jennings	Sandness
Braun	Johnson, Cass	Saumur
Bubel	Johnson, Richland	Schmalenberger
Burau	Johnson, Rolette	Schnell
Bymers	Kolpin	Sellens
Callahan	Langley	Severson
Carlson	Larson, Ward	Sharpe
Coghlan	Larson, Wells	Shure
Collette	Leet	Stair
Crockett	Levin	Starck
Dahlen	Lunde	Sticka
Dalzell	Manstrom	Stormon
Ekren	Marks	Tuff
Falconer	McInnes	Twichell
Fitch	Mittag	Wambheim
Fleck	Moe	Welk
Fraser	Mollet	Westby
Fuglestad	Monson	Williams, Stutsm'n
Gackle	Morland	Wolf, McIntosh
Gainor	Morrison	Wolf, Morton
Graham	Myers	Mr. Speaker
Absent and not voting:		
Allen, Grand Forks	Lillehaugen	Welder
Devlin	Mortenson	Williams, Richland
Drovdal	Rohrer	Williams, Sargent
Forseth	Schwartz	

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

House Bill No. 123. A Bill for an Act to Amend and Re-enact Section 1782 of the 1925 Supplement to the Compiled Laws of North Dakota, Relating to Appointment of Commandant and Subordinate Officers of the Soldiers' Home, and Declaring an Emergency.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 101; nays, 0; absent and not voting, 12.

Those voting in the affirmative were:

Aker	Haag	Nystrom
Allen, Grand Forks	Halcrow	Ohnstad
Allen, Pierce	Halvorson	Olson, Barnes
Anderson	Haugen	Olson, Bowman
Arndt	Haugland	Ostgulen
Bagge	Heckman	Peterson, Bottina'u
Bauer	Hegge	Peterson, Ransom
Baumgartner	Hildre	Pyle
Belzer	Hofstrand	Rettke
Benno	Hogoboom	Rohde
Bergesen	Holm	Runck
Bjella	Hovey	Sailer
Blair	Iszler	Sandness
Bolmeier	Jennings	Saumur
Boulden	Johnson, Cass	Schmalenberger
Braun	Johnson, Rolette	Schnell
Bubel	Kolpin	Sellens
Burau	Langley	Severson

Bymers	Larson, Ward	Sharpe
Callahan	Larson, Wells	Shure
Carlson	Leet	Stair
Collette	Levin	Starck
Crockett	Lunde	Sticka
Dahlen	Manstrom	Stormon
Dalzell	Marks	Tuff
Ekren	McInnes	Twichell
Falconer	Mittag	Wambheim
Fitch	Moe	Welk
Fleck	Mollet	Westby
Fraser	Monson	Williams, Stutsm'n
Fuglestad	Morland	Wolf, McIntosh
Gackle	Morrison	Wolf, Morton
Gainor	Myers	Mr. Speaker
Graham	Nelson	

Absent and not voting:

Coghlan	Johnson, Richland	Schwartz
Devlin	Lillehaugen	Welder
Drovdal	Mortenson	Williams, Richland
Forseth	Rohrer	Williams, Sargent

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

Rep. Johnson of Cass moved that House Bill No. 139 be placed in General Orders, which motion prevailed.

#### CONSIDERATION OF MESSAGES FROM THE SENATE

Rep. Aker moved that the House concur in the Senate amendment to House Bill No. 58.

Which motion prevailed.

Rep. Aker moved that the rules be suspended and House Bill No. 58 be considered properly re-engrossed and placed on second reading and final passage, which motion prevailed.

#### SECOND READING OF HOUSE BILLS

House Bill No. 58. A Bill for an Act to Amend and Re-enact Chapter 156 of the Session Laws of 1941, Making It a Misdemeanor for Any Person to Hunt and Pursue Any Wild Life With the Aid of a Spot Light or Any Other Kind of Artificial Light, Except Under Certain Conditions.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 92; nays, 6; absent and not voting, 15.

Those voting in the affirmative were:

Aker	Gackle	Nystrom
Allen, Grand Forks	Gainor	Ohnstad
Allen, Pierce	Graham	Olson, Barnes
Anderson	Haag	Olson, Bowman
Arndt	Halcrow	Ostgulen
Bagge	Haugen	Peterson, Bottina'u
Bauer	Haugland	Peterson, Ransom
Baumgartner	Heckman	Pyle
Belzer	Hegge	Rettke
Benno	Hildre	Rohde
Bergesen	Hofstrand	Runck
Bjella	Hogoboom	Sailer
Blair	Holm	Sandness
Bolmeier	Hovey	Saumur
Boulden	Iszler	Schmalenberger
Braun	Jennings	Schnell

Bubel	Johnson, Cass	Sellens
Bureau	Johnson, Rolette	Sharpe
Bymers	Kolpin	Stair
Callahan	Langley	Starck
Carlson	Larson, Ward	Sticka
Collette	Leet	Stormon
Crockett	Levin	Tuff
Dahlen	Lunde	Wambheim
Dalzell	Manstrom	Welk
Ekren	Marks	Westby
Falconer	Mittag	Williams, Stutsm'n
Fitch	Mollet	Wolf, McIntosh
Fleck	Monson	Wolf, Morton
Fraser	Morland	Mr. Speaker
Fuglestad	Nelson	
Those voting in the negative were:		
Larson, Wells	Shure	Morrison
Moe	Twichell	Myers
Absent and not voting:		
Coghlan	Johnson, Richland	Schwartz
Devlin	Lillehaugen	Severson
Drovdal	McInnes	Welder
Forseth	Mortenson	Williams, Richland
Halvorson	Rohrer	Williams, Sargent
So the bill passed as amended and the title was agreed to.		

FIRST READING OF SENATE BILLS

Senate Bill No. 41. A Bill for an Act to Amend and Re-enact Section 988 of the Compiled Laws of the State of North Dakota for the Year of 1913, as Amended and Re-enacted by Chapter 201 of the 1923 Session Laws and Chapter 132 of the 1925 Session Laws, Relating to the Disability of Electors in Marking Their Ballots.

Was read the first time and referred to the Committee on Election and Election Privileges.

Senate Bill No. 85. A Bill for an Act Requiring the Numbering of Forms by the Printer, Prescribing a Penalty for the Violation of the Act, and Repealing All Acts or Parts of Acts in Conflict Herewith.

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

Senate Bill No. 84. A Bill for an Act to Amend and Re-enact Section 3276 of the Compiled Laws of North Dakota for 1913 Relating to Supervision of Fiscal Affairs by the County Commissioners, and Repealing All Acts or Parts of Acts in Conflict Herewith.

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

Senate Bill No. 86. A Bill for an Act Requiring Verification of Cash and Bank Balances in Hands of County Treasurer, and Repealing All Acts or Parts of Acts in Conflict Herewith.

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

Senate Bill No. 87. A Bill for an Act to Amend and Re-enact Section 2079b9 of the 1925 Supplement to the Compiled Laws of North Dakota for 1913, Relating to Records of Local Bond Issues, and Repealing All Acts or Parts of Acts in Conflict Herewith.

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



Senate Bill No. 88. A Bill for an Act to Amend and Re-enact Subsection (e) of Section 1 of Chapter 279 of the Session Laws of North Dakota for 1931, the Same Being an Amendment of Section 2166 of the Compiled Laws of North Dakota for 1913 as Amended and Re-enacted by Section 3 of Chapter 241 of the Session Laws of North Dakota for 1929, as Further Amended by Chapter 279 of the Session Laws of North Dakota for 1941, Relating to the Collection of Personal Property Taxes by the County Sheriff, and Repealing All Acts or Parts of Acts in Conflict Herewith.

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

Senate Bill No. 89. A Bill for an Act to Amend and Re-enact Section 2159 of the Compiled Laws of North Dakota for 1913, Relating to the Records of the County Treasurer, and Repealing All Acts or Parts of Acts in Conflict Herewith.

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

Senate Bill No. 90. A Bill for an Act to Amend and Re-enact Sections 3369 and 3370 of the Compiled Laws of North Dakota for 1913, Relating to County Warrant Procedures, and Repealing Section 3289 of the Compiled Laws of North Dakota for 1913 and All Acts or Parts of Acts in Conflict Herewith.

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

Senate Bill No. 91. A Bill for an Act to Establish the Responsibility of the County Treasurer, and Requiring Him to Make an Annual Settlement of His Tax List and to Make an Annual Report, and Repealing Sections 3342 and 3343 of the Compiled Laws of 1913.

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

Senate Bill No. 92. A Bill for an Act to Amend and Re-enact Section 3267 of the Compiled Laws of North Dakota for 1913, Relating to the Duties of the Chairman of the Board of County Commissioners and Repealing All Acts or Parts of Acts in Conflict Herewith.

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

Senate Bill No. 93. A Bill for an Act to Amend and Re-enact Section 3349 of the Compiled Laws of North Dakota for 1913, Relating to the Treasurer's Record of Warrants Paid, and Repealing All Acts in Conflict Herewith.

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

Senate Bill No. 94. A Bill for an Act to Amend and Re-enact Section 3367 of the Compiled Laws of North Dakota for 1913 and Repealing Section 2161 of the Compiled Laws of North Dakota for 1913, Both Sections Relating to the Duties of the County Auditor.

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

Senate Bill No. 106. A Bill for an Act to Provide Revenue for the Enforcement of the North Dakota Cosmetic Act; to Prevent Adulteration and Misbranding of Cosmetics; to Provide for Registration and Licensing Thereof; and to Provide Penalties for Violation Thereof.

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

Senate Bill No. 109. A Bill for an Act to Amend and Re-enact Section 3271 of the Compiled Laws of North Dakota for 1913, Relating to the Record of Proceedings of the Board of County Commissioners, and Repealing All Acts in Conflict Therewith.

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

Senate Bill No. 110. A Bill for an Act to Amend and Re-enact Section 2157 of the Compiled Laws of North Dakota of the Year 1913 as Amended by Chapter 228 of the Session Laws of 1929 Relating to the Issuance of Tax Receipts and the Form Thereof.

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

Senate Bill No. 111. A Bill for an Act to Amend and Re-enact Section 2180 of the Compiled Laws of North Dakota for 1913, Relating to the Duties of the County Treasurer, and Repealing All Acts or Parts of Acts in Conflict Therewith.

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

Senate Bill No. 112. A Bill for an Act to Amend and Re-enact Section 2160 of the Compiled Laws of North Dakota of the Year 1913 Relating to Issuance of Receipts.

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

Senate Bill No. 113. A Bill for an Act to Amend and Re-enact Section 2174 (a) and (b) of the Compiled Laws of North Dakota for 1913 as Amended by Chapter 242 of the Session Laws of 1929, Relating to Delinquent Personal Taxes and Repealing Section 2174 (c) of the Compiled Laws of North Dakota for 1913 and All Acts or Parts of Acts in Conflict Therewith.

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

Senate Bill No. 117. A Bill for an Act Amending and Re-enacting Subdivisions (a), (b) and (c) of Section 4 of Chapter 235 of the Session Laws of North Dakota for 1929, as Amended and Re-enacted by Section 1 of Chapter 288 of the Session Laws of North Dakota for 1941, Relating to Limitations Upon the Rate of Tax Levies for General and Special County Purposes, and Providing for Exceptions to Such Limitations.

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

Senate Bill No. 193. A Bill for an Act to Amend and Re-enact Section 994 of the Compiled Laws of North Dakota, 1913, Providing for Preparing and Printing Absent Voter Ballots.

Was read the first time and referred to the Committee on Election and Election Privileges.

Rep. Twichell moved that for the time being the House defer action on Senate Bills in General Orders and in Second Reading and Final Passage until the House Bills are cleaned up, which motion prevailed.

Rep. Graham moved that the House recess until 12:30 o'clock p. m., tomorrow, which motion prevailed.

W. M. SMART, Chief Clerk.

FORTY-SECOND DAY AFTER RECESS  
AND FORTY-THIRD DAY

Bismarck, February 16, 1943

The House convened at 12:30 o'clock p. m., pursuant to recess, Speaker Beede presiding.

The Speaker announced the House would be on the fifteenth order of business.

GENERAL ORDERS

Rep. Fitch moved that the House resolve itself into a committee of the whole for the consideration of general orders; which motion prevailed, and the House resolved itself into a committee of the whole.

The Speaker called Rep. Fitch to the chair.

When the committee arose it submitted the following report:

Mr. Speaker: The committee of the whole have had under consideration:

House Bill No. 1.

Line 10—Strike out the figures "\$963,396.00" and insert the figures "\$815,164.00".

Line 11—Strike out the figures "\$559,213.52" and insert the figures "\$485,376.00".

Line 13—Strike out the figures "\$72,469.59" and insert the figures "\$67,164.00".

Line 14—Strike out the figures "\$86,137.00" and insert the figures "\$83,985.00".

Line 15—Strike out the figures "\$131,082.64" and insert the figures "\$119,459.64".

Line 16—Strike out the figures "\$120,819.68" and insert the figures "\$113,997.00".

Line 17—Strike out the figures "\$246,200.00" and insert the figures "\$207,378.00".

Line 18—Strike out the figures "\$194,000.00" and insert the figures "\$159,816.00".

Line 19—Strike out the figures "\$348,100.00" and insert the figures "\$267,399.00".

Line 20—Strike out the figures "\$332,000.00" and insert the figures "\$286,675.00".

Line 24—Strike out the figures "\$280,600.00" and insert the figures "\$319,870.00".

Line 25—Strike out the figures "\$480,897.78" and insert the figures "\$511,900.00".

Line 29—Strike out the figures "\$35,000.00" and insert the figures "\$45,000.00".

Line 30—Strike out the figures "\$64,000.00" and insert the figures "\$76,500.00".

Line 31—Strike out the figures "\$70,000.00" and insert the figures "\$100,000.00".

Line 32—Strike out the figures "\$100,000.00" and insert the figures "\$115,000.00".

Strike out lines in their entirety beginning with line 50 of Section 3 to line 111, inclusive, and insert in lieu thereof the following:

50	a. (1) College of Engineering	
51	Salaries .....	\$ 96,838.00
52	Maintenance .....	13,227.00
53	(2) State-wide Serv. on natural resources	
54	Salaries .....	17,572.00
55	Maintenance .....	4,751.00
56	b. College of Science, Literature & Arts	
57	Salaries .....	232,104.00
58	Maintenance .....	20,608.00
59	c. School of Commerce	
60	Salaries .....	52,267.00
61	Maintenance .....	2,653.00
62	d. School of Education	
63	Salaries .....	118,105.00
64	Maintenance .....	17,302.00
65	e. School of Law	
66	Salaries .....	28,158.00
67	Maintenance .....	7,015.00
68	f. School of Medicine	
69	Salaries .....	54,332.00
70	Maintenance .....	11,857.00
71	g. Military Training	
72	Salaries .....	1,925.00
73	Maintenance .....	232.00
74	h. Dean of Women's Office	
75	Salaries .....	6,670.00
76	Maintenance .....	660.00
77	i. Dean of Men's Office	
78	Salaries .....	9,400.00
79	Maintenance .....	280.00
80	j. Correspondence Study	
81	Salaries .....	17,646.00
82	Maintenance .....	4,202.00
83	k. Summer Session	
84	Salaries .....	19,435.00
85	Maintenance .....	1,155.00
86	l. General Educational Service	
87	Maintenance .....	9,842.00
88	Total Educational Service .....	748,236.00
89	2. Library	
90	Salaries .....	15,850.00
91	Maintenance .....	16,131.00
92	3. Administration	
93	President's Salary .....	10,560.00
94	Other Salaries .....	53,943.00
95	Maintenance .....	14,365.00
96	4. Student Welfare, Health & Place. Serv.	
97	Salaries .....	9,723.00
98	Maintenance .....	1,835.00
99	5. Buildings & Grounds	
100	Salaries .....	113,553.00

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101	Maintenance .....	102,998.00
102	Total Maintenance .....	1,087,194.00
103	Total estimated local income .....	319,870.00
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104	Net Maintenance .....	767,324.00
105	6. Improvements & Repairs .....	12,000.00
106	7. Equipment .....	9,000.00
107	8. Fixed Charges .....	21,840.00
108	9. School of Mines (Spec.) .....	5,000.00
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109	Total .....	815,164.00
110	AGRICULTURAL COLLEGE	
111	1. Educational Service:	
112	a. Agriculture	
113	Salaries .....	125,113.00
114	Maintenance .....	24,347.00
115	b. Engineering:	
116	1. College of Engineering	
117	Salaries .....	88,573.00
118	Maintenance .....	4,308.00
119	2. Chemistry	
120	Salaries .....	33,823.00
121	Maintenance .....	8,104.00
122	c. Home Economics	
123	Salaries .....	54,937.00
124	Maintenance .....	7,588.00
125	d. Science, Literature & Arts:	
126	1. College of Liberal Arts	
127	Salaries .....	125,605.00
128	Maintenance .....	5,584.00
129	2. Education	
130	Salaries .....	19,178.00
131	Maintenance .....	1,665.00
132	3. Pharmacy	
133	Salaries .....	21,012.00
134	Maintenance .....	3,101.00
135	e. Music & Bands	
136	Salaries .....	6,026.00
137	Maintenance .....	243.00
138	f. Phys. Educ.—Men	
139	Salaries .....	8,078.00
140	g. Phys. Educ.—Women	
141	Salaries .....	6,436.00
142	Maintenance .....	255.00
143	h. Military Science	
144	Salaries .....	943.00
145	Maintenance .....	205.00
146	i. Extension	
147	Salaries .....	1,089.00
148	Maintenance .....	994.00
149	j. Dean of Men	
150	Salaries .....	3,663.00
151	Maintenance .....	331.00
152	k. Dean of Women	
153	Salaries .....	8,784.00
154	Maintenance .....	309.00
155	l. General Educ. Service	
156	Salaries .....	6,505.00

157	Maintenance .....	7,778.00
158	Total Educational Service .....	574,577.00
159	2. Library	
160	Salaries .....	15,369.00
161	Maintenance .....	4,611.00
162	3. Administration	
163	President's Salary .....	11,600.00
164	Other Salaries .....	43,111.00
165	Maintenance .....	11,400.00
166	4. Student Welfare, Health & Place. Serv.	
167	Salaries .....	9,040.00
168	Maintenance .....	1,012.00
169	5. Buildings & Grounds	
170	Salaries .....	105,445.00
171	Maintenance .....	123,506.00
172	Total Maintenance .....	899,671.00
173	Less estimated local income:	
174	Interest & Income .....	90,000.00
175	Institutional Collections .....	241,900.00
176	Federal Funds .....	180,000.00
177	Net Maintenance .....	387,771.00
178	6. Improvements & Repairs .....	28,245.00
179	7. Equipment .....	30,660.00
180	8. Fixed Charges .....	38,700.00

181 Total .....

Renumber lines from 112 to 127, inclusive to 182 to 197, inclusive.

Strike out lines in their entirety beginning with line 128 to line 239, inclusive, and insert in lieu thereof the following:

"198 AGRIC. COLLEGE—EXTENSION DIVISION

199	1. Administration	
200	Salaries .....	938.00
201	Maintenance .....	297.00
202	2. Information & Publications	
203	Salaries .....	5,416.00
204	Maintenance .....	600.00
205	3. County Agents	
206	Salaries .....	8,718.00
207	Maintenance .....	1,696.00
208	4. Home Demonstration	
209	Salaries .....	2,763.00
210	Maintenance .....	93.00
211	5. 4-H Club Work	
212	Salaries .....	4,683.00
213	Maintenance .....	586.00
214	6. Rural Young People	
215	Salaries .....	489.00
216	Maintenance .....	61.00
217	7. Field Agents in Agriculture	
218	Salaries .....	15,764.00
219	Maintenance .....	1,843.00
220	8. Forestry	
221	Salaries .....	3,036.00
222	Maintenance .....	315.00
223	9. Field Agents in Home Economics	

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224	Salaries .....	4,419.00
225	Maintenance .....	680.00
226	10. Workmen's Compensation .....	4,000.00
227	11. Maintenance	
228	Salaries .....	3,064.00
229	Maintenance .....	7,703.00
230	Total .....	67,164.00
231	<b>SCHOOL OF FORESTRY</b>	
232	1. Educational Service	
233	Salaries .....	35,136.00
234	Maintenance .....	2,290.00
235	2. Library	
236	Salaries .....	345.00
237	Maintenance .....	950.00
238	3. Administration	
239	President's Salary .....	6,600.00
240	Other Salaries .....	6,190.00
241	Maintenance .....	975.00
242	4. Student Welfare, Health & Place. Serv.	
243	Maintenance .....	385.00
244	5. Buildings & Grounds	
245	Salaries .....	4,284.00
246	Maintenance .....	7,350.00
247	6. Nursery & Greenhouse	
248	Salaries .....	20,085.00
249	Maintenance .....	11,877.00
250	Total Maintenance .....	96,467.00
251	Less estimated local income .....	19,000.00
252	Net Maintenance .....	77,467.00
253	7. Improvements & Repairs .....	1,750.00
254	8. Equipment .....	2,575.00
255	9. Fixed Charges .....	2,193.00
256	Total .....	83,985.00
257	<b>ELLENDALE NORMAL &amp; INDUSTRIAL SCHOOL</b>	
258	1. Educational Service	
259	Salaries .....	79,976.00
260	Maintenance .....	5,896.00
261	2. Library	
262	Salaries .....	2,760.00
263	Maintenance .....	1,575.00
264	3. Administration	
265	President's Salary .....	7,320.00
266	Other Salaries .....	5,928.00
267	Maintenance .....	3,641.00
268	4. Student Welfare, Health & Place. Serv.	
269	Salaries .....	3,715.00
270	Maintenance .....	735.00
271	5. Buildings & Grounds	
272	Salaries .....	18,354.00
273	Maintenance .....	19,934.00
274	6. Summer School .....	6,000.00
275	Total Maintenance .....	155,834.00
276	Less estimated local income .....	50,000.00
277	Net Maintenance .....	105,834.00

278	7. Improvements & Repairs .....	5,000.00
279	8. Equipment .....	5,105.00
280	9. Fixed Charges .....	3,520.64
281	Total .....	119,459.64
282	<b>SCHOOL OF SCIENCE</b>	
283	1. Educational Service	
284	Salaries .....	114,862.00
285	Maintenance .....	15,876.00
286	2. Library	
287	Salaries .....	3,360.00
288	Maintenance .....	2,182.00
289	3. Administration	
290	President's Salary .....	9,900.00
291	Other Salaries .....	3,683.00
292	Maintenance .....	4,501.00
293	4. Student Welfare, Health & Place. Serv.	
294	Salaries .....	2,514.00
295	Maintenance .....	2,640.00
296	5. Buildings & Grounds	
297	Salaries .....	22,767.00
298	Maintenance .....	31,712.00
299	Total Maintenance .....	213,997.00
300	Less Estimated Local Income &	
301	Income from Navy Program .....	115,000.00
302	Net Maintenance .....	98,997.00
303	6. Improvements & Repairs .....	5,000.00
304	7. Equipment .....	5,000.00
305	8. Fixed Charges .....	5,000.00
306	Total .....	113,997.00
307	<b>DICKINSON NORMAL</b>	
308	1. Educational Service	
309	Salaries .....	123,067.00
310	Maintenance .....	10,429.00
311	2. Library	
312	Salaries .....	4,370.00
313	Maintenance .....	3,216.00
314	3. Administration	
315	President's Salary .....	7,700.00
316	Other Salaries .....	13,363.00
317	Maintenance .....	5,370.00
318	4. Student Welfare, Health & Place. Serv.	
319	Salaries .....	2,392.00
320	Maintenance .....	21.00
321	5. Buildings & Grounds	
322	Salaries .....	20,130.00
323	Maintenance .....	21,215.00
324	Fuel .....	16,905.00
325	6. Summer School .....	10,500.00
326	Total Maintenance .....	238,678.00
327	Less Estimated Local Income .....	45,000.00
328	Net Maintenance .....	193,678.00
329	7. Improvements & Repairs .....	9,100.00
330	8. Equipment .....	3,000.00



331	9.	Fixed Charges .....	1,600.00
332		Total .....	207,378.00
333		MAYVILLE NORMAL	
334	1.	Educational Service	
335		Salaries .....	116,614.00
336		Maintenance .....	7,098.00
337	2.	Library	
338		Salaries .....	7,151.00
339		Maintenance .....	3,255.00
340	3.	Administration	
341		President's Salary .....	6,600.00
342		Other Salaries .....	11,678.00
343		Maintenance .....	5,775.00
344	4.	Student Welfare, Health & Place. Serv.	
345		Salaries .....	2,884.00
346		Maintenance .....	1,890.00
347	5.	Buildings & Grounds	
348		Salaries .....	20,976.00
349		Maintenance .....	33,395.00
350	6.	Summer School .....	6,500.00
351		Total Maintenance .....	223,816.00
352		Less Estimated Local Income .....	76,500.00
353		Net Maintenance .....	147,316.00
354	7.	Improvements & Repairs .....	4,000.00
355	8.	Equipment .....	3,500.00
356	9.	Fixed Charges .....	5,000.00
357		Total .....	159,816.00
358		MINOT NORMAL	
359	1.	Educational Service	
360		Salaries .....	205,572.00
361		Maintenance .....	9,152.00
362	2.	Library	
363		Salaries .....	10,209.00
364		Maintenance .....	1,415.00
365	3.	Administration	
366		President's Salary .....	7,920.00
367		Other Salaries .....	13,121.00
368		Maintenance .....	5,043.00
369	4.	Student Welfare, Health & Place. Serv.	
370		Salaries .....	2,317.00
371		Maintenance .....	61.00
372	5.	Buildings & Grounds	
373		Salaries .....	46,315.00
374		Maintenance .....	31,201.00
375	6.	Summer School .....	17,973.00
376		Total Maintenance .....	350,299.00
377		Less Estimated Local Income .....	100,000.00
378		Net Maintenance .....	250,299.00
379	7.	Improvements & Repairs .....	6,600.00
380	8.	Equipment .....	5,000.00
381	9.	Fixed Charges .....	5,500.00
382		Total .....	267,399.00

		VALLEY CITY NORMAL	
383			
384	1. Educational Service		
385	Salaries .....	207,376.00	
386	Maintenance .....	9,129.00	
387	2. Library		
388	Salaries .....	7,730.00	
389	Maintenance .....	5,227.00	
390	3. Administration		
391	President's Salary .....	7,000.00	
392	Other Salaries .....	16,717.00	
393	Maintenance .....	8,918.00	
394	4. Student Welfare, Health & Place. Serv.		
395	Salaries .....	5,782.00	
396	Maintenance .....	2,102.00	
397	5. Buildings & Grounds		
398	Salaries .....	43,774.00	
399	Maintenance .....	42,920.00	
400	6. Summer School .....	16,000.00	
		<hr/>	
401	Total Maintenance .....	372,675.00	
402	Less Estimated Local Income .....	115,000.00	
		<hr/>	
403	Net Maintenance .....	257,675.00	
404	7. Improvements & Repairs .....	10,500.00	
405	8. Equipment .....	8,500.00	
406	9. Fixed Charges .....	10,000.00	
		<hr/>	
407	Total .....	286,675.00	

And further amend by renumbering the lines 240 to 247, inclusive, of Section 4.

And when so amended recommend the same do pass.  
House Bill No. 189.

In line 3 of the title strike out the words "high schools and".

In line 1 of the bill strike out the words "high schools and".

In line 6 of the bill strike out the last word "high" and in line 7 strike out the words "schools and".

In line 10 of the bill strike out the words "schools and".

And when so amended recommend the same do pass.

House Bill No. 135.

In the title strike out the following words, "said original section so amended and".

And recommend the following further amendment:

Line 3 of the title strike out the word "Amending" and insert "Repealing".

And when so amended recommend the same do pass.

House Bill No. 101.

In the title of the bill strike out the period, insert a comma and add "and declaring an emergency".

On page 2, Section 2, line 23 after the word "members" insert the following:

"consisting of the Governor, Attorney General, Commissioner of Agriculture and Labor and twelve other members." Put a period after the word, "Governor" and strike out the words, "and to serve at the pleasure of the Governor."

At the end of Section 2 and as a part thereof insert the following:

"The Council shall hold meetings as often as may be neces-

sary. Each member of the Council shall be notified of said meeting by letter at least five days before the date thereof."

On page 4, Section 3, insert paragraph "h" as follows:

"h. To perform all duties authorized by the Governor under the laws, the constitution, and war powers."

On page 4, Section 4, line 78 strike out the first word "any" and insert "or".

On page 4, Section 4 strike out all of paragraph "b".

On page 5, Section 4 strike out all of paragraph "c".

On page 8, Section 11, line 172 strike out the words "Forty Thousand (\$40,000.00) Dollars" and insert the following: "Twenty Thousand (\$20,000.00) Dollars per annum beginning at the approval of this Act,".

And when so amended recommend the same do pass.

Senate Bill No. 67.

In line 5, after the word "Dakota", strike out the period and insert a comma, and add the following words, "except where such land is being cleared for the purpose of plowing it up for agricultural purposes". Re-number the lines correctly.

And when so amended recommend the same do pass.

REP. FITCH, Chairman.  
Committee of the Whole.

Rep. Welder moved that the report of the committee of the whole be adopted, which motion prevailed.

Rep. Johnson of Cass moved that the rules be suspended and that House Bills No. 88, 224, 192 and 139 be considered in General Orders on this legislative day, which motion prevailed.

#### GENERAL ORDERS

Rep. Fitch moved that the House resolve itself into a committee of the whole for the consideration of general orders; which motion prevailed, and the House resolved itself into a committee of the whole.

The Speaker called Rep. Fitch to the chair.

When the committee arose it submitted the following report:

Mr. Speaker: The committee of the whole have had under consideration:

House Bill No. 88.

In Section 4 strike out the figure "1" and insert the letter "A".

In the following subsection strike out the figure "2" and insert the letter "B".

Strike out the letter "A" following and insert the figure "1".

Strike out the letter "B" following and insert the figure "2".

Strike out the letter "C" and insert the figure "3".

In subsection 3 strike out the figure "3" and insert the letter "C".

In the following strike out the letters A, B, C, and D and insert the figures 1, 2, 3, and 4.

In section 9 after the word "insurance" insert the words "or otherwise".

In the title of the Act, in Line 6, strike out all after "1939", and in lieu thereof insert the following:

"Providing for net operating loss carry-over and additional deductions in computing net income for income tax purposes; repealing all Acts or parts of Acts in conflict herewith, and declaring an emergency."

On Page 2 of the Bill, strike out all of Subsections 1 and 2 of Section 4. and in lieu thereof insert the following:

(4) (1) Losses sustained during the income year that are not compensated for by insurance or otherwise, if incurred in connection with the business or transaction, the gains from which, if any, would be includable in gross income; or if arising from fires not attributable to arson by the taxpayer, or from storms, wrecks or theft. Losses from wagering or illegal acts shall not be allowed.

(2) Net operating Loss Carry-over. If for any taxable year beginning after December 31, 1941, a taxpayer has a net operating loss from trade or business, such net operating loss may be carried forward by the taxpayer as a credit against the net income, both taxable and nontaxable, received in either of the two succeeding years, subject to the following limitations:

(a) No carry-over loss shall accrue from any taxpayer, except to the extent that the loss of such year shall exceed any income not taxable under this Act received in the same year;

(b) The carry-over loss from any prior year or years may be deducted from the taxable income of any tax year only to the extent that such carry-over loss shall exceed any nontaxable income received in such tax year.

(c) That the carry-over in the case of the second succeeding taxable year shall be the excess, if any, of the amount of such net operating loss over the net income (both taxable and nontaxable) for the intervening taxable year.

(3) Taxpayers entitled to net loss carry-over privileges are:

- (a) Corporations.
- (b) Partnerships.
- (c) Individuals.
- (d) Estates and trusts if engaged in trade or business.

In Section 5 of the printed Bill, strike out everything following the word "year" in Line 58, and insert in lieu thereof the following:

"except that a worthless debt arising from unpaid wages, salary, rent or other similar item of taxable income is not an allowable deduction unless the income which such item represents has been included as income by the taxpayer in a return previously rendered under this Act."

On Page 5 of the Bill, Section 9, add the following after "dependents" in Line 110:

"and not compensated for by insurance."

Add Section 3 to the printed Bill: REPEAL.) All Acts or parts of Acts in conflict herewith are hereby repealed.

And when so amended recommend the same do pass.

House Bill No. 224.

Have had same under consideration and recommend that the same be indefinitely postponed.

House Bill No. 192.

Line 10 strike out "the pur-".

Line 11 strike out "poses of" and insert in lieu thereof the words "legal services in perfecting".

And recommend the same do pass.

House Bill No. 139.

In line Thirty of the original Bill after the word "or" insert the word "Initial".

In line Three Hundred Nineteen after the word "Board." add the following language "For the purpose of this section, a City Engineer is considered a professional engineer." And number the additional line Three Hundred Nineteen A.

After line Three Hundred Forty insert lines Three Hundred Forty A and Three Hundred Forty B containing the following language: "The provisions of this act shall not apply to the designing or engineering of County and Township roads."

And when so amended recommend the same do pass.

And recommend the following further amendment:

In line 49 insert the word "Professional" before the word "Engineers".

In Line 29 after the word "design," strike out "or responsible supervision of construction".

In line 335 page 15 after the word "municipality," strike out the words "or to exercise the direct supervision of the construction of any public work".

In Line 333 page 14 strike out the words "or estimates".

In Line 332 page 14 strike out the comma and insert the word "or" between the words "Plans, Specifications".

And when so amended recommend the same do pass.

REP. FITCH, Chairman.

Committee of the Whole.

Rep. Arndt moved that the report of the Committee of the Whole be adopted, which motion prevailed.

Rep. Johnson of Cass moved that the rules be suspended and that the Clerk be required to read only the final figures showing the adoption of the amendments to House Bill No. 1 in the report of the committee of the whole, which motion prevailed.

Rep. Rohde moved that the absent members be excused, which motion prevailed.

Rep. Rohde moved that the House do now adjourn, which motion prevailed.

W. M. SMART, Chief Clerk.

#### FORTY-THIRD DAY

Bismarck, February 16, 1943

The House convened pursuant to adjournment, Speaker Beede presiding.

Prayer was offered by Father Humphrey.

Roll call: All members were present except Reps. Devlin, Hildre, Mortenson and Rohrer.

#### MESSAGES FROM THE SENATE

Senate Chamber

Bismarck, February 16, 1943

Mr. Speaker: I have the honor to return:

House Bill No. 3. A Bill for an Act Making an Appro-

ropriation to Provide Funds for the Arrest and Return of Fugitives from Justice:

House Bill No. 4. A Bill for an Act Making an Appropriation for the Purpose of Paying Premiums on Bonds of State Officials.

House Bill No. 12. 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. 14. 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. 15. 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. 32. 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. 36. A Bill for an Act Making an Appropriation to Pay the Expenses and Per Diem of Presidential Electors.

House Bill No. 56. A Bill for an Act Making an Appropriation for the Payment of Salaries, Postage, Office Supplies and Printing in the State Department of Health, and Declaring an Emergency.

Which the President has signed.

W. J. TROUT, Secretary.

Senate Chamber

Bismarck, February 16, 1943

Mr. Speaker: I have the honor to return:

House Bill No. 29. 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 Concurrent Resolution "J." A Concurrent Resolution Regarding the Policy of the State of North Dakota to Maintain Its Jurisdiction and Control Over the Rights to the Use of the Waters in This State.

Which the Senate has passed unchanged.

W. J. TROUT, Secretary.

Senate Chamber

Bismarck, February 16, 1943

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 43. A Bill for an Act to Create a State Control Board for Survey and Control of Mental Deficiency and Designating the Three Appointive Members of the Board of Administration as Such Board, and the Superintendent of the Grafton State School as Secretary Thereof; Providing for Its Organization and Headquarters; Prescribing Its Powers and Duties; Providing for a County Control Board for Mental Deficiency and Designating the Commissioners of Insanity as Such Board, and Prescribing its Powers and Duties; Defining Mental Deficiency; Providing for the Fur-

nishing of Certain Information by Institutions, Boards of Education, Teachers, School Principals and Superintendents, Doctors, Nurses, Hospitals, County Health Officers, County Welfare Boards and State Boards and Commissions; Providing for a List of Mentally Deficient Persons to be Furnished All County Judges, Prohibiting the Issuance of Marriage Licenses to Mentally Deficient Persons and Providing a Penalty for the Violation Thereof; Providing for Certain Exceptions; Providing for the Right of Appeal to the District Courts in Case of Refusal to Issue Marriage License and Prescribing the Time for Such Appeal; Repealing All Statutes in Direct Conflict With the Provisions Hereof; and Making an Appropriation Therefor.

Senate Bill No. 104. A Bill for an Act to Authorize the State Highway Commissioner to Cooperate with the Public Roads Administration of the United States in the Construction and Maintenance of Flight Strips and of Certain Classes of Highways and to Acquire, by Purchase or Condemnation, Lands Required for Such Flight Strips and Highways.

Senate Bill No. 114. A Bill for an Act to Amend and Re-enact Section 17 of Chapter 71 of the Session Laws of North Dakota for the Year 1933, Requiring the State Examiner to Prescribe a System of Uniform Accounting for County Officers, Making an Appropriation Therefore and Repealing All Acts and Parts of Acts in Conflict Herewith.

Senate Bill No. 149. A Bill for an Act to Amend and Re-enact Subsection (c) of Section 51 of the Session Laws of North Dakota for the Year 1927, Providing for the Tilting of Motor Vehicle Headlights, and Declaring an Emergency.

Senate Bill No. 154. A Bill for an Act to Create and Establish Under the Industrial Commission of the State of North Dakota a Research Agency to Be Known as the North Dakota Research Foundation; Fixing the Membership of the Foundation Providing for Their Appointment and Compensation; Prescribing the Duties of the Industrial Commission and the Foundation; and Making an Appropriation Therefore.

Senate Bill No. 157. A Bill for an Act to Amend and Re-enact Chapter 190 of the Laws of North Dakota for the Year 1929, Providing That the Execution of a Specified Certificate and the Recording Thereof, Shall Constitute Prima Facie Evidence of the Termination of the Estate Held by a Deceased Person, Under an Estate in Joint Tenancy; Providing for the Recording of Such Certificate; Providing for the Transfer by an Owner to Himself and Others in Joint Tenancy With Right of Survivorship and Declaring Valid Transfers Heretofore Made by Owner to Himself and Others in Joint Tenancy with Right of Survivorship, and Declaring an Emergency.

Senate Concurrent Resolution "1-A." A Concurrent Resolution Requesting Congress to Transfer the Fort Peck Project to the Bureau of Reclamation of the Department of Interior for Operation and Maintenance and That Adequate Appropriations Be Made Available to the Bureau of Reclamation to Enable Completion of Preliminary Plans and Estimates in Preparation for Post-War Conditions.

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

W. J. TROUT, Secretary.

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

Mr. Speaker: 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 418 change Rep. Allen's vote from "Nay" to "Aye".

On page 412 in line 7 change "58" to "38".

And when so corrected recommends that the same be approved.

REP. WELDER, Chairman.

Rep. Lunde moved that the report be adopted, which motion prevailed and the report was adopted.

#### PETITIONS AND COMMUNICATIONS

Communications from Clara W. Wilcox, Center, North Dakota, and Mrs. A. J. Passmel, Wimbledon, North Dakota, with reference to appropriations for Supervised Correspondence Studies were referred to the Committee on Appropriations.

Mr. Speaker: Your Committee on Printing to whom was referred House Bill No. 180, have had the same under consideration and recommend that the same do pass.

REP. SELLENS, Chairman.

Rep. Morland moved that the report be adopted, which motion prevailed and the report was adopted.

#### REPORTS OF STANDING COMMITTEES

Mr. Speaker: Your Committee on Printing to whom was referred Senate Concurrent Resolution "B," have had the same under consideration and recommend that the same do pass.

REP. SELLENS, Chairman.

Rep. Morland moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Printing to whom was referred Senate Concurrent Resolution "N," have had the same under consideration and recommend that the same do pass.

REP. SELLENS, Chairman.

Rep. Morland moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Game and Fish to whom was referred House Bill No. 44, have had the same under consideration and recommend that the same do pass.

REP. BENNO, Chairman.

Rep. Bolmeier moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Federal Relations to whom was referred House Concurrent Resolution "R," have had the same under consideration and recommend that the same be adopted.

REP. SHURE, Chairman.

Rep. Wambheim moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Election and Election Privileges to whom was referred House Concurrent Resolu-



tion "Q," have had the same under consideration and recommend that the same do pass.

REP. LEVIN, Chairman.

Rep. Nelson moved that the report be adopted.

Rep. Nystrom offered as a substitute motion that House Concurrent Resolution "Q" be indefinitely postponed, which motion was lost.

The question was on adoption of the report of the standing committee, which motion prevailed.

Mr. Speaker: Your Committee on Counties to whom was referred House Bill No. 203, have had the same under consideration and recommend that the same do pass.

REP. ROHDE, Chairman.

Rep. Wolf of McIntosh moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Counties to whom was referred House Bill No. 217, have had the same under consideration and recommend that the same be amended as follows:

After the title strike out period and add "and declaring an emergency."

Add Section 3. Emergency. This Act is hereby declared to be an emergency measure and shall be in full force and effect from and after its passage and approval.

And when so amended recommend the same do pass.

REP. ROHDE, Chairman.

Rep. Rohde moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Judiciary to whom was referred House Bill No. 166, have had the same under consideration and recommend that the same do pass.

REP. OHNSTAD, Chairman.

Rep. Blair moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Judiciary to whom was referred House Bill No. 105, have had the same under consideration and recommend that the same do pass.

REP. OHNSTAD, Chairman.

Rep. Welder moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Livestock to whom was referred House Bill No. 183, have had the same under consideration and recommend that the same do pass.

REP. HALVORSON, Chairman.

Rep. Welk moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Livestock to whom was referred House Bill No. 157, have had the same under consideration and recommend that the same do pass.

REP. HALVORSON, Chairman.

Rep. Williams of Stutsman moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Corporations to whom was referred House Bill No. 173, have had the same under consideration and recommend that the same do pass.

REP. MYERS, Chairman.

Rep. Bergesen moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Judiciary to whom was referred House Bill No. 153, have had the same under consideration and recommend that the same be amended as follows:

Strike out all after the words "A Bill," and insert in lieu thereof the following:

"For an Act Amending and Re-enacting Section 9577 of the Compiled Laws for 1913 Making It a Felony for an Official or an Employee in Any Penal, Correctional, or Eleemosynary Institution to Have Sexual Intercourse With an Inmate of Such Institution in Which Such Officer or Other Person Is Employed; Making It a Felony for a Guardian or Person Administering Public Relief or Welfare to Induce a Female Ward Under His Care to Have Illicit Sexual Intercourse With Him, by Threatening to Withhold from Such Female or Her Family, the Necessities of Life, or Threatening Physical Violence; Providing Penalty.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF NORTH DAKOTA:

1 Section 1. AMENDMENT) That Section 9577 of the  
 2 Compiled Laws for 1913 be amended and re-encated to  
 3 read as follows:  
 4 SECTION 9577. SEXUAL INTERCOURSE WITH  
 4a FEMALE  
 5 INMATE, WARD, OR PAUPER, FELONY. PEN-  
 5a ALTY.) Every male  
 6 person who, when a warden, superintendent, supervising  
 7 official, guard, watchman, or other employee in any  
 8 penal, correctional or eleemosynary institution in this  
 9 state, induces a female who is an inmate in the institu-  
 10 tion in which he is employed to have illicit sexual  
 11 intercourse with him, and every person, who, when  
 12 guardian of a minor or when administering public relief  
 13 or welfare, induces a female who is a ward or pauper  
 14 under his care, or who is in a position where she  
 15 receives the necessities of life through or from him, or  
 16 upon his recommendation, to have illicit intercourse  
 17 with him by threatening to withhold from her, or a  
 17a member  
 18 of her family, the necessities of life, or by threaten-  
 19 ing her or a member of her family, with physical violence,  
 20 is guilty of a felony, and upon conviction, shall be  
 21 punished by imprisonment in the penitentiary for a term  
 22 of not less than one, nor more than fifteen years."

And when so amended recommend the same do pass.

REP. OHNSTAD, Chairman.

Rep. Blair moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on State Affairs to whom was referred House Concurrent Resolution "O," have had the same under consideration and recommend that the same be amended as follows:

In line four of the Resolution after the hyphenated word "rejection" Insert the following language "at the General Election in November, 1944,".

And when so amended recommend the same do pass.

REP. TWICHELL, Chairman.

Rep. Bolmeier moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Delayed Bills to whom was referred House Bill No. 243, have had the same under consideration:

A Bill for an Act appropriating the balance remaining in "The State Public Welfare Fund" created by Section 25, Chapter 249, Session Laws of 1937.

And recommend this bill be introduced.

REP. BOULDEN, Chairman.

Rep. Bubel moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Game and Fish to whom was referred House Bill No. 47, have had the same under consideration and submit it without consideration.

REP. BENNO, Chairman.

Rep. Morland moved that House Bill No. 47 be placed on the calendar.

Rep. Bolmeier offered as a substitute motion that House Bill No. 47 be placed in General Orders, seconded by Rep. Wolf of McIntosh.

Rep. Bolmeier requested permission to withdraw his motion.

Objection was made so the motion was still before the House.

Rep. Boulden moved the previous question.

The question was on the motion of Rep. Bolmeier, which motion prevailed.

Mr. Speaker: Your Committee on Warehouse and Grain Grading to whom was referred House Bill No. 195, have had the same under consideration and recommend that the same do pass.

REP. BLAIR, Chairman.

Rep. Blair moved that the report be adopted, which motion prevailed and the report was adopted.

#### HOUSE COMMITTEE ON ENROLLMENT AND ENGROSSMENT

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

House Bill No. 58.

House Concurrent Resolution "B."

And find the same correctly Enrolled.

REP. MORLAND, Chairman.

Rep. Monson moved that the report be adopted, which motion prevailed, and the report was adopted.

#### MESSAGES TO THE SENATE

House of Representatives  
Bismarck, February 16, 1943

Mr. President: I have the honor to return:  
Senate Bill No. 36. A Bill for an Act to Divide the State of North Dakota Into Two (2) Congressional Districts, and Defining the Boundaries of Each of Said Congressional Districts.

Which the House has indefinitely postponed.

W. M. SMART, Chief Clerk.

House of Representatives  
Bismarck, February 16, 1943

Mr. President: I have the honor to return:

Senate Bill No. 52. A Bill for an Act Amending and Re-enacting Section 396d3 of the 1925 Supplement as Amended and Re-enacted by Chapter 189, Session Laws of 1933 Relating to the Qualifications, Salary and Duties of the State Health Officer.

Which the House has amended.

W. M. SMART, Chief Clerk.  
House of Representatives  
Bismarck, February 16, 1943

Mr. President: I have the honor to transmit:

House Bill No. 201. A Bill for an Act to Amend and Re-enact Section 5 of Chapter 276 of the Session Laws of 1931 Providing for Abatements of Real and Personal Property Taxes, Due to Depreciation or Other Cause, and Declaring an Emergency.

House Bill No. 167. A Bill for an Act to Amend and Re-enact Section 5, Chapter 5 of the Session Laws of the State of North Dakota for the Year 1937, Relating to Dealers in Livestock; Authorizing the Public Service Commission to Appoint Inspectors With Powers of Peace Officers for the Enforcement of the Provisions of Said Act.

House Bill No. 126. A Bill for an Act to Amend and Re-enact Section 2 of Chapter 237 of the 1939 Session Laws, Relating to the Terms of Lease by Counties of Real Property Acquired by Tax-Deed, and Declaring an Emergency.

House Bill No. 122. A Bill for an Act Providing for Acknowledgments by Persons in Military or Naval Service, and Declaring an Emergency.

House Bill No. 84. A Bill for an Act Amending and Re-enacting Section 4 of Chapter 168 of the Laws of 1919 and Acts Amendatory Thereof, Pertaining to Salary of Clerical Help.

House Bill No. 68. A Bill for an Act Removing Statutory Limitations on Salaries to Be Paid to the State Highway Commissioner, Chief Engineer, Engineers, Assistant Engineers and Draftsmen in the Highway Department Between July 1, 1943 and June 30, 1945; Repealing All Acts and Parts of Acts in Conflict Herewith.

House Bill No. 64. A Bill for an Act to Amend and Re-enact Chapter 109 of the Session Laws of 1941, by Providing a Penalty for Non-compliance Therewith.

House Concurrent Resolution "N." Memorializing Congress to Take Action for the Enactment Into Law of Senate Bill 574 Now Pending in United States Congress.

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

W. M. SMART, Chief Clerk.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: The majority of your Committee on Tax and Tax Laws to whom was referred House Bill No. 222, have

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

J. N. MOLLET  
H. T. MORRISON  
LEONAS MYERS  
CORNELIUS BYMERS  
JOS. WELK

REP. McINNES, Chairman.

Rep. Myers moved that the report be adopted.

Mr. Speaker: The minority of your Committee on Tax and Tax Laws to whom was referred House Bill No. 222, have had the same under consideration and recommend that the same be indefinitely postponed.

H. W. McINNES  
EDWIN L. BAGGE  
DAVE HOVEY  
C. F. ARNDT

REP. McINNES, Chairman.

Rep. Arndt moved that the report be adopted.

Rep. Langley offered as a substitute motion that the report of the minority be substituted for the report of the majority, which motion was lost.

The question was on the motion of Rep. Myers, which motion prevailed and House Bill No. 222 was placed on the calendar.

Mr. Speaker: Your Committee on Tax and Tax Laws to whom was referred House Bill No. 230, have had the same under consideration and recommend that the same be indefinitely postponed.

REP. McINNES, Chairman.

Rep. Langley moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Tax and Tax Laws to whom was referred House Bill No. 232, have had the same under consideration and recommend that the same be indefinitely postponed.

REP. McINNES, Chairman.

Rep. Callahan moved that the report be adopted, which motion prevailed and the report was adopted.

Rep. Fitch moved that the vote by which House Bill No. 232 was indefinitely postponed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Mr. Speaker: Your Committee on Counties to whom was referred House Bill No. 178, have had the same under consideration and recommend that the same be indefinitely postponed.

REP. ROHDE, Chairman.

Rep. Wolf of McIntosh moved that the report be adopted, which motion prevailed and the report was adopted.

Rep. Rohde moved that the vote by which House Bill No. 178 was indefinitely postponed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Mr. Speaker: Your Committee on Counties to whom was referred House Bill No. 242, have had the same under consideration and recommend that the same be indefinitely postponed.

REP. ROHDE, Chairman.

Rep. Hovey moved that the report be adopted, which motion prevailed and the report was adopted.

Rep. Graham moved that the vote by which House Bill No. 242 was indefinitely postponed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Mr. Speaker: Your Committee on Election and Election Privileges to whom was referred House Bill No. 223, have had the same under consideration and recommend that the same be indefinitely postponed.

REP. LEVIN, Chairman.

Rep. Wolf of McIntosh-Logan moved that the report be adopted.

Rep. Rohde offered as a substitute motion that House Bill No. 223 be placed on the calendar.

Which motion was lost.

The question was on the motion of Rep. Wolf of McIntosh-Logan, which motion prevailed and House Bill No. 223 was indefinitely postponed.

Rep. Graham moved that the vote by which House Bill No. 223 was indefinitely postponed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Mr. Speaker: Your Committee on Election and Election Privileges to whom was referred House Bill No. 156, have had the same under consideration and recommend that the same be indefinitely postponed.

REP. LEVIN, Chairman.

Rep. Wolf of McIntosh-Logan moved that the report be adopted, which motion prevailed and the report was adopted.

Rep. Levin moved that the vote by which House Bill No. 156 was indefinitely postponed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Mr. Speaker: A majority of Your Committee on State Affairs to whom was referred House Bill No. 219, have had the same under consideration and recommend that the same be indefinitely postponed.

REP. TWICHELL, Chairman.

Rep. Bolmeier moved that the report be adopted.

Mr. Speaker: A minority of Your Committee on State Affairs to whom was referred House Bill No. 219, have had the same under consideration and recommend that the same do pass.

S. N. WELDER  
PALMER LEVIN  
W. M. CROCKETT  
DONNELL HAUGEN  
DUNCAN FRASER  
GEO. SCHWARTZ  
RAY SCHNELL  
WM. B. FALCONER  
ANDREW HALVORSON

Rep. Welder moved that the report of the minority be substituted for the report of the majority.

Rep. Johnson of Cass arose to a point of order.

Rep. Johnson of Cass moved that the State Officials be removed from the corridors.

Which motion was lost.

Rep. Johnson of Cass demanded a roll call.

Rep. Fitch stated a roll call was not necessary as all state officials had now vacated the corridor.

Rep. Johnson of Cass withdrew his request.

The question was on the adoption of the minority report.

Rep. Fitch moved the previous question.

The question was on the adoption of the minority report.

On a viva voce vote the chair was in doubt.

Rep. Crockett requested a roll call, which request was granted.

#### ROLL CALL

The question being on the adoption of the minority report, the roll was called and there were ayes, 52; nays, 51; absent and vot voting, 9; passed, 1.

Those voting in the affirmative were:

Anderson	Hegge	Ostgulen
Baumgartner	Hofstrand	Rettke
Belzer	Iszler	Rohde
Braun	Jennings	Schwartz
Bubel	Kolpin	Schmalenberger
Bureau	Larson, Ward	Schnell
Bymers	Larson, Wells	Stair
Crockett	Levin	Starck
Drovdal	Lillehaugen	Sticka
Ekren	Marks	Tuff
Falconer	Mittag	Welder
Forseth	Mollet	Welk
Fraser	Monson	Williams, Richland
Graham	Morrison	Williams, Sargent
Haag	Myers	Wolf, McIntosh
Halvorson	Nelson	Wolf, Morton
Haugen	Ohnstad	Mr. Speaker
Heckman		

Those voting in the negative were:

Aker	Fuglestad	Morland
Allen, Grand Forks	Gackle	Nystrom
Allen, Pierce	Gainor	Olson, Barnes
Arndt	Halcrow	Peterson, Ransom
Bagge	Haugland	Pyle
Bergesen	Hogoboom	Runck
Bjella	Holm	Sailer
Blair	Hovey	Sandness
Bolmeier	Johnson, Cass	Saumur
Boulden	Johnson, Richland	Sellens
Callahan	Johnson, Rolette	Severson
Carlson	Langley	Sharpe
Coghlan	Leet	Shure
Collette	Lunde	Stormon
Dahlen	Manstrom	Twichell
Dalzell	McInnes	Westby
Fitch	Moe	Williams, Stutsm'n
Absent and not voting:		
Benno	Hildre	Peterson, Bottin'au
Devlin	Mortenson	Rohrer

Fleck    Olson, Bowman                          Wambheim  
 Passed:  
 Bauer

So the report was adopted.

Rep. Bolmeier moved that Rep. Bauer be excused from voting, which motion prevailed.

Rep. Fitch moved that the House be on the seventh order of business, which motion was lost.

A division was called for and disclosed 53 for and 50 against, so the motion prevailed.

Rep. Fitch moved that further consideration of House Bill No. 219 be indefinitely postponed and demanded a call of the House.

A call of the House was granted and the Clerk proceeded to call the roll, which roll call disclosed all members present except Reps. Benno, Bubel, Devlin, Fleck, Haugen, Hildre, Mortenson, Olson of Bowman, Peterson of Bottineau, Rettke, Rohde and Sailer.

Rep. Fitch moved that the call of the House be dispensed with, which motion prevailed.

Rep. Fitch moved that his motion be made a special order of business at 2:15 o'clock p. m., tomorrow, which motion prevailed.

#### REPORTS OF STANDING COMMITTEES

Mr. Speaker: Your Committee on Military Affairs to whom was referred House Bill No. 170, have had the same under consideration and recommend that the same do pass.

REP. FALCONER, Chairman.

Rep. Fitch moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on State Affairs to whom was referred House Bill No. 209, have had the same under consideration and recommend that the same be indefinitely postponed.

REP. TWICHELL, Chairman.

Rep. Wambheim moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Judiciary to whom was referred House Bill No. 176, have had the same under consideration and recommend that the same be indefinitely postponed.

REP. OHNSTAD, Chairman.

Rep. Blair moved that the report be adopted.

Rep. Forseth offered as a substitute motion that House Bill No. 176 be placed on the calendar, which motion was lost.

The question was on the adoption of the report of the standing committee, which motion prevailed.

Rep. Blair moved that the vote by which House Bill No. 176 was indefinitely postponed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Rep. Twichell moved that the vote by which House Bill No. 168 was indefinitely postponed be reconsidered, which motion was lost.

A division was called for, which disclosed 50 for and 40 against, so the motion prevailed.



Rep. Fuglestad moved that House Bill No. 168 be placed in General Orders, which motion prevailed.

#### REPORT OF STANDING COMMITTEE

Mr. Speaker: Your Committee on Education to whom was referred House Bill No. 85, have had the same under consideration and recommend that the same be amended as follows:

1 SECTION 2. Should the money coming into  
2 the 7/12 share of the Retail Sales Tax Fund to be  
3 expended under and pursuant to the Equalization Fund  
3a Law  
4 exceed the appropriation above made either because of  
5 increased sales tax revenue or because of the full  
6 amount of the other items of the appropriation not being  
7 necessary, for the full payment thereof at the end of  
8 each fiscal year, such additional money or so much there-  
9 of as may be necessary to make full teacher unit pay-  
10 ment is appropriated to the Payment on Teacher-unit  
11 Basis item.

12 The Committee moves that the bill be further  
13 amended by adding a new Section 4 as follows:

14 SECTION 4. If the moneys in the Retail Sales  
15 Tax Fund at the end of each fiscal year should be in-  
16 sufficient for the full payment of any of the items in  
17 Section 1 of this Act, the balance required for the full  
18 payment of such items shall be paid out of the General  
19 Fund and is hereby appropriated from any moneys not  
20 otherwise appropriated in the State Treasury a sum suf-  
21 ficient to complete the payment of the items in Section 1  
22 of this Act at the end of each fiscal year.

23 The Committee further moves that Section 4  
24 in lines 25 and 26 be amended so as to read as follows:

25 SECTION 5. Payments authorized hereby may be  
26 made up to October 1, 1943.

And when so amended recommend the same do pass.

REP. HOFSTRAND, Chairman.

Rep. Heckman moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Education to whom was referred House Bill No. 182, have had the same under consideration and recommend that the same do pass.

REP. HOFSTRAND, Chairman.

Rep. Welder moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Insurance to whom was referred House Bill No. 207, have had the same under consideration and recommend that the same do pass.

REP. PETERSON OF BOTTINEAU, Chairman.

Rep. Mollet moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Insurance to whom was referred House Bill No. 200, have had the same under consideration and recommend that the same do pass.

REP. PETERSON OF BOTTINEAU, Chairman.

Rep. Mollet moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Insurance to whom was

referred House Bill No. 97, have had the same under consideration and recommend that the same be indefinitely postponed.

REP. PETERSON OF BOTTINEAU, Chairman.

Rep. Belzer moved that the report be adopted.

Rep. Dahlen offered as a substitute motion that House Bill No. 97 be re-referred to the Committee on Insurance, which motion was lost.

The question was on the motion to adopt the report of the standing committee, which motion prevailed.

Rep. Rohde moved that the vote by which House Bill No. 97 was indefinitely postponed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Mr. Speaker: Your Committee on Livestock to whom was referred House Bill No. 149, have had the same under consideration and recommend that the same be indefinitely postponed.

REP. HALVORSON, Chairman.

Rep. Welk moved that the report be adopted.

Rep. Mittag offered as a substitute motion that House Bill No. 149 be placed on the calendar, which motion was lost.

The question was on the adoption of the Report of the Standing Committee, which motion prevailed.

Mr. Speaker: Your Committee on Military Affairs to whom was referred House Concurrent Resolution "U," have had the same under consideration and recommend that the same do pass.

REP. FALCONER, Chairman.

Rep. Starck moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Military Affairs to whom was referred House Concurrent Resolution "V," have had the same under consideration and recommend that the same do pass.

REP. FALCONER, Chairman.

Rep. Rettke moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: A majority of Your Committee on Judiciary to whom was referred House Bill No. 197, have had the same under consideration and recommend that the same be indefinitely postponed.

J. W. JENNINGS

D. S. BLAIR

A. H. NYSTROM

LOUIS LEET

ALVA WAMBHEIM

W. H. SHURE

REP. OHNSTAD, Chairman.

Rep. Nystrom moved that the report be adopted.

Mr. Speaker: A minority of your Committee on Judiciary to whom was referred House Bill No. 197, have had the same under consideration and recommend that the same do pass.

S. N. WELDER

J. N. MOLLET

WM. H. RETTKE

A. H. SCHMALENBERGER

REP. OHNSTAD, Chairman.

Rep. Mollet offered as a substitute motion that the report of the minority be substituted for the report of the majority.

Which motion was lost.

A division was asked for which disclosed 47 for and 51 against, so the motion was declared lost.

Rep. Graham requested a roll call which request was granted.

#### ROLL CALL

The question being on the adoption of the Minority Report, the roll was called and there were ayes, 49; nays, 57; absent and not voting, 7.

Those voting in the affirmative were:

Anderson	Hegge	Peterson, Bottin'au
Bauer	Iszler	Rettker
Baumgartner	Kolpin	Rohde
Belzer	Larson, Ward	Schmalenberger
Bubel	Larson, Wells	Schnell
Bureau	Levin	Schwartz
Bymers	Lillehaugen	Stair
Crockett	Marks	Sticka
Drovdal	Mittag	Tuff
Falconer	Mollet	Welder
Forseth	Monson	Welk
Fraser	Morrison	Williams, Richland
Graham	Myers	Williams, Sargent
Haag	Nelson	Wolf, McIntosh
Halvorson	Olson, Bowman	Wolf, Morton
Haugen	Ostgulen	Mr. Speaker
Haugland		

Those voting in the negative were:

Aker	Fitch	Moe
Allen, Grand Forks	Fuglestad	Morland
Allen, Pierce	Gackle	Nystrom
Arndt	Gainor	Ohnstad
Bagge	Halcrow	Olson, Barnes
Benno	Heckman	Peterson, Ransom
Bergesen	Hofstrand	Pyle
Bjella	Hogoboom	Runck
Blair	Holm	Sailer
Bolmeier	Hovev	Sandness
Boulden	Jennings	Saumur
Braun	Johnson, Cass	Sellens
Callahan	Johnson, Richland	Severson
Carlson	Johnson, Rolette	Sharpe
Coghlan	Langley	Shure
Collette	Leet	Stormon
Dahlen	Lunde	Twichell
Dalzell	McInnes	Westby
Ekren	Manstrom	Williams, Stutsman
Absent and not voting:		
Devlin	Mortenson	Starck
Fleck	Rohrer	Wambheim
Hildre		

So the motion was declared lost.

Rep. Bergesen: "I vote 'No' because I think the bill does not accomplish its purpose."

Rep. Callahan: "I vote 'No' because I think it would impose a great hardship on all the tenants in the State of North Dakota."

Rep. Crockett: "I vote 'Aye' for the reason I think it is a good bill and I think we should give it a trial for two years."

Rep. Aker served notice of his intention to move for reconsideration.

Rep. Aker withdrew his notice of reconsideration.

The question was on the adoption of the report of the majority of the Standing Committee.

Which motion prevailed.

Rep. Aker voted "Aye" for the purpose of reconsideration.

#### REPORT OF STANDING COMMITTEE

Mr. Speaker: Your Committee on Military Affairs to whom was referred House Bill No. 148, have had the same under consideration and recommend that the same do pass.

REP. FALCONER, Chairman.

Rep. Fitch moved that the report be adopted, which motion prevailed and the report was adopted.

Rep. Bergesen moved that House Bill No. 88 be placed in General Orders, which motion prevailed.

Rep. Bubel moved that the vote by which the report of the Delayed Bills Committee was adopted be reconsidered which motion prevailed.

Rep. Bubel asked that unanimous consent to introduce House Bill No. 243 be given to the Committee on Delayed Bills.

Unanimous consent was granted to the Committee on Delayed Bills to introduce House Bill No. 243.

Rep. Shure moved that the House recess until 9:00 o'clock A. M. tomorrow, which motion prevailed.

Rep. Fitch moved that no bills of a controversial nature be considered from 9:00 o'clock to the next Legislative day, which motion prevailed.

The House stood recessed until 9:00 o'clock A. M. tomorrow.

W. M. SMART, Chief Clerk.

FORTY-THIRD DAY AFTER RECESS AND THE  
FORTY-FOURTH DAY

Bismarck, February 17, 1943.

The House convened at 9:00 o'clock a. m., pursuant to recess, Speaker Beede presiding.

The Speaker announced the House would be on the eighth order of business.

SIGNING OF BILLS

The Chief Clerk announced that the Speaker was about to sign the following bills; immediately before signing each bill the title was publicly read.

House Bill No. 58.

House Concurrent Resolution "B."

And the Speaker signed each of the above bills in the presence of the House.

The Speaker announced the House would be on the eleventh order of business.

Rep. Twichell objected to the House being on the eleventh order of business for the reason a constitutional majority was not present.

Rep. Graham requested a call of the House, which request was granted and the Clerk proceeded to call the roll.

The roll call disclosed 64 members present.

Rep. Bolmeier moved that the call of the House be dispensed with. Which motion prevailed.

The Speaker announced the House would now be on the eleventh order of business, there now being a constitutional majority present. It being understood that no bills of a controversial nature would be considered until the next legislative day.

SECOND READING OF HOUSE BILLS

House Bill No. 196. A Bill for an Act to Amend and Re-enact Section 2844 of the Supplement to the 1913 Compiled Laws of North Dakota as Amended by Chapter 119 of the 1929 Session Laws Relating to Licenses for Creameries, Cheese Factories, Process Butter Factories, Ice Cream Factories, Cream Stations and Dairies.

Was read the second time.

Rep. Twichell asked unanimous consent to amend House Bill No. 196. The unanimous consent of the House was granted.

Rep. Twichell moved that House Bill No. 196 be amended as follows:

Strike out the period at the end of the title and insert a "comma" adding the words "and Declaring an Emergency."

Add a new section to the bill as follows:

"Section 2. Emergency.) This Act is hereby declared to be an emergency measure and shall be in full force and

effect from and after its passage and approval."

Rep. Twichell moved that the rules be suspended and House Bill No. 196 be considered properly engrossed and placed on second reading and final passage. Which motion prevailed.

House Bill No. 196. A Bill for an Act to Amend and Re-enact Section 2844 of the Supplement to the 1913 Compiled Laws of North Dakota as Amended by Chapter 119 of the 1929 Session Laws Relating to Licenses for Creameries, Cheese Factories, Process Butter Factories, Ice Cream Factories, Cream Stations and Dairies, and Declaring an Emergency.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 84; nays, 1; absent and not voting, 28.

Those voting in the affirmative were:

Allen, Grand Forks	Halvorson	Olson, Barnes
Anderson	Haugland	Ostgulen
Bagge	Haugen	Peterson, Ransom
Bauer	Hegge	Pyle
Benno	Hofstrand	Runck
Bjella	Hogoboom	Sailer
Blair	Holm	Sandness
Bolmeier	Hovey	Saumur
Boulden	Iszler	Schmalenberger
Braun	Jennings	Schnell
Bubel	Johnson, Cass	Schwartz
Bureau	Kolpin	Sellens
Bymers	Langley	Severson
Callahan	Larson, Wells	Sharpe
Carlson	Leet	Shure
Coghlan	Levin	Starck
Crockett	Lillehaugen	Sticka
Dahlen	Lunde	Stormon
Dalzell	Manstrom	Tuff
Drovdal	Marks	Twichell
Ekren	McInnes	Wambheim
Fitch	Mittag	Welder
Fraser	Moe	Welk
Fuglestad	Mollet	Williams, Richland
Graham	Monson	Williams, Stutsm'n
Gackle	Morland	Wolf, McIntosh
Haag	Morrison	Wolf, Morton
Halcrow	Mortenson	Mr. Speaker

Those voting in the negative were:

Arndt

Absent and not voting:

Aker	Gainor	Olson, Bowman
Allen, Pierce	Heckman	Ohnstad
Baumgartner	Hildre	Peterson, Bottin'au
Belzer	Johnson, Richland	Rettke
Bergesen	Johnson, Rolette	Rohde
Collette	Larson, Ward	Rohrer
Devlin	Myers	Stair
Falconer	Nelson	Westby
Fleck	Nystrom	Williams, Sargent
Forseth		

So the bill passed as amended and the title was agreed to.

Rep. Twichell moved that the vote by which House Bill

No. 196 was passed be reconsidered and the motion to reconsider be laid on the table. Which motion prevailed.

Action of House Bill No. 159 was deferred until after 2:00 o'clock p. m.

Action on House Bill No. 142 was deferred until after 2:00 o'clock p. m.

House Bill No. 117. A Bill for an Act to Amend and Re-enact Section 964 of the Compiled Laws of North Dakota for 1913, Relating to Election Supplies, and Repealing That Portion of the Section Requiring the Posting of Sample Ballots.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 50; nays, 34; absent and not voting, 29.

Those voting in the affirmative were:

Allen, Grand Forks	Drovdal	Monson
Anderson	Ekren	Mortenson
Bagge	Falconer	Peterson, Ransom
Bauer	Fleck	Saumur
Baumgartner	Haag	Schnell
Benno	Halcrow	Sellens
Bergesen	Haugen	Severson
Bjella	Haugland	Sharpe
Boulden	Hegge	Starck
Braun	Hofstrand	Sticka
Bubel	Hogoboom	Welder
Bureau	Holm	Westby
Carlson	Hovey	Williams, Sargent
Coghlan	Iszler	Williams, Stutsm'n
Crockett	Johnson, Cass	Wolf, McIntosh
Dahlen	Manstrom	Wolf, Morton
Dalzell	McInnes	

Those voting in the negative were:

Arndt	Larson, Wells	Sailer
Blair	Leet	Sandness
Bolmeier	Lillehaugen	Schmalenberger
Bymers	Marks	Schwartz
Callahan	Mittag	Shure
Fraser	Moe	Stormon
Fuglestad	Mollet	Tuff
Graham	Morrison	Twichell
Halvorson	Olson, Barnes	Welk
Jennings	Ohnstad	Williams, Richland
Kolpin	Runck	Mr. Speaker

Absent and not voting:

Aker	Hildre	Olson, Bowman
Allen, Pierce	Johnson, Richland	Ostgulen
Belzer	Johnson, Rolette	Peterson, Bottin'au
Collette	Larson, Ward	Pyle
Devlin	Levin	Rettke
Fitch	Lunde	Rohde
Forseth	Morland	Rohrer
Gackle	Myers	Stair
Gainor	Nelson	Wambheim
Heckman	Nystrom	

So the bill was declared lost for want of a constitutional majority.

House Bill No. 147. A Bill for an Act to Amend and Re-

enact Sections 2 and 6 of Chapter 217 of the Session Laws of North Dakota for the Year 1941 to Extend the Time in Which the Development of Projects May Be Initiated 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, 84; nays, 0; absent and not voting, 29.

Those voting in the affirmative were:

Allen, Grand Forks	Graham	Olson, Barnes
Anderson	Haag	Peterson, Ransom
Arndt	Halcrow	Pyle
Bagge	Haugland	Rettke
Bauer	Haugen	Runck
Baumgartner	Hegge	Sailer
Bergesen	Hofstrand	Sandness
Bjella	Hogoboom	Schmalenberger
Blair	Holm	Schnell
Bolmeier	Hovey	Schwartz
Boulden	Iszler	Sellens
Braun	Jennings	Severson
Bubel	Johnson, Cass	Sharpe
Bureau	Kolpin	Shure
Bymers	Langley	Starck
Callahan	Larson, Wells	Sticka
Carlson	Leet	Stormon
Coghlan	Lillehaugen	Tuff
Crockett	Manstrom	Twichell
Dahlen	Marks	Welder
Dalzell	McInnes	Welk
Drovdal	Mittag	Westby
Ekren	Moe	Williams, Richland
Falconer	Mollet	Williams, Sargent
Fitch	Monson	Williams, Stutsm'n
Fleck	Morrison	Wolf, McIntosh
Fraser	Mortenson	Wolf, Morton
Fuglestad	Ohnstad	Mr. Speaker

Absent and not voting:

Aker	Heckman	Nystrom
Allen, Pierce	Hildre	Olson, Bowman
Belzer	Johnson, Richland	Ostgulen
Benno	Johnson, Rolette	Peterson, Bottin'au
Collette	Larson, Ward	Rohde
Devlin	Levin	Rohrer
Forseth	Lunde	Saumur
Gackle	Morland	Stair
Gainor	Myers	Wambheim
Halvorson	Nelson	

So the bill passed and the title was agreed to.

Rep. Bubel requested that the House be on the seventh order of business. Which request was granted.

Rep. Bubel moved that the members of the Committee on Ways and Means be excused. Which motion was lost.

Rep. Haugen moved that House Bill No. 169 be placed in General Orders. Which motion prevailed.

Rep. Blair moved that the House recess until 12:00 o'clock noon. Which motion was lost.



Rep. Fitch moved that the members of the Committee on Ways and Means be now excused. Which motion prevailed.

### SECOND READING OF HOUSE BILLS

House Bill No. 118. A Bill for an Act to Amend and Re-enact Section 363 of the 1913 Compiled Laws of North Dakota, as Amended and Re-enacted by Chapter 231 of the Session Laws of North Dakota for 1931, as Amended and Re-enacted by Chapter 223 of the Session Laws of North Dakota for 1933, Relating to the Fixing and Collecting and Distribution of Fees at the Leasing and Sale of School Lands.

Was read the second time.

### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 82; nays, 4; absent and not voting, 27.

Those voting in the affirmative were:

Anderson	Haugland	Peterson, Ransom
Arndt	Hegge	Rettke
Bagge	Hildre	Rohde
Bauer	Hofstrand	Runck
Bergesen	Hogoboom	Sailer
Bjella	Holm	Sandness
Bolmeier	Hovey	Schwartz
Braun	Iszler	Schmalenberger
Bureau	Jennings	Schnell
Bymers	Johnson, Cass	Sellens
Callahan	Johnson, Rolette	Severson
Carlson	Kolpin	Sharpe
Coghlan	Langley	Stair
Collette	Larson, Wells	Starck
Crockett	Leet	Sticka
Dahlen	Lillehaugen	Stormon
Dalzell	Lunde	Tuff
Drovdal	McInnes	Wambheim
Ekren	Manstrom	Welder
Falconer	Marks	Welk
Fleck	Mittag	Westby
Forseth	Mollet	Williams, Richland
Fuglestad	Monson	Williams, Sargent
Graham	Morrison	Williams, Stutsm'n
Haag	Mortenson	Wolf, McIntosh
Halcrow	Olson, Barnes	Wolf, Morton
Halvorson	Olson, Bowman	Mr. Speaker
Haugen		

Those voting in the negative were:

Allen, Pierce	Moe	Twichell
Johnson, Richland		

Absent and not voting:

Aker	Fraser	Nelson
Allen, Grand Forks	Fitch	Nystrom
Baumgartner	Gackle	Ohnstad
Belzer	Gainor	Ostgulen
Benno	Heckman	Peterson, Bottin'au
Blair	Larson, Ward	Pyle
Boulden	Levin	Rohrer
Bubel	Morland	Saumur
Devlin	Myers	Shure

So the bill passed and the title was agreed to.

House Bill No. 198. A Bill for an Act Authorizing and

Permitting the Payment and Discharge of Delinquent Estate Taxes Where Such Estate Is of an Appraised Value of Less Than \$30,000.00 and Consists of at Least Two-Thirds in Value of Agricultural Lands and Farm Equipment and Livestock, or Products on Such Lands, and Where Such Estate Tax Shall Have Been Due and Payable Since Prior to July 1, 1939, by the Payment of the Principal of Such Original Estate Tax, With One Percent Per Annum Penalty Thereon from Date Such Estate Tax Became Due, and Declaring an Emergency.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 79; nays, 3; absent and not voting, 31.

Those voting in the affirmative were:

Allen, Pierce	Hildre	Rohde
Anderson	Hofstrand	Runck
Arndt	Hogboom	Sailer
Bagge	Holm	Sandness
Bauer	Hovey	Schwartz
Bergesen	Johnson, Cass	Schmalenberger
Bjella	Johnson, Richland	Schnell
Blair	Johnson, Rolette	Sellens
Bolmeier	Kolpin	Severson
Burau	Langley	Sharpe
Bymers	Larson, Wells	Stair
Callahan	Leet	Starck
Coghan	Lillehaugen	Sticka
Collette	Lunde	Stormon
Dahlen	McInnes	Twichell
Dalzell	Manstrom	Tuff
Drovdal	Marks	Wambheim
Ekren	Mittag	Welder
Falconer	Moe	Welk
Fleck	Mollet	Westby
Graham	Monson	Williams, Richland
Haag	Morrison	Williams, Sargent
Halcrow	Mortenson	Williams, Stutsman
Halvorson	Ohnstad	Wolf, McIntosh
Haugen	Peterson, Ransom	Wolf, Morton
Haugland	Rettke	Mr. Speaker
Hegge		

Those voting in the negative were:

Braun	Jennings	Shure
Absent and not voting:		
Aker	Forseth	Myers
Allen, Grand Forks	Fraser	Nelson
Baumgartner	Fuglestad	Nystrom
Belzer	Gackle	Olson, Barnes
Benno	Gainor	Olson, Bowman
Boulden	Heckman	Ostgulen
Bubel	Iszler	Peterson, Bottin'au
Carlson	Larson, Ward	Pyle
Crockett	Levin	Rohrer
Devlin	Morland	Saumur
Fitch		

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

Rep. McInnes served notice that if House Bill No. 199 was declared lost, he would move for reconsideration of the same.

House Bill No. 199. A Bill for an Act Requiring All Property of the State Be Assessed at Full and True Value in Money Subject to Correction, Abatement and Refund; Providing for Notice by County Auditor When Local Equalization Boards Meet; Annual Meetings of State Board of Equalization, and Providing for Hearing Before Such Board; Prescribing the Time for Levy of State Taxes and Fixing Rate; When Taxes Became Due and Delinquent; Penalties; Discount for Payment of Taxes Before Delinquency; Repealing Chapter 269, Laws of 1941, and All Acts or Parts of Acts in Conflict Herewith.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 78; nays, 4; absent and not voting, 31.

Those voting in the affirmative were:

Allen, Pierce	Hildre	Rohde
Arndt	Hofstrand	Runk
Bagge	Holm	Sailer
Bauer	Hovey	Sandness
Bergesen	Jennings	Schwartz
Bjella	Johnson, Cass	Schmalenberger
Blair	Johnson, Richland	Schnell
Bolmeier	Johnson, Rolette	Sellens
Braun	Koplin	Severson
Bureau	Langley	Sharpe
Bymers	Larson, Wells	Shure
Callahan	Leet	Stair
Coghlan	Lillehaugen	Starck
Collette	Lunde	Sticka
Dahlen	McInnes	Stormon
Dalzell	Manstrom	Twichell
Drovdal	Mittag	Tuff
Ekren	Mollet	Wambheim
Fitch	Monson	Welder
Fleck	Mortenson	Welk
Graham	Nelson	Westby
Haag	Olson, Barnes	Williams, Richland
Halcrow	Ohnstad	Williams, Sargent
Haugen	Ostgulen	Williams, Stutsm'n
Hegge	Peterson, Ransom	Wolf, McIntosh
Haugland	Rettke	Wolf, Morton

Those voting in the negative were:

Falconer	Morrison	Mr. Speaker
Moe		

Absent and not voting:

Aker	Forseth	Levin
Allen, Grand Forks	Fraser	Marks
Anderson	Fuglestad	Morland
Baumgartner	Gackle	Myers
Belzer	Gainor	Nystrom
Benno	Halvorson	Olson, Bowman
Boulden	Heckman	Peterson, Bottin'au
Bubel	Hogoboom	Pyle
Carlson	Iszler	Rohrer

Crockett                      Larson, Ward                      Saumur  
Devlin

So the bill passed and the title was agreed to.

Mr. Speaker: "I would like to vote 'aye' on this measure insofar as it concerns the repeal of Chapter 269 of the 1941 Session Laws, because this Chapter has always in my opinion been a monstrosity, but I am voting 'no' in protest to the fact that the conditions which existed and made necessary the enactment of old Senate Bill No. 41, although they have been to some extent alleviated, nevertheless the reasons for those conditions still exist and until we do something to alleviate those reasons, I am voting 'no'."

Action on House Bill No. 110 was deferred until after 2:00 o'clock p. m.

Action on House Bill No. 188 was deferred until after 2:00 o'clock p. m.

Rep. Johnson of Cass requested that the members of the Committee on Appropriations be excused at 10:30 o'clock a. m. Which request was granted.

House Bill No. 185. A Bill for an Act to Amend and Re-enact Section 548a1 of the 1925 Supplement, Relating to the Licensing of Pool Halls, Billiard Rooms, Bowling and Pin Alleys, Dance Halls, Roller Skating Rinks, Theaters, Moving Picture Shows, Public Halls Used for Private Purposes, and Private Halls Used for Public Purposes, Taxicabs, Auto Livery, Places Where Soft Drinks Are Retailled, Whether by Vending Machine or Otherwise, and Places Where Cigars and Tobacco Are Sold.

Was 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, 46; absent and not voting, 34.

Those voting in the affirmative were:

Bauer	Haugland	Rettke
Bergesen	Hegge	Rohde
Bjella	Hofstrand	Runck
Bolmeier	Holm	Schmalenberger
Braun	Jennings	Schnell
Bymers	Mollet	Sharpe
Callahan	Monson	Wambheim
Drovdal	Morrison	Welder
Falconer	Myers	Westby
Haag	Nelson	Williams, Stutsm'n
Haugen	Olson, Barnes	Wolf, Morton

Those voting in the negative were:

Allen, Pierce	Johnson, Cass	Peterson, Ransom
Arndt	Johnson, Richland	Schwartz
Bagge	Johnson, Rolette	Sellens
Blair	Kolpin	Shure
Bureau	Larson, Wells	Stair
Carlson	Leet	Starck
Coghlan	Lillehaugen	Sticka
Collette	Lunde	Stormon
Dahlen	McInnes	Twichell
Dalzell	Manstrom	Tuff
Ekren	Mittag	Welk

Fleck	Moe	Williams, Richland
Graham	Mortenson	Williams, Sargent
Halcrow	Ohnstad	Wolf, McIntosh
Hildre	Peterson, Bottin'au	Mr. Speaker
Hovey		
Absent and not voting:		
Aker	Fraser	Marks
Allen, Grand Forks	Fuglestad	Morland
Anderson	Gackle	Nystrom
Baumgartner	Gainor	Olson, Bowman
Belzer	Halvorson	Ostgulen
Benno	Heckman	Pyle
Boulden	Hogoboom	Rohrer
Bubel	Iszler	Sailer
Crockett	Langley	Sandness
Devlin	Larson, Ward	Saumur
Fitch	Levin	Severson
Forseth		

So the bill was declared lost.

Rep. McInnes requested that the House be on the seventh order of business. Which request was granted.

Rep. McInnes moved that House Bill No. 76 be transferred from the Committee on Tax and Tax Laws to the Committee on Ways and Means. Which motion prevailed.

Action on House Bill No. 220 was deferred until after 2:00 o'clock p. m.

The Speaker called Rep. Blair to the Chair.

House Concurrent Resolution "P."

Was read the second time.

Objection being raised, the Chair ruled further action be deferred until after 2:00 o'clock p. m.

Rep. Rettke moved that House Bill No. 125 be placed in General Orders. Which motion was seconded.

Rep. Schnell moved as a substitute motion that unanimous consent be given to amend House Bill No. 125 at this time.

Rep. Rettke was granted permission to withdraw his motion.

The question was on Rep. Schnell's motion. Which motion prevailed.

Rep. Schnell moved that House Bill No. 125 be amended as follows:

In lines 5 and 6, strike out the figures and words "15th day of September" and insert in lieu thereof "1st day of October".

In line 11, change the word "first" to "tenth".

Which motion prevailed.

Rep. Wambheim moved that the rules be suspended and House Bill No. 125 be considered properly engrossed and placed on second reading and final passage. Which motion prevailed.

Rep. Wolf of McIntosh served notice of intention to move for reconsideration in the event House Bill No. 125 fails of passage.

Rep. Bergesen objected to further consideration of House Bill No. 125 for the reason it appeared to be of a controversial nature.

Action on House Bill No. 125 was therefore deferred until after 2:00 o'clock p. m.

Rep. Bergesen moved that the rules be suspended and that House Bills No. 217, 153, House Concurrent Resolution "O," House Bills No. 47, 163, 85, 88 and 169 be considered in General Orders at this time. Which motion prevailed.

GENERAL ORDERS

Rep. Falconer moved that the House resolve itself into a committee of the whole for the consideration of general orders; which motion prevailed, and the House resolved itself into a committee of the whole.

The Speaker called Rep. Falconer to the chair.

When the committee arose it submitted the following report:

Mr. Speaker: The committee of the whole have had under consideration House Bill No. 217.

After the title strike out period and add "and declaring an emergency."

Add Section 3. Emergency.) This Act is hereby declared to be an emergency measure and shall be in full force and effect from and after its passage and approval.

And when so amended recommend the same do pass.

House Bill No. 153.

Strike out all after the words "A Bill," and insert in lieu thereof the following:

"For an Act Amending and Re-enacting Section 9577 of the Compiled Laws for 1913 Making It a Felony for an Official or an Employee in Any Penal, Correctional, or Eleemosynary Institution to Have Sexual Intercourse With an Inmate of Such Institution in Which Such Officer or Other Person Is Employed; Making It a Felony for a Guardian or Person Administering Public Relief or Welfare to Induce a Female Ward Under His Care to Have Illicit Sexual Intercourse With Him, by Threatening to Withhold from Such Female or Her Family, the Necessities of Life, or Threatening Physical Violence; Providing Penalty.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF NORTH DAKOTA:

1 Section 1. AMENDMENT.) That Section 9577 of the  
 2 Compiled Laws for 1913 be amended and re-enacted to  
 3 read as follows:  
 4 SECTION 9577. SEXUAL INTERCOURSE WITH  
 4a FEMALE  
 5 INMATE, WARD, OR PAUPER, FELONY. PEN-  
 5a ALTY.) Every male  
 6 person who, when a warden, superintendent, supervising  
 7 official, guard, watchman, or other employee in any  
 8 penal, correctional or eleemosynary institution in this  
 9 state, induces a female who is an inmate in the institu-  
 10 tion in which he is employed to have illicit sexual  
 11 intercourse with him, and every person, who, when  
 12 guardian of a minor or when administering public relief  
 13 or welfare, induces a female who is a ward or pauper  
 14 under his care, or who is in a position where she  
 15 receives the necessities of life through or from him, or  
 16 upon his recommendation, to have illicit intercourse

17 with him by threatening to withhold from her, or a  
 17a member  
 18 of her family, the necessities of life, or by threaten-  
 19 ing her or a member of her family, with physical violence,  
 20 is guilty of a felony, and upon conviction, shall be  
 21 punished by imprisonment in the penitentiary for a term  
 22 of not less than one, nor more than fifteen years."

And when so amended recommend the same do pass.

House Concurrent Resolution "O."

In line four of the Resolution after the hyphenated word  
 "rejection", insert the following language "at the General  
 Election in November, 1944,".

And when so amended recommend the same do pass.

House Bill No. 47 was re-referred to the Committee on  
 Game and Fish.

Action on House Bill No. 168 was deferred one legislative  
 day.

House Bill No. 85.

1 SECTION 2. Should the money coming into  
 2 the 7/12 share of the Retail Sales Tax Fund to be  
 3 expended under and pursuant to the Equalization Fund  
 3a Law  
 4 exceed the appropriation above made either because of  
 5 increased sales tax revenue or because of the full  
 6 amount of the other items of the appropriation not being  
 7 necessary, for the full payment thereof at the end of  
 8 each fiscal year, such additional money or so much there-  
 9 of as may be necessary to make full teacher unit pay-  
 10 ment is appropriated to the Payment on Teacher-unit  
 11 Basis item.

12 The Committee moves that the bill be further  
 13 amended by adding a new Section 4 as follows:

14 SECTION 4. If the moneys in the Retail Sales  
 15 Tax Fund at the end of each fiscal year should be in-  
 16 sufficient for the full payment of any of the items in  
 17 Section 1 of this Act, the balance required for the full  
 18 payment of such items shall be paid out of the General  
 19 Fund and is hereby appropriated from any moneys not  
 20 otherwise appropriated in the State Treasury a sum suf-  
 21 ficient to complete the payment of the items in Section 1  
 22 of this Act at the end of each fiscal year.

23 The Committee further moves that Section 4  
 24 in lines 25 and 26 be amended so as to read as follows:

25 SECTION 5. Payments authorized hereby may be  
 26 made up to October 1, 1945.

And when so amended recommend the same do pass.

Action on House Bill No. 88 was deferred one legislative  
 day.

House Bill No. 217 be re-referred to the Committee on  
 Counties.

House Bill No. 169.

On line 16 of Section 1, after the word "land" insert the  
 following, "not purchased by the former owner, his widow,  
 or lineal descendants of the first degree as herein provided,"  
 and renumber the lines of said Section.

On line 42 of Section 1, after the period at the beginning  
 of the line insert the following, "Provided, however, that if

the fair market value of such lands as shown by appraisal made in accordance with the provisions of subsection 1, of this Section is less than the sum of state funds invested therein, such lands may be sold to the former owner, his widow, or lineal descendents of the first degree, who are tenants on such land at the time of the passage of this Act, for the fair market value as determined by said appraisal on the same terms of sale as stated in subdivision 4, of this Section." And renumber the lines.

WM. B. FALCONER, Chairman.  
Committee of the Whole.

Rep. Westby moved that the report of the Committee of the Whole be adopted, which motion prevailed.

Rep. Wolf of McIntosh moved that House Bill No. 217 be transferred from the Committee on Counties to the Committee on State Affairs, which motion prevailed.

#### REPORT OF STANDING COMMITTEE

Mr. Speaker: Your Committee on Election and Election Privileges to whom was referred House Bill No. 214, have had the same under consideration and recommend that the same be amended as follows:

In line 8, correct the spelling of the first word "nominee".

In line 76, after the figure 9 insert "Chapter 135".

In line 79 after the word "o'clock" insert the letters "P. M."

In line 90; after the word "said" insert the word "State".

In line 101, correct the spelling of the word "declared".

And when so amended recommend the same do pass.

REP. LEVIN, Chairman.

Rep. Peterson of Bottineau moved that the report be adopted, which motion prevailed, and the report was adopted.

Rep. Crockett moved that the absent members be excused, which motion prevailed.

Rep. Crockett moved that the House do now adjourn, which motion prevailed.

W. M. SMART, Chief Clerk.

#### FORTY-FOURTH DAY

Bismarck, February 17, 1943

The House convened at 2:00 o'clock p. m., pursuant to adjournment, Speaker Beede presiding.

Prayer was offered by Father Humphrey.

Roll call: All members were present except Reps. Allen of Grand Forks, Devlin and Nystrom.

#### MESSAGES TO THE SENATE

House of Representatives

Bismarck, February 17, 1943

Mr. President: I have the honor to transmit:

House Bill No. 123. A Bill for an Act to Amend and Re-enact Section 1782 of the 1925 Supplement to the Compiled Laws of North Dakota, Relating to Appointment of Commandant and Subordinate Officers of the Soldiers' Home, and Declaring an Emergency.

House Bill No. 124. A Bill for an Act to Amend and Re-enact Section 1779 of the Supplement to the Compiled Laws, 1913, as Amended by Chapter 200 of the Session Laws, 1933;



Board of Trustees of North Dakota Soldiers' Home, and Declaring an Emergency.

House Bill No. 171. A Bill for an Act to Amend and Re-enact Section 1390a of the Supplement to the 1913 Compiled Laws of North Dakota, Authorizing the Erection and Equipping of Teahouses and Dormitories, and Providing Boarding Facilities at Cost, and Repealing All Acts or Parts of Acts in Conflict Herewith, and Declaring an Emergency.

House Bill No. 175. A Bill for an Act to Amend and Re-enact Section 1179 of the Compiled Laws for 1913, as Amended by Chapter 257 of the Session Laws of 1941, Relating to Powers of School Districts to Admit Pupils from Other Districts, Providing for Payment of Tuition and Transportation, and Repealing All Acts and Parts of Acts in Conflict Herewith.

House Bill No. 162. A Bill for an Act Concerning the Guardianship of Incompetent Veterans, and Other Incompetent and Minor Beneficiaries of the Veterans Administration, and Concerning Commitment to the Veterans Administration or Other Agency of the United States of Persons Eligible for Care or Treatment and to Make Uniform the Law With Reference Thereto, and Declaring an Emergency.

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

W. M. SMART, Chief Clerk.

House of Representatives

Bismarck, February 17, 1943

Mr. President: I have the honor to transmit:

House Bill No. 58. A Bill for an Act to Amend and Re-enact Chapter 156 of the Session Laws of 1941, Making It a Misdemeanor for Any Person to Hunt and Pursue Any Wild Life With the Aid of a Spot Light or Any Other Kind of Artificial Light, Except Under Certain Conditions.

House Concurrent Resolution "B." Memorializing the War Production Board of the United States to Release Sufficient Supplies of Metallic Ammunition and Shot Shells to Permit Farmers and Stockmen to Keep Predatory Animals Under Control and to Permit Hunters to Adequately Harvest Surplus Crops of Game Birds and Game Animals for Food During the Period of the War Emergency.

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

W. M. SMART, Chief Clerk.

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

Mr. Speaker: Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the Forty-second Day After Recess and Forty-third Day and finds the same correct.

And recommends that the same be approved.

REP. WELDER, Chairman.

Rep. Bauer moved that the report be adopted.

Rep. Bolmeier moved that the report of the committee be amended to show 2:15 o'clock instead of 2:00 o'clock in line 22 of page 448, which motion prevailed.

Rep. Bolmeier moved that the report of the committee, as amended, be adopted, which motion prevailed.

## MESSAGES FROM THE SENATE

Senate Chamber

Bismarck, February 17, 1943.

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 60. A Bill for an Act to Amend and Re-enact Paragraph (a) of Section 3 of Chapter 221 of the Session Laws of North Dakota for 1935 Relative to Per Diem and Expenses of the Members of the State Board of Public Welfare and Repealing All Acts in Conflict Herewith.

Senate Bill No. 150. A Bill for an Act to Repeal Sections 2763 to 2779 Inclusive, of the Compiled Laws of North Dakota for the Year 1913 and Declaring an Emergency.

Senate Bill No. 152. A Bill for an Act to Amend and Re-enact Section Six (6) of Chapter 110 of the Session Laws of 1937 Relating to License Fees of Public Contractors, and Declaring an Emergency.

Senate Bill No. 162. A Bill for an Act Making an Appropriation of \$5,000.00 Each for the Completion of the Armories at Carrington, North Dakota, and Bottineau, North Dakota, and Providing for the Manner of Disbursing Said Funds, and Declaring an Emergency.

Senate Bill No. 168. A Bill for an Act Regulating the Expenditure of Monies Appropriated by the Legislative Assembly of the State of North Dakota for Emergency Purposes, Fixing the Methods for Obtaining Approval for Such Expenditures, Providing Penalties for Violation Hereof, and Repealing All Acts or Parts of Acts in Conflict Herewith.

Senate Bill No. 179. A Bill for an Act to Amend and Re-enact Section 17 of Chapter 97 of the Session Laws of 1933 Relating to the Expense of Burial of Indigent Persons and Declaring an Emergency.

Senate Bill No. 183. A Bill for an Act to Amend and Re-enact Chapter 137 of the 1939 Session Laws Relating to Marihuana, and Defining Marihuana as a Narcotic and a Habit-forming Drug; Prohibiting the Cultivation, Sale or Gift Thereof, Except Under Certain Circumstances; Permitting the Establishment of a Hemp Mill; Providing a Penalty for Violation; and Declaring an Emergency.

Senate Bill No. 188. A Bill for an Act to Regulate the Practice in the District Courts and County Courts of Increased Jurisdiction, to Provide for Conferences in Advance of Trial, and the Simplification of Issues and Other Purposes; and Giving the Judge Power to Make Orders in Connection With Such Conferences.

Senate Bill No. 190. A Bill for an Act to Amend and Re-enact Section 2 of Chapter 216 of the Session Laws of 1941 so as to Extend the Term of Office of Members of the Governmental Survey Commission Until January 1, 1945, Appropriating for the Use of the Commission the Balance Remaining Unexpended in the Governmental Survey Commission Fund Created Pursuant to Section 14 of Said, Chapter 216 of the Session Laws of 1941, and Declaring an Emergency.

Senate Bill No. 191. A Bill for an Act Providing for the Appointment of a Guardian of the Estate of a Missing Person, Prescribing the Procedure Therefor, Providing for Family Support and the Payment of Expenses and of In-

debtedness, and Further Providing for the Rendition of an Account and the Discharge of the Guardian.

Senate Bill No. 196. A Bill for an Act to Amend and Re-enact Section 11 of Chapter 309 of the Session Laws of 1931, Relating to the Guardianship of Incompetent Veterans and of Minor Children of Disabled or Deceased Veterans.

Senate Bill No. 197. A Bill for an Act to Amend and Re-enact Section 819 of the Compiled Laws of North Dakota for 1913 and to Provide for Keeping Jury Lists Filed With Names of Qualified Jurors.

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

W. J. TROUT, Secretary.

Senate Chamber

Bismarck, February 17, 1943

Mr. Speaker: I have the honor to return:

House Bill No. 2. 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. 6. A Bill for an Act Making an Appropriation for the Purpose of Paying Insurance Tax to the Various Fire Departments of the State.

House Bill No. 11. 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. 17. A Bill for an Act Making an Appropriation for the Purpose of Paying Salary, Clerkhire and General Expenses of the Department of Coal Mine Inspection and Coal Mine Safety Work.

House Bill No. 24. A Bill for an Act to Provide for the Payment of the Expenses of Auditing and Examining the Affairs of the State Industrial Institutions, and the Special Departments and Its Subdivisions, of the State of North Dakota, Designating and Appropriating the Funds from Which Paid; Providing for the Payment of Said Collection Into the Special Fund in the State Treasury; Providing for Repeal of Acts.

House Bill No. 34. A Bill for an Act Making an Appropriation for the Financing of the Operations of the State Soil Conservation Committee or the Activities of the State Soil Conservation Districts.

House Bill No. 45. A Bill for an Act Making an Appropriation to Reimburse Griggs County in the Sum of Nine Thousand Eight Hundred Forty-nine and 85/100 (\$9,849.85) Dollars, Penalty and Interest Belonging to Griggs County, But Erroneously and Inadvertently Remitted to the State and Declaring an Emergency

House Bill No. 46. A Bill for an Act Making an Appropriation to Reimburse Dickey County in the Sum of Eleven Thousand, Nine Hundred Sixty-six and no/100 (\$11,966.00) Dollars, Penalty and Interest Belonging to Dickey County, But Erroneously and Inadvertently Remitted to the State and Declaring an Emergency.

House Bill No. 69. A Bill for an Act to Repeal Section 8270, Compiled Laws of North Dakota for 1913, Providing

for the Appropriation of Water by the Proper Officers of the United States; and Declaring an Emergency.

House Concurrent Resolution "I." A Concurrent Resolution Memorializing Congress to Revise Farm Prices to Permit Reasonable Profit.

Which the Senate has passed unchanged.

W. J. TROUT, Secretary.

Senate Chamber

Bismarck, February 17, 1943

Mr. Speaker: I have the honor to return:

House Bill No. 5. 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 1913, the Same Being Sections 283c1 to 283c6, Inclusive, and Section 283c10 of the Supplement to the 1913 Compiled Laws of North Dakota.

Which the Senate has amended as follows:

Under Section 1 in line 3, strike out the figures \$40,000 and insert the figures \$30,000 in lieu thereof.

W. J. TROUT, Secretary.

#### PETITIONS AND COMMUNICATIONS

Communications urging necessary appropriation for Correspondence Courses were received from the following:

Vern Ellsworth of Flasher.

Donald Johnson of Maxbass.

DeLores Amon of Maxbass.

Kathryn Mueller of Maxbass.

Heriete Carlson of Maxbass.

Laura Brown of Maxbass.

Marvin O. Johnson of Maxbass.

Helen Moen, Lunda Valley.

Pearl Trulsan, Parshall.

Bernice Burlog, Lunda Valley.

And Georgia Hansen, Lansford, Bottineau Co.,

Which communications were referred to the Committee on Appropriations.

A communication from Lawrence M. Hall, Speaker, Minnesota House of Representatives with reference to the manufacture of synthetic rubber, was referred to the Committee on Agriculture.

A communication from the Churchs Ferry, North Dakota, P. T. A. was referred to the Committee on Education.

A communication with correspondence attached concerning the Cosmetic Registration Proposal Bill was referred to the Committee on Ways and Means.

#### REPORTS OF STANDING COMMITTEES

Mr. Speaker: Your Committee on Ways and Means to whom was referred House Bill No. 114, have had the same under consideration and recommend that the same do pass.

REP. FITCH, Chairman.

Rep. Ostgulen moved that the report be adopted.

Rep. Morland offered as a substitute motion that House Bill No. 114 be indefinitely postponed.

Rep. Johnson of Cass moved that House Bill No. 114 be re-

referred to the Committee on Appropriations, which motion prevailed.

The question was on the previous motion of Rep. Fitch that House Bill No. 219 be indefinitely postponed.

Rep. Westby moved the previous question.

The question was on the motion of Rep. Fitch that House Bill No. 219 be indefinitely postponed, which motion prevailed.

Rep. Fitch requested a roll call, which request was granted.

Rep. Bolmeier moved that Rep. Bauer be excused from voting, which motion prevailed.

#### ROLL CALL

The question being on the motion of Rep. Fitch, the roll was called and there were ayes, 58; nays, 51; absent and not voting, 3; passed, 1.

Those voting in the affirmative were:

Aker	Fuglestad	Morland
Allen, Grand Forks	Gackle	Olson, Barnes
Allen, Pierce	Gainor	Olson, Bowman
Arndt	Halcrow	Peterson, Ransom
Bagge	Haugland	Pyle
Benno	Heckman	Runk
Bergesen	Hildre	Sailer
Bjella	Hogoboom	Sandness
Blair	Holm	Saumur
Bolmeier	Hovey	Sellens
Boulden	Johnson, Cass	Severson
Callahan	Johnson, Richland	Sharpe
Carlson	Johnson, Rolette	Shure
Coghlan	Langley	Stormon
Collette	Leet	Twichell
Dahlen	Lunde	Wambheim
Dalzell	Manstrom	Westby
Ekren	McInnes	Williams, Stutsman
Fitch	Moe	Wolf, McIntosh
Fleck		

Those voting in the negative were:

Anderson	Iszler	Peterson, Bottin'au
Baumgartner	Jennings	Rettke
Belzer	Kolvin	Rohde
Braun	Larson, Ward	Rohrer
Burau	Larson, Wells	Schmalenberger
Bymers	Levin	Schnell
Crockett	Lillehaugen	Schwartz
Drovdal	Marks	Stair
Falconer	Mittag	Starck
Forseth	Mollet	Sticka
Fraser	Monson	Tuff
Graham	Morrison	Welder
Haag	Mortenson	Welk
Haugen	Myers	Williams, Richland
Halvorson	Nelson	Williams, Sargent
Hegge	Ohnstad	Wolf, Morton
Hofstrand	Ostgulen	Mr. Speaker

Absent and not voting:

Bubel	Devlin	Nystrom
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Passed:

Bauer

So the motion prevailed and House Bill No. 219 was indefinitely postponed.

Rep. Wolf of McIntosh changed his vote from "No" to "Aye" for the purpose of reconsideration.

#### REPORTS OF STANDING COMMITTEES

Mr. Speaker: Your Committee on Ways and Means to whom was referred House Bill No. 71, have had the same under consideration and recommend that the same be indefinitely postponed.

REP. FITCH, Chairman.

Rep. Morland moved that the report be adopted.

Rep. Welder offered as a substitute motion that House Bill No. 71 do pass, which motion was lost.

The question was on the original motion, which motion prevailed.

Rep. Twichell moved that the vote by which House Bill No. 71 was indefinitely postponed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Mr. Speaker: Your Committee on Ways and Means to whom was referred House Bill No. 231, have had the same under consideration and recommend that the same be indefinitely postponed.

REP. FITCH, Chairman.

Rep. Levin moved that the report be adopted, which motion prevailed and the report was adopted.

Rep. Johnson of Cass moved that the vote by which House Bill No. 231 was indefinitely postponed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Mr. Speaker: Your Committee on Ways and Means to whom was referred House Bill No. 237, have had the same under consideration and recommend that the same be indefinitely postponed.

REP. FITCH, Chairman.

Rep. Levin moved that the report be adopted, which motion prevailed and the report was adopted.

Rep. Fitch moved that the vote by which House Bill No. 237 was indefinitely postponed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Rep. Marks moved that House Bill No. 193 be deferred one legislative day, which motion prevailed.

Mr. Speaker: Your Committee on Ways and Means to whom was referred House Bill No. 141, have had the same under consideration and recommend that the same be indefinitely postponed.

REP. FITCH, Chairman.

Rep. Bubel moved that the report be adopted.

Rep. Bauer offered as a substitute motion that House Bill No. 141 do pass, which motion was lost.

The question was on the original motion, which motion prevailed.

Rep. Fitch requested that House Bill No. 146 be re-referred to the Committee on Ways and Means, which request was granted.

Mr. Speaker: Your Committee on Ways and Means to whom was referred House Bill No. 115, have had the same

under consideration and recommend that the same do pass.

REP. FITCH, Chairman.

Rep. Boulden moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Ways and Means to whom was referred House Bill No. 206, have had the same under consideration and recommend that the same do pass.

REP. FITCH, Chairman.

Rep. Gackle moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Ways and Means to whom was referred House Bill No. 90, have had the same under consideration and recommend that the same do pass.

REP. FITCH, Chairman.

Rep. Levin moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Ways and Means to whom was referred House Bill No. 79, have had the same under consideration and recommend that the same be indefinitely postponed.

REP. FITCH, Chairman.

Rep. Boulden moved that the report be adopted.

Rep. Bauer offered as a substitute motion that House Bill No. 79 be placed on the calendar, which motion was lost.

The question was on the original motion, which motion prevailed.

Mr. Speaker: Your Committee on Drainage and Irrigation to whom was referred House Bill No. 165, have had the same under consideration and recommend that the same do pass.

REP. SANDNESS, Chairman.

Rep. Haugland moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Livestock to whom was referred House Bill No. 57, 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 language:

"For an Act to amend and re-enact Sub-section (e) of Section 6 of Chapter 106 of the 1935 Session Laws, as amended by Sub-section (e) of Section 3 of Chapter 112 of the 1937 Session Laws, as amended and re-enacted by Sub-section (e) of Section 1 of Chapter 116 of the 1941 Session Laws relating to the election of directors of Cooperative Grazing Associations and amending and re-enacting Sub-section (j) of Section 10 of Chapter 106 of the Session Laws of 1935 relating to rules and regulations concerning disease of stock.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF NORTH DAKOTA:

- 1 SECTION 1. That Sub-section (e) of
- 2 Section 6 of Chapter 106 of the 1935 Session
- 3 Laws, as amended by Sub-section (e) of Section 3
- 4 of Chapter 112 of the 1937 Session Laws, as amend-

5 ed by Sub-section (e) of Section 1 of Chapter 116  
6 of the 1941 Session Laws is hereby amended and re-  
7 enacted to read as follows:

8 (e) One director to be elected from  
9 each congressional township in the district by the  
10 majority vote of the members eligible to vote in  
11 such township, and as many directors at large as  
12 there are congressional townships in the district  
13 by the majority vote of the members eligible to  
14 vote in such district, providing that for the  
15 purposes of the small acreage group, all directors  
16 may be elected from any one or more townships.

17 SECTION 2. That Sub-section (j) of  
18 Section 10 of Chapter 106 of the Session Laws  
19 of 1935 is hereby amended and re-enacted to read  
20 as follows:

21 (j) To make rules and regulations  
22 governing the treatment, care or removal of  
23 diseased animals, and to prevent the spreading  
24 of any disease among the stock ranging in the  
25 district or in any sub-division thereof and such  
26 rules and regulations shall comply with rules and  
27 regulations issued by the North Dakota Livestock  
28 Sanitary Board."

And when so amended recommend the same do pass.

REP. HALVORSON, Chairman.

Rep. Haugland moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Mines and Mining to whom was referred House Bill No. 204, have had the same under consideration and recommend that the same be amended as follows:

In lines 49 and 50, strike out the words "Three hundred and twenty-five" and the figures "325" and insert in lieu thereof the words "three hundred" and the figures "300".

In line 53, strike out the word "fifty" and insert in lieu thereof the word "twenty-five".

In the same line change the figures "350" to read "325".

In line 55 strike out the words "four hundred" and insert in lieu thereof the words "three hundred fifty".

In line 56, strike out the figures "400" and insert in lieu thereof the figures "350".

And when so amended recommend the same do pass.

REP. MORLAND, Chairman.

Rep. Ostgulen moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Mines and Mining to whom was referred Senate Bill No. 76, have had the same under consideration and recommend that the same do pass.

REP. MORLAND, Chairman.

Rep. Ostgulen moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Mines and Mining to whom was referred Senate Bill No. 75, have had the same under consideration and recommend that the same do pass.

REP. MORLAND, Chairman.

Rep. Callahan moved that the report be adopted, which motion prevailed and the report was adopted.



HOUSE COMMITTEE ON ENROLLMENT  
AND ENGROSSMENT

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

House Bill No. 1.  
House Bill No. 136.  
House Bill No. 192.  
House Bill No. 189.  
House Bill No. 101.  
House Bill No. 139.

And find the same correctly Engrossed.

REP. MORLAND, Chairman.

Rep. Moe moved that the report be adopted, which motion prevailed, and the report was adopted.

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

House Bill No. 196.

And find the same correctly Engrossed.

REP. MORLAND, Chairman.

Rep. Johnson of Richland moved that the report be adopted, which motion prevailed, and the report was adopted.

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

House Bill No. 29.  
House Concurrent Resolution "J."

And find the same correctly Enrolled.

REP. MORLAND, Chairman.

Rep. Bjella moved that the report be adopted, which motion prevailed, and the report was adopted.

Rep. Bergesen asked the unanimous consent of the House to introduce, through the Delayed Bills Committee, a bill for an act to create a State Legislative Council.

Rep. Rohde objecting to the request of Rep. Bergesen, the request was denied.

Rep. Graham moved that the House recess at 5:30 o'clock p. m. to re-convene at 6:30 o'clock p. m., which motion prevailed.

Rep. Johnson of Cass moved that for the balance of the session the sergeant-at-arms be instructed to keep the corridors clear of all people except Senators, House and Senate employees and members of the press, with the understanding that those who have courtesy cards may come in and sit with their Representatives.

Rep. Twichell called attention to Rule No. 47.

The chair ruled that the motion of Rep. Johnson of Cass was out of order.

Rep. Bergesen moved that the sergeant-at-arms and door-keepers be instructed to carry out the provisions of Rule 47, which motion prevailed.

Rep. Schnell moved that House Bill No. 47 be transferred from the Committee on Game and Fish to the Committee on Livestock, which motion prevailed.

Rep. Aker moved that the vote by which House Bill No. 197 was indefinitely postponed be reconsidered, which motion prevailed.

A division was called for which disclosed 67 for and 13 against, so the motion prevailed.

Rep. Aker moved that House Bill No. 197 be re-referred to the Committee on Judiciary, which motion prevailed.

Rep. Fitch moved that House Concurrent Resolution "O" be taken from the calendar and referred to the Committee on Temperance, which motion was lost.

Rep. Blair moved that the vote by which House Bill No. 117 was lost be reconsidered, which motion prevailed.

Rep. Falconer moved that House Bill No. 117 be placed on the calendar.

Rep. Graham offered as a substitute motion that House Bill No. 117 be re-referred to the Committee on Election and Election Privileges, which motion prevailed.

#### SIGNING OF BILLS

The Chief Clerk announced that the Speaker was about to sign the following bills; immediately before signing each bill the title was publicly read.

House Concurrent Resolution "J."

House Bill No. 29.

And the Speaker signed each of the above bills in the presence of the House.

#### FIRST READING OF HOUSE BILLS

The Committee on Delayed Bills introduced:

House Bill No. 243. A Bill for an Act Appropriating the Balance Remaining in "The State Public Welfare Fund" Created by Section 25, Chapter 249, Session Laws of 1937.

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

#### SECOND READING OF HOUSE BILLS

House Bill No. 159. A Bill for an Act to Permit the State Food Commissioner and Chemist, With the Approval of the Governor, to Suspend by Regulation the Requirements of the Food and Drug Act, Being Article 40, Sections 2889b1 to 2889b25, Inclusive of the 1925 Supplement, as Amended by Chapter 132 of the Session Laws of North Dakota for the Year 1937, for the Duration of the Present War, and Declaring an Emergency.

Was read the second time.

Rep. Belzer moved the previous question.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 66; nays, 38; absent and not voting, 9.

Those voting in the affirmative were:

Aker	Fuglestad	Mortenson
Allen, Grand Forks	Gackle	Ohnstad
Allen, Pierce	Gainor	Olson, Barnes
Arndt	Halcrow	Olson, Bowman
Bagge	Haugland	Peterson, Ransom
Bauer	Heckman	Pyle

Benno	Hildre	Rohde
Bergesen	Hofstrand	Runk
Bjella	Hogoboom	Sailer
Blair	Holm	Sandness
Bolmeier	Hovey	Saumur
Boulden	Johnson, Cass	Schnell
Bymers	Johnson, Rolette	Sellens
Callahan	Johnson, Richland	Severson
Carlson	Kolpin	Sharpe
Collette	Larson, Ward	Shure
Dahlen	Langley	Sticka
Dalzell	Leet	Stormon
Ekren	Levin	Twichell
Falconer	Lunde	Westby
Fitch	Manstrom	Williams, Stutsm'n
Forseth	Morland	Mr. Speaker
Those voting in the negative were:		
Anderson	Jennings	Rettke
Baumgartner	Larson, Wells	Rohrer
Belzer	Lillehaugen	Schwartz
Braun	Marks	Schmalenberger
Burau	Mittag	Stair
Crockett	Moe	Starck
Drovdal	Mollet	Tuff
Fraser	Monson	Welder
Graham	Morrison	Welk
Haag	Myers	Williams, Sargent
Halvorson	Nelson	Wolf, McIntosh
Haugen	Ostgulen	Wolf, Morton
Iszler	Peterson, Bottin'au	
Absent and not voting:		
Bubel	Fleck	Nystrom
Coghlan	Hegge	Wambheim
Devlin	McInnes	Williams, Richland

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

Rep. Twichell moved that the vote by which House Bill No. 159 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Rep. Moe: "We have eaten a lot of substitutes in the past and we are going to eat a lot more in the future but I am not willing to legislate money into the pockets of manufacturers of substitutes. Therefore I vote 'No'."

Rep. Rettke: "I would like to explain my vote and have it recorded in the Journal. We have debated on a lot of unimportant bills that didn't mean a thing and when an important bill like this comes up, we railroad it through. Therefore I vote 'No'."

House Bill No. 142. A Bill for an Act to Amend and Re-enact Section 1, Session Laws of 1931, as Amended and Re-enacted by Chapter 130, Session Laws of 1933, Chapter 142, Session Laws of 1935, and Chapter 133, Session Laws of 1937, Defining Imitation Ice Cream; Permitting the State Food Commissioner and Chemist by Regulation to Lower Such Requirements for the Duration of the War; and Declaring an Emergency.

Was read the second time.

Rep. Graham offered as a substitute motion that House

Bill No. 142 be indefinitely postponed, which motion was seconded.

Rep. Halvorson moved that further action on House Bill No. 142 be laid over one legislative day, which motion prevailed.

Rep. Lillehaugen moved that House Concurrent Resolution "M" be adopted.

Rep. Graham moved the previous question.

Rep. Lillehaugen requested a roll call on his motion, which request was granted.

### ROLL CALL

The question being on the adoption of House Concurrent Resolution "M," the roll was called and there were ayes, 37; nays, 70; absent and not voting, 6.

Those voting in the affirmative were:

Allen, Pierce	Haugen	Mollet
Anderson	Heckman	Morland
Bauer	Holm	Myers
Bjella	Iszler	Ostgulen
Bolmeier	Langley	Peterson, Ransom
Dahlen	Leet	Sandness
Drovdal	Levin	Shure
Ekren	Lillehaugen	Stormon
Forseth	Lunde	Twichell
Fuglestad	Marks	Williams, Richland
Gainor	Mittag	Williams, Sargent
Graham	Moe	Williams, Stutsm'n
Halcrow		

Those voting in the negative were:

Aker	Haugland	Pyle
Allen, Grand Forks	Hegge	Rettke
Arndt	Hildre	Rohde
Bagge	Hofstrand	Rohrer
Baumgartner	Hogoboom	Runck
Belzer	Hovey	Sailer
Benno	Jenninø	Saumur
Bergesen	Johnson, Cass	Schmalenberger
Blair	Johnson, Richland	Schnell
Boulden	Johnson, Rolette	Schwartz
Burau	Kolpin	Sellens
Bymers	Larson, Ward	Severson
Callahan	Larson, Wells	Sharpe
Carlson	Manstrom	Stair
Coghlan	McInnes	Starck
Collette	Monson	Sticka
Crockett	Morrison	Tuff
Dalzell	Mortenson	Wambheim
Falconer	Nelson	Welder
Fitch	Ohnstad	Welk
Fraser	Olson, Barnes	Wolf, McIntosh
Gackle	Olson, Bowman	Wolf, Morton
Haag	Peterson, Bottin'au	Mr. Speaker
Halvorson		

Absent and not voting:

Braun	Devlin	Nystrom
Bubel	Fleck	Westby

So House Concurrent Resolution "M" was declared lost.

Rep Fitch moved that the vote by which House Concurrent Resolution "M" was lost be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Rep. Bergesen: "I want to explain my vote and have it recorded in the Journal. This Resolution calls for prohibiting the sale and use of intoxicating liquor to the members of the land and naval forces of the United States during the emergency, which means that when they come home on furlough they cannot have any liquor. I am opposed to placing a different requirement on the men in the service than we are willing to impose on ourselves and therefore I vote 'No'."

Rep. Falconer: "I want to explain my vote and have it recorded in the Journal. I have to vote 'No'. This is one time I agree with Mr. Bergesen. I think he has offered the best arguments that have been offered here for this. I think it makes us look ridiculous who have liquor for sale within our state to go to the Federal Government and suggest how they should control the liquor situation as it affects the army camps. I think they are capable of doing that themselves."

Rep. Schnell: "I vote 'Nay' for exactly the same reasons that were mentioned by Mr. Bergesen."

Rep. Sticka: "Mr. Speaker, I wish to explain my vote and have it recorded in the Journal. I believe these conditions can and should be remedied by the authorities in charge. Therefore I vote 'No'."

Rep. Starck: "I am not against sending a Resolution of this kind to Washington. From my experience in the army, I absolutely know that it cannot be enforced and therefore, Mr. Speaker, I vote 'No'."

Rep. Williams of Richland: "I think if there was ever a time in the history of the United States that we needed sober thinking men and women, it is now. You talk about regulating—did you fellows ever hear about regulating 'Hell'? Well, that's worse than 'Hell'. Mr. Speaker, I vote 'Aye'."

House Bill No. 110. A Bill for an Act Fixing the Salaries or Compensation of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, Attorney General, Superintendent of Public Instruction, Commissioner of Insurance, Commissioner of Agriculture and Labor, and Each Commissioner of the Public Service Commission to Be Elected After the Effective Date of This Act and All Subsequent Elections and Amending and Re-enacting the Initiated Act Known as, Reduction Salaries of State Officials, Approved by the People of the State of North Dakota November 8, 1932.

Was read the second time.

Rep. Crockett moved the previous question.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 99; nays, 7; absent and not voting, 7.

Those voting in the affirmative were:

Aker	Haag	Olson, Barnes
Allen, Grand Forks	Halcrow	Olson, Bowman
Allen, Pierce	Halvorson	Ostgulen
Anderson	Haugen	Pyle
Arndt	Haugland	Rettke
Bagge	Heckman	Rohde
Bauer	Hegge	Rohrer

Baumgartner	Hildre	Runck
Belzer	Hofstrand	Sailer
Benno	Hogoboom	Sandness
Bergesen	Holm	Saumur
Bjella	Hovey	Schmalenberger
Bolmeier	Iszler	Schwartz
Boulden	Jennings	Schnell
Braun	Johnson, Richland	Sellens
Burau	Johnson, Rolette	Severson
Bymers	Kolpin	Sharpe
Callahan	Larson, Ward	Shure
Carlson	Larson, Wells	Stair
Collette	Leet	Starck
Crockett	Levin	Sticka
Dahlen	Lunde	Stormon
Dalzell	Manstrom	Twichell
Drovdal	Marks	Wambheim
Ekren	McInnes	Welder
Falconer	Mollet	Welk
Fitch	Monson	Westb
Forseth	Morland	Williams, Richland
Fraser	Morrison	Williams, Sargent
Fuglestad	Mortenson	Williams, Stutsm'n
Graham	Myers	Wolf, McIntosh
Gackle	Nelson	Wolf, Morton
Gainor	Ohnstad	Mr. Speaker
Those voting in the negative were:		
Blair	Lillehaugen	Moë
Johnson, Cass	Mittag	Peterson, Ransom
Langley		
Absent and not voting:		
Bubel	Fleck	Peterson, Bottin'au
Coghlan	Nystrom	Tuff
Devlin		

So the bill passed and the title was agreed to.

Rep. Crockett moved that the vote by which House Bill No. 110 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 188. A Bill for an Act Amending and Re-enacting the Iniated Act Approved by the Electors of North Dakota, on November 8, 1932, Which Act Amended and Re-enacted Section 769a9 of the 1925 Supplement to the Compiled Laws of North Dakota for 1913, Relating to the Salaries of the Judges of the Districts of the State of North Dakota; and Providing for an Increase of Salaries of Said District Judges from \$3,500.00 a Year to \$4,000.00 a Year, and Providing for the Payment of His Actual Travelling Expenses and Subsistence While Holding Court Inside of Their Districts But Outside the Counties in Which They Reside.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 95; nays, 7; absent and not voting, 11.

Those voting in the affirmative were:

Aker	Gainor	Ohnstad
Allen, Grand Forks	Graham	Olson, Barnes
Allen, Pierce	Haag	Peterson, Ransom

Anderson	Halcrow	Pyle
Arndt	Halvorson	Rettke
Bagge	Haugen	Runck
Baumgartner	Haugland	Sailer
Belzer	Heckman	Sandness
Benno	Hegge	Saumur
Bergesen	Hildre	Schmalenberger
Bjella	Hofstrand	Schnell
Blair	Hogoboom	Schwartz
Bolmeier	Holm	Sellens
Boulden	Hovey	Sharpe
Braun	Iszler	Shure
Burau	Johnson, Richland	Stair
Bymers	Johnson, Rolette	Starck
Callahan	Kolpin	Sticka
Carlson	Langley	Stormon
Coghlan	Larson, Ward	Tuff
Collette	Larson, Wells	Twichell
Crockett	Leet	Wambheim
Dahlen	Levin	Welder
Dalzell	Lunde	Welk
Drovdal	Manstrom	Westby
Ekren	Marks	Williams, Richland
Falconer	McInnes	Williams, Sargent
Fitch	Monson	Williams, Stutsm'n
Forseth	Morrison	Wolf, McIntosh
Fraser	Mortenson	Wolf, Morton
Fuglestad	Myers	Mr. Speaker
Gackle	Nelson	
Those voting in the negative were:		
Jennings	Mittag	Morland
Johnson, Cass	Moe	Ostgulen
Lillehaugen		
Absent and not voting:		
Bauer	Mollet	Rohde
Bubel	Nystrom	Rohrer
Devlin	Olson, Bowman	Severson
Fleck	Peterson, Bottin'au	

So the bill passed and the title was agreed to.

Rep. Graham moved that the vote by which House Bill No. 188 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 220. A Bill for an Act to Provide a Standard War Time for the State of North Dakota, Providing for Its Institution and continuance; Repealing All Acts in Conflict Therewith; and Declaring an Emergency.

Was read the second time.

Rep. Nelson moved the previous question.

The required number did not second the motion, therefore the previous question was not ordered.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 102; nays, 5; absent and not voting, 6.

Those voting in the affirmative were:		
Aker	Haag	Myers
Allen, Grand Forks	Halcrow	Nelson
Allen, Pierce	Halvorson	Ohnstad

Anderson	Haugen	Olson, Barnes
Bagge	Haugland	Olson, Bowman
Baumgartner	Heckman	Ostgulen
Belzer	Hegge	Peterson, Bottin'au
Benno	Hildre	Peterson, Ransom
Bergesen	Hofstrand	Pyle
Bjella	Hogoboom	Rettke
Blair	Holm	Rohde
Bolmeier	Hovey	Runck
Boulden	Iszler	Sailer
Braun	Jennings	Sandness
Bureau	Johnson, Richland	Schmalenberger
Bymers	Johnson, Rolette	Schnell
Callahan	Kolpin	Schwartz
Carlson	Langley	Sellens
Coghlan	Larson, Ward	Severson
Collette	Larson, Wells	Sharpe
Crockett	Leet	Stair
Dahlen	Levin	Starck
Dalzell	Lillehaugen	Sticka
Drovdal	Lunde	Stormon
Ekren	Manstrom	Tuff
Falconer	Marks	Twichell
Fitch	McInnes	Welder
Fleck	Mittag	Welk
Forseth	Moe	Williams, Richland
Fraser	Mollet	Williams, Sargent
Fuglestad	Monson	Williams, Stutsm'n
Gackle	Morland	Wolf, McIntosh
Gainor	Morrison	Wolf, Morton
Graham	Mortenson	Mr. Speaker

Those voting in the negative were:

Arndt	Shure	Westby
Saumur	Wambheim	

Absent and not voting:

Bauer	Devlin	Nystrom
Bubel	Johnson, Cass	Rohrer

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

Rep. Bureau moved that the vote by which House Bill No. 220 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Concurrent Resolution "P." A Concurrent Resolution Providing for the Amendment of Section 154 of Article IX of the Constitution of North Dakota.

Was read the second time.

#### ROLL CALL

The question being on the adoption of House Concurrent Resolution "P," the roll was called and there were ayes, 82; nays, 18; absent and not voting, 13.

Those voting in the affirmative were:

Anderson	Hegge	Olson, Bowman
Bagge	Hildre	Ostgulen
Baumgartner	Hofstrand	Peterson, Bottin'au
Belzer	Hogoboom	Peterson, Ransom
Benno	Holm	Pyle
Bergesen	Hovey	Rettke
Bjella	Iszler	Rohde



Braun	Jennings	Runck
Burau.	Johnson, Rolette	Sailer
Bymers	Kolpin	Sandness
Carlson	Langley	Schmalenberger
Collette	Larson, Ward	Schnell
Dahlen	Larson, Wells	Schwartz
Dalzell	Leet	Sharpe
Drovdal	Lillehaugen	Stair
Falconer	Manstrom	Starck
Fleck	Marks	Sticka
Forseth	McInnes	Stormon
Fraser	Mollet	Tuff
Gackle	Monson	Welder
Gainor	Morland	Welk
Graham	Morrison	Williams, Richland
Haag	Mortenson	Williams, Sargent
Halcrow	Myers	Williams, Stutsm'n
Halvorson	Nelson	Wolf, McIntosh
Haugen	Ohnstad	Wolf, Morton
Haugland	Olson, Barnes	Mr. Speaker
Heckman		

Those voting in the negative were:

Aker	Coghan	Saumur
Allen, Grand Forks	Ekren	Sellens
Allen, Pierce	Fuglestad	Severson
Arndt	Johnson, Cass	Shure
Boulden	Johnson, Richland	Wambheim
Callahan	Mittag	Westby

Absent and not voting:

Bauer	Devlin	Moe
Blair	Fitch	Nystrom
Bolmeier	Levin	Rohrer
Bubel	Lunde	Twichell
Crockett		

So House Concurrent Resolution "P" was declared adopted.

Rep. Mollet moved that the vote by which House Concurrent Resolution "P" was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 125. A Bill for an Act Providing for Cutting of Weeds and Grasses Along Township Highways by Owners of Land Adjoining Such Highways, Excepting from the Provisions of This Act County, State and Federal Highways.

Was read the second time.

Rep. Boulden moved that House Bill No. 125 be indefinitely postponed, which motion prevailed.

A division was called for which disclosed 53 for and 32 against, so the motion was declared carried.

Rep. Boulden moved that the vote by which House Bill No. 125 was indefinitely postponed be reconsidered and the motion to reconsider be laid on the table, which motion was lost.

Pursuant to motion previously made by Rep. Graham, the House recessed until 6:30 o'clock p. m.

The House re-convened at 6:30 o'clock p. m., pursuant to recess taken.

SECOND READING OF HOUSE BILLS

Rep. Johnson of Cass moved that action on House Bill No. 1 be deferred until after 7:00 o'clock p. m., which motion prevailed.

House Bill No. 189. A Bill for an Act Providing That a Course for Teachers in Cooperatives, Their History, Principles, Organization and Operations Shall Be Taught in the Teachers' Colleges of the State of North Dakota and in the Teachers' College at the University of the State of North Dakota.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 62; nays, 28; absent and not voting, 23.

Those voting in the affirmative were:

Aker	Hogoboom	Rohde
Anderson	Iszler	Sandness
Bagge	Jennings	Saumur
Baumgartner	Kolpin	Schnell
Belzer	Langley	Schmalenberger
Benno	Larson, Ward	Schwartz
Bjella	Larson, Wells	Severson
Bureau	Leet	Sharpe
Bymers	Levin	Stair
Carlson	Lillehaugen	Starck
Dalzell	McInnes	Sticka
Drovdal	Mittag	Wambheim
Falconer	Mollet	Welder
Graham	Monson	Welk
Haag	Morland	Williams, Richland
Halcrow	Morrison	Williams, Sargent
Haugen	Mortenson	Williams, Stutsm'n
Haugland	Myers	Wolf, McIntosh
Heckman	Ohnstad	Wolf, Morton
Hegge	Olson, Bowman	Mr. Speaker
Hofstrand	Peterson, Bottin'au	

Those voting in the negative were:

Allen, Grand Forks	Collette	Moe
Allen, Pierce	Dahlen	Peterson, Ransom
Arndt	Ekren	Pyle
Bauer	Gackle	Runck
Blair	Holm	Sailer
Bolmeier	Hovey	Sellens
Boulden	Johnson, Cass	Shure
Braun	Johnson, Rolette	Stormon
Callahan	Lunde	Twichell

Absent and not voting:

Bergesen	Fuglestad	Nystrom
Bubel	Gainor	Olson, Barnes
Crockett	Halvorson	Ostgulen
Devlin	Hildre	Rettke
Fitch	Johnson, Richland	Rohrer
Fleck	Manstrom	Tuff
Forseth	Marks	Westby
Fraser	Nelson	

So the bill passed as amended and the title was agreed to.

Rep. Graham moved that the vote by which House Bill

No. 189 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Rep. Twichell: "I am going to vote 'No' on this. The cooperative education is all right in the colleges but I think it is just affording another opportunity for the kids to go to High School without doing any studying."

House Bill No. 135. A Bill for an Act Relating to the Registration of Brands on Dairy Product Containers and to the Use and Possession of Said Containers, Amending Section 2863a1 of the 1925 Supplement to the 1913 Compiled Laws of North Dakota, and Repealing All Acts or Parts of Acts in Conflict Therewith; 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, 89; nays, 5; absent and not voting, 19.

Those voting in the affirmative were:

Aker	Heckman	Peterson, Ransom
Allen, Grand Forks	Hegge	Pyle
Allen, Pierce	Hofstrand	Rohde
Anderson	Hogoboom	Runk
Bagge	Holm	Sailer
Bauer	Hovey	Sandness
Baumgartner	Iszler	Saumur
Benno	Jennings	Schmalenberger
Bergesen	Johnson, Cass	Schnell
Bjella	Johnson, Rolette	Schwartz
Blair	Kolpin	Sellens
Bolmeier	Langley	Severson
Boulden	Larson, Ward	Sharpe
Braun	Larson, Wells	Shure
Bureau	Leet	Stair
Bymers	Levin	Starck
Callahan	Lillehaugen	Sticka
Carlson	Lunde	Stormon
Coghlan	Manstrom	Twichell
Collette	McInnes	Wambheim
Dahlen	Mittag	Welder
Dalzell	Mollet	Welk
Drovdal	Monson	Westby
Falconer	Morland	Williams, Richland
Fuglestad	Morrison	Williams, Sargent
Graham	Mortenson	Williams, Stutsm'n
Haag	Myers	Wolf, McIntosh
Halcrow	Ohnstad	Wolf, Morton
Haugen	Olson, Bowman	Mr. Speaker
Haugland	Peterson, Bottin'au	

Those voting in the negative were:

Arndt	Ekren	Moe
Belzer	Gackle	
Absent and not voting:		
Bubel	Gainor	Nystrom
Crockett	Halvorson	Olson, Barnes
Devlin	Hildre	Ostgulen
Fitch	Johnson, Richland	Rettke
Fleck	Marks	Rohrer

Forseth  
Fraser

Nelson

Tuff

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

Rep. Graham moved that the vote by which House Bill No. 135 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Rep. Haugen moved that House Bill No. 101 be referred to the Committee on Appropriations, which motion prevailed.

House Bill No. 192. A Bill for an Act to Amend and Re-enact Section 5 of Chapter 204, Session Laws of 1941, Relating to the Funding and Refunding of Existing Indebtedness of Municipalities, Authorizing Legal Expense Under Certain Conditions, and Declaring an Emergency.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 97; nays, 1; absent and not voting, 15.

Those voting in the affirmative were:

Aker	Halvorson	Ohnstad
Allen, Grand Forks	Haugen	Olson, Bowman
Allen, Pierce	Haugland	Peterson, Bottin'au
Anderson	Heckman	Peterson, Ransom
Arndt	Hegge	Pyle
Bagge	Hofstrand	Rohde
Bauer	Hogoboom	Runck
Baumgartner	Holm	Sailer
Belzer	Hovey	Sandness
Benno	Iszler	Saumur
Bergesen	Jennings	Schmalenberger
Bjella	Johnson, Cass	Schnell
Blair	Johnson, Rolette	Schwartz
Bolmeier	Kolpin	Sellens
Bouldeu	Langley	Severson
Braun	Larson, Ward	Sharpe
Burau	Larson, Wells	Shure
Callahan	Leet	Stair
Carlson	Levin	Starck
Coghlan	Lillehaugen	Sticka
Collette	Lunde	Stormon
Dahlen	McInnes	Twichell
Dalzell	Manstrom	Wambheim
Drovdal	Mittag	Welder
Ekren	Moe	Welk
Falconer	Mollet	Westby
Forseth	Monson	Williams, Richland
Fraser	Morland	Williams, Sargent
Fuglestad	Morrison	Williams, Stutsm'n
Gackle	Mortenson	Wolf, McIntosh
Graham	Myers	Wolf, Morton
Haag	Nelson	Mr. Speaker

Those voting in the negative were:

Bymers

Absent and not voting:

Bubel	Fleck	Olson, Barnes
Crockett	Hildre	Ostgulen

Devlin	Johnson, Richland	Rettke
Fitch	Marks	Rohrer
Gainor	Nystrom	Tuff

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

House Bill No. 139. A Bill for an Act to Regulate the Practice of Professional Engineering; Creating a State Board of Registration for Professional Engineers; Defining Its Powers and Duties; Providing for Registration of Professional Engineers; Fixing Fees Therefor; Imposing Certain Duties Upon the State and the Political Subdivisions Thereof in Connection with Public Works; and Providing Penalties for Violation of Its Provisions.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 92; nays, 9; absent and not voting, 12.

Those voting in the affirmative were:

Aker	Gackle	Ohnstad
Allen, Grand Forks	Gainor	Olson, Bowman
Allen, Pierce	Graham	Ostgulen
Anderson	Haag	Peterson, Ransom
Arndt	Halcrow	Pyle
Bagge	Halvorson	Runck
Bauer	Haugen	Sailer
Baumgartner	Haugland	Sandness
Benno	Heckman	Saumur
Bergesen	Hegge	Schmalenberger
Bjella	Hofstrand	Schnell
Blair	Hogoboom	Schwartz
Bolmeier	Holm	Sellens
Boulden	Hovey	Severson
Braun	Iszler	Sharpe
Burau	Jennings	Shure
Bymers	Johnson, Cass	Stair
Callahan	Johnson, Rolette	Starck
Carlson	Kolpin	Sticka
Coghlan	Langley	Stormon
Collette	Larson, Ward	Twichell
Crockett	Larson, Wells	Wambheim
Dahlen	Leet	Welder
Dalzell	Lunde	Welk
Drovdal	Manstrom	Westby
Ekren	McInnes	Williams, Sargent
Falconer	Monson	Williams, Stutsm'n
Fitch	Morland	Wolf, McIntosh
Forseth	Mortenson	Wolf, Morton
Fraser	Myers	Mr. Speaker
Fuglestad	Nelson	

Those voting in the negative were:

Levin	Moe	Peterson, Bottin'au
Lillehaugen	Mollet	Rohde
Mittag	Morrison	Williams, Richland

Absent and not voting:

Belzer	Hildre	Olson, Barnes
Bubel	Johnson, Richland	Rettke
Devlin	Marks	Rohrer
Fleck	Nystrom	Tuff

So the bill passed as amended and the title was agreed to.

Rep. Dahlen moved that the vote by which House Bill No. 139 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 180. A Bill for an Act to Amend and Re-enact Chapter 186 of the Session Laws of North Dakota for 1937, as Amended by Chapter 219 of the Session Laws of North Dakota for 1941, Relating to the Introduction and Printing of Bills and Providing What a Bill for Amendment of Statute Shall Contain and Providing for an Official Seal for Each Branch of the Legislative Assembly.

Was read the second time.

Rep. Belzer moved the previous question, which motion was lost.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 43; nays, 62; absent and not voting, 8.

Those voting in the affirmative were:

Aker	Fitch	Peterson, Ransom
Allen, Pierce	Hildre	Pyle
Anderson	Johnson, Cass	Rettke
Bagge	Johnson, Richland	Runk
Bauer	Langley	Sailer
Baumgartner	Larson, Ward	Saumur
Benno	Lillehaugen	Schmalenberger
Bergesen	Lunde	Schnell
Bolmeier	McInnes	Severson
Callahan	Mittag	Sharpe
Carlson	Moe	Sticka
Coghlan	Morland	Westby
Crockett	Ohnstad	Williams, Richland
Dahlen	Olson, Barnes	Mr. Speaker
Ekren		

Those voting in the negative were:

Allen, Grand Forks	Halvorson	Myers
Arndt	Haugen	Nelson
Belzer	Haugland	Olson, Bowman
Bjella	Heckman	Peterson, Bottin'au
Blair	Hegge	Rohde
Boulden	Hofstrand	Sandness
Braun	Hogoboom	Schwartz
Bubel	Holm	Sellens
Bymers	Hovey	Shure
Collette	Iszler	Stair
Dalzell	Jennings	Starck
Drovdal	Johnson, Rolette	Twichell
Falconer	Kolpin	Stormon
Forseth	Larson, Wells	Wambheim
Fraser	Leet	Welder
Fuglestad	Levin	Welk
Gackle	Manstrom	Williams, Sargent
Gainor	Mollet	Williams, Stutsm'n
Graham	Monson	Wolf, McIntosh
Haag	Morrison	Wolf, Morton
Halcrow	Mortenson	

Absent and not voting:

Burau	Marks	Rohrer
Devlin	Nystrom	Tuff
Fleck	Ostgulen	

So the bill was declared lost.

Rep. Haag moved that the vote by which House Bill No. 180 was lost be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Rep. Braun: "I am going to vote 'No' on this bill because I don't know what it is and the lawyers seem to disagree on it and don't know what they want so I vote 'No'."

House Bill No. 1. 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, 105; nays, 2; absent and not voting, 6.

Those voting in the affirmative were:

Aker	Gainor	Ohnstad
Allen, Grand Forks	Haag	Olson, Barnes
Allen, Pierce	Halvorson	Olson, Bowman
Anderson	Haugen	Ostgulen
Arndt	Heckman	Peterson, Bottin'au
Bagge	Halcrow	Peterson, Ransom
Bauer	Haugland	Pyle
Baumgartner	Hegge	Rettke
Belzer	Hildre	Runk
Benno	Hofstrand	Sailer
Bergesen	Hogoboom	Sandness
Bjella	Holm	Saumur
Blair	Hovey	Schwartz
Bolmeier	Iszler	Schmalenberger
Boulden	Jennings	Snell
Braun	Johnson, Cass	Sellens
Bubel	Johnson, Richland	Severson
Bureau	Johnson, Rolette	Sharpe
Bymers	Kolpin	Shure
Callahan	Langley	Stair
Carlson	Larson, Ward	Starck
Coghlan	Larson, Wells	Sticka
Collette	Leet	Stormon
Crockett	Levin	Tuff
Dahlen	Lillehaugen	Twichell
Dalzell	Lunde	Wambheim
Drovdal	Manstrom	Welder
Ekren	Marks	Welk
Falconer	McInnes	Westby
Fitch	Moe	Williams, Richland
Forseth	Monson	Williams, Sargent
Fraser	Morland	Williams, Stutsm'n
Fuglestad	Morrison	Wolf, McIntosh
Graham	Mortenson	Wolf, Morton
Gackle	Nelson	Mr. Speaker

Those voting in the negative were:

Mittag	Myers	
Absent and not voting:		
Devlin	Mollet	Rohde
Fleck	Nystrom	Rohrer

So the bill passed as amended and the title was agreed to.

Rep. Bergesen 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.

House Bill No. 44. A Bill for an Act to Amend and Re-enact Section 10322a27 of the 1925 Supplement to the Compiled Laws of North Dakota of 1913, as Amended by Chapter 117 of the Session Laws of North Dakota for 1933, Relative to the Use of Hunting Dogs.

Was read the second time.

Rep. Schnell moved the previous question, which motion was lost.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 58; nays, 48; absent and not voting, 5; passed, 2.

Those voting in the affirmative were:

Aker	Fitch	Nelson
Allen, Grand Forks	Gackle	Ohnstad
Allen, Pierce	Halcrow	Olson, Barnes
Arndt	Haugland	Peterson, Ransom
Bagge	Hildre	Pyle
Benno	Hofstrand	Runck
Bergesen	Hogoboom	Sailer
Bjella	Hovey	Sandness
Blair	Johnson, Cass	Saumur
Bolmeier	Johnson, Richland	Sellens
Boulden	Langley	Severson
Bureau	Larson, Wells	Sharpe
Callahan	Leet	Shure
Carlson	Lunde	Stormon
Collette	Manstrom	Twichell
Crockett	McInnes	Wambheim
Dahlen	Mittag	Westby
Dalzell	Mortenson	Williams, Richland
Ekren	Myers	Williams, Stutsm'n
Falconer		

Those voting in the negative were:

Anderson	Hegge	Peterson, Bottin'au
Bauer	Iszler	Rettke
Baumgartner	Jennings	Rohde
Belzer	Johnson, Rolette	Schmalenberger
Braun	Kolpin	Schnell
Bubel	Larson, Ward	Schwartz
Bymers	Levin	Stair
Coghlan	Lillehaugen	Starck
Drovdal	Marks	Sticka
Fraser	Moe	Tuff
Fuglestad	Mollet	Welder
Gainor	Monson	Welk
Haag	Morland	Williams, Sargent
Halvorson	Morrison	Wolf, McIntosh
Haugen	Olson, Bowman	Wolf, Morton
Heckman	Ostgulen	Mr. Speaker

Absent and not voting:

Devlin	Forseth	Rohrer
Fleck	Nystrom	

Passed:

Graham	Holm
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So the bill passed and the title was agreed to.



Rep. Fitch moved that the vote by which House Bill No. 44 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Rep. Aker moved Rep. Graham be excused from voting, which motion prevailed.

Rep. Fitch moved Rep. Holm be excused from voting, which motion prevailed.

The question was on the adoption of

House Concurrent Resolution "R." Memorializing Congress of the United States to Lift Restrictions and Priorities on Batteries Used for Telephones and Radios for Farms and Residents in Rural Communities.

Rep. Aker moved that House Concurrent Resolution "R" be adopted, which motion prevailed and House Concurrent Resolution "R" was adopted.

House Concurrent Resolution "Q." Providing for the Amendment of Section 26 of Article 2 of the Constitution of the State of North Dakota.

Was read the second time.

Rep. Bauer moved the previous question.

#### ROLL CALL

The question being on the adoption of House Concurrent Resolution "Q," the roll was called and there were ayes, 41; nays, 65; absent and not voting, 6; passed, 1.

Those voting in the affirmative were:

Anderson	Heckman	Rohde
Bauer	Hegge	Schmalenberger
Baumgartner	Jennings	Schnell
Belzer	Larson, Ward	Schwartz
Braun	Larson, Wells	Starck
Bubel	Mollet	Tuff
Burau	Monson	Welder
Drovdal	Morrison	Welk
Falconer	Mortenson	Williams, Richland
Fraser	Myers	Williams, Sargent
Graham	Nelson	Wolf, McIntosh
Haag	Olson, Bowman	Wolf, Morton
Halvorson	Peterson, Bottin'au	Mr. Speaker
Haugen	Rettke	

Those voting in the negative were:

Aker	Gainor	Moe
Allen, Grand Forks	Halcrow	Morland
Allen, Pierce	Haugland	Ohnstad
Arndt	Hildre	Olson, Barnes
Bagge	Hofstrand	Ostgulen
Benno	Hogoboom	Peterson, Ransom
Bergesen	Holm	Pyle
Bjella	Hovey	Runck
Blair	Iszler	Sailer
Bolmeier	Johnson, Cass	Sandness
Boulden	Johnson, Richland	Saumur
Bymers	Johnson, Rolette	Sellens
Callahan	Kolpin	Severson
Carlson	Langley	Sharpe
Coghlan	Leet	Shure
Collette	Levin	Sticka
Dahlen	Lillehaugen	Stormon

Dalzell	Lunde	Twichell
Ekren	McInnes	Wambheim
Fitch	Manstrom	Westby
Fuglestad	Marks	Williams, Stutsm'n
Gackle	Mittag	
Absent and not voting:		
Crockett	Fleck	Nystrom
Devlin	Forseth	Rohrer
Passed:		
Stair		

So House Concurrent Resolution "Q" was declared lost.

Rep. Wolf of McIntosh moved that the vote by which House Concurrent Resolution "Q" was lost be reconsidered, and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 203. A Bill for an Act Authorizing County Officers to Attend Annual Conference and Meeting, and Providing for Payment of Mileage and Necessary Expense While Attending Such Meeting.

Was 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, 80; absent and not voting, 7.

Those voting in the affirmative were:

Bagge	Johnson, Rolette	Schmalenberger
Benno	Larson, Wells	Schnell
Bubel	Leet	Severson
Callahan	McInnes	Stormon
Carlson	Myers	Wambheim
Falconer	Ohnstad	Westby
Fitch	Peterson, Bottin'au	Wolf, McIntosh
Halcrow	Rohde	Wolf, Morton
Haugen	Sandness	

Those voting in the negative were:

Aker	Graham	Morland
Allen, Grand Forks	Haag	Morrison
Allen, Pierce	Halvorson	Mortenson
Anderson	Haugland	Nelson
Arndt	Heckman	Olson, Barnes
Bauer	Hegge	Olson, Bowman
Baumgartner	Hildre	Ostgulen
Belzer	Hofstrand	Peterson, Ransom
Bergesen	Hogoboom	Pyle
Bjella	Holm	Rettke
Blair	Hovey	Runk
Bolmeier	Iszler	Sailer
Boulden	Jennings	Saumur
Braun	Johnson, Cass	Schwartz
Burau	Johnson, Richland	Sellens
Bymers	Kolpin	Sharpe
Coghlan	Langley	Shure
Collette	Larson, Ward	Stair
Crockett	Levin	Starck
Dahlen	Lillehaugen	Sticka
Dalzell	Lunde	Welder
Drovdal	Manstrom	Welk
Ekren	Marks	Williams, Richland
Fraser	Mittag	Williams, Sargent

Fuglestad	Moe	Williams, Stutsm'n
Gackle	Mollet	Mr. Speaker
Gainor	Monson	
Absent and not voting:		
Devlin	Nystrom	Tuff
Fleck	Rohrer	Twichell
Forseth		

So the bill was declared lost.

Rep. Bergesen: "I would vote 'Aye' if provision were made to correct the situation which I referred to but inasmuch as it does not, I will vote 'No'."

Rep. Crockett: "I wish to explain my vote and have it recorded in the Journal. I was going to vote 'Aye' on this bill. I think the County Commissioners should have this when they come down to State meeting to learn the different problems that face people in their office but I am going to vote 'No' for the purpose of reconsideration."

Rep. Hovey: "I believe the Commissioners get some very good things out of these meetings. I hate to see it just go by the boards. I think it should be reconsidered and probably some amendments made. I therefore vote 'No'."

House Bill No. 166. A Bill for an Act Authorizing Employers to Pay to the Surviving Spouse of a Deceased Employee, Wages Owning to the Deceased Employee for Work, Labor or Services Performed for the Employer to the Extent of Four Hundred Dollars (\$400.00) When No Executor or Administrator Has Been Appointed, and Providing for the Discharge of the Employer from Such Obligation by and to the Extent of Such Payment, and Providing That Such Payment Shall Apply in Diminution of Allowance to Family Under Section 8725 Compiled Laws of North Dakota, 1913.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 108; nays, 1; absent and not voting, 4.

Those voting in the affirmative were:

Aker	Haag	Nelson
Allen, Grand Forks	Halcrow	Ohnstad
Allen, Pierce	Halvorson	Olson, Barnes
Anderson	Haugen	Olson, Bowman
Arndt	Haugland	Ostgulen
Bagge	Heckman	Peterson, Bottin'au
Bauer	Hegge	Peterson, Ransom
Baumgartner	Hildre	Pyle
Belzer	Hofstrand	Rettke
Benno	Hogoboom	Rohde
Bergesen	Holm	Runck
Bjella	Hovey	Saumur
Blair	Iszler	Sailer
Bolmeier	Jennings	Sandness
Boulden	Johnson, Cass	Schmalenberger
Braun	Johnson, Richland	Schnell
Bubel	Johnson, Rolette	Schwartz
Burau	Kolpin	Sellens
Bymers	Langley	Severson
Callahan	Larson, Ward	Sharpe
Carlson	Larson, Wells	Shure

Coghlan	Leet	Stair
Collette	Levin	Starck
Crockett	Lillehaugen	Sticka
Dahlen	Lunde	Stormon
Dalzell	Manstrom	Tuff
Drovdal	Marks	Twichell
Ekren	McInnes	Wambheim
Falconer	Mittag	Welder
Fitch	Moe	Welk
Fleck	Mollet	Westby
Fraser	Monson	Williams, Sargent
Fuglestad	Morland	Williams, Stutsm'n
Gackle	Morrison	Wolf, McIntosh
Gainor	Mortenson	Wolf, Morton
Graham	Myers	Mr. Speaker

Those voting in the negative were:

Williams, Richland

Absent and not voting:

Devlin	Nystrom	Rohrer
Forseth		

So the bill passed and the title was agreed to.

House Bill No. 105. A Bill for an Act to Amend and Re-enact Section 9115 of the Compiled Laws of North Dakota for 1913, Relating to the Issuance of Executions on Judgments in Justice Court.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 103; nays, 0; absent and not voting, 10.

Those voting in the affirmative were:

Aker	Halcrow	Olson, Barnes
Allen, Grand Forks	Halvorson	Olson, Bowman
Allen, Pierce	Haugen	Ohnstad
Anderson	Haugland	Ostgulen
Arndt	Heckman	Peterson, Bottin'au
Bagge	Hegge	Peterson, Ransom
Bauer	Hildre	Pyle
Baumgartner	Hofstrand	Rettke
Belzer	Hogoboom	Rohde
Benno	Holm	Runck
Bergesen	Hovey	Sailer
Bjella	Iszler	Saumur
Blair	Jennings	Schmalenberger
Bolmeier	Johnson, Cass	Schnell
Boulden	Johnson, Richland	Schwartz
Braun	Johnson, Rolette	Sellens
Bubel	Kolpin	Severson
Bureau	Langley	Sharpe
Bymers	Larson, Ward	Shure
Callahan	Larson, Wells	Stair
Carlson	Leet	Starck
Coghlan	Levin	Sticka
Collette	Lillehaugen	Stormon
Dahlen	Lunde	Tuff
Dalzell	McInnes	Twichell
Drovdal	Manstrom	Wambheim
Falconer	Marks	Welder
Fitch	Mittag	Welk

Fleck	Moe	Williams, Richland
Fraser	Mollet	Williams, Sargent
Fuglestad	Monson	Williams, Stutsm'n
Gackle	Morrison	Wolf, McIntosh
Gainor	Mortenson	Wolf, Morton
Graham	Nelson	Mr. Speaker
Haag		

Absent and not voting:

Crockett	Morland	Rohrer
Devlin	Myers	Sandness
Ekren	Nystrom	Westby
Forseth		

So the bill passed and the title was agreed to.

House Bill No. 183. A Bill for an Act Prohibiting the Sale of Unregistered Cattle Herd Sires by Livestock Dealers and Defining Who Are Dealers; Providing Penalty for Violation.

Was read the second time.

Rep. Myers moved that House Bill No. 183 be indefinitely postponed, which motion was lost.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 41; nays, 64; absent and not voting, 8.

Those voting in the affirmative were:

Aker	Hegge	Peterson, Ransom
Anderson	Hildre	Pyle
Bagge	Hofstrand	Rohde
Belzer	Holm	Sailer
Bergesen	Jennings	Sandness
Blair	Johnson, Richland	Sellens
Boulden	Langlely	Severson
Braun	Leet	Sharpe
Drovdal	Lunde	Starck
Fitch	Manstrom	Stormon
Fleck	Moe	Welk
Fuglestad	Mollet	Williams, Sargent
Graham	Monson	Williams, Stutsm'n
Haugen	Olson, Barnes	

Those voting in the negative were:

Allen, Grand Forks	Halvorson	Ohnstad
Allen, Pierce	Haugland	Olson, Bowman
Bauer	Heckman	Ostgulen
Baumgartner	Hogoboom	Peterson, Bottin'au
Benno	Hovey	Rettke
Bolmeier	Iszler	Runk
Bubel	Johnson, Cass	Schmalenberger
Bymers	Johnson, Rolette	Schnell
Callahan	Kolpin	Schwartz
Carlson	Larson, Ward	Shure
Coghlan	Larson, Wells	Stair
Collette	Levin	Sticka
Crockett	Lillehaugen	Tuff
Dahlen	Marks	Twichell
Dalzell	McInnes	Wambheim
Ekren	Mittag	Welder
Falconer	Morland	Westby
Fraser	Morrison	Williams, Richland

Gackle	Mortenson	Wolf, McIntosh
Gainor	Myers	Wolf, Morton
Haag	Nelson	Mr. Speaker
Halcrow		

Absent and not voting:

Arndt	Devlin	Rohrer
Bjella	Forseth	Saumur
Burau	Nystrom	

So the bill was declared lost.

Rep. Schnell moved that the vote by which House Bill No. 183 was lost be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Rep. Aker requested that the House be on the seventh order of business, which request was granted.

Rep. Aker moved that for tonight's session debate be limited on all bills to fifteen minutes.

Two-thirds of the members not voting in favor of the motion, the motion was declared lost.

SECOND READING OF HOUSE BILLS

House Bill No. 157. A Bill for an Act to Amend and Re-enact Section 1 of Chapter 140 of the Session Laws of 1919, Being Section 2618 of the Supplement to the Compiled Laws of 1913 as Amended by Chapter 4 of the Session Laws of 1931, as Amended by Chapter 17 of the Session Laws of 1941, Relating to Herd Law Suspension.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 91; nays, 17; absent and not voting, 5.

Those voting in the affirmative were:

Aker	Haag	Ohnstad
Allen, Grand Forks	Halcrow	Olson, Barnes
Anderson	Halvorson	Olson, Bowman
Arndt	Haugen	Ostgulen
Bagge	Haugland	Peterson, Ransom
Bauer	Heckman	Rohde
Baumgartner	Hegge	Runck
Belzer	Hildre	Sailer
Benno	Hofstrand	Sandness
Bergesen	Holm	Saumur
Bjella	Hovey	Schmalenberger
Bolmeier	Iszler	Schnell
Boulden	Jennings	Schwartz
Braun	Kolpin	Sellens
Bubel	Langley	Severson
Burau	Larson, Ward	Sharpe
Bymers	Leet	Stair
Callahan	Levin	Starck
Carlson	Lillehaugen	Sticka
Coghlan	Lunde	Stormon
Collette	Manstrom	Tuff
Crockett	Marks	Wambheim
Dahlen	McInnes	Welder
Dalzell	Mittag	Welk
Drovdal	Mollet	Westby
Ekren	Monson	Williams, Richland

Falconer	Morrison	Williams, Stutsm'n
Fitch	Mortenson	Wolf, McIntosh
Fleck	Myers	Wolf, Morton
Gainor	Nelson	Mr. Speaker
Graham		
Those voting in the negative were:		
Allen, Pierce	Johnson, Richland	Pyle
Blair	Johnson, Rolette	Rettke
Fraser	Larson, Wells	Shure
Fuglestad	Moe	Twichell
Gackle	Morland	Williams, Sargent
Hogoboom	Peterson, Bottin'au	
Absent and not voting:		
Devlin	Johnson, Cass	Rohrer
Forseth	Nystrom	

So the bill passed and the title was agreed to.

Rep. Morland 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. 173. A Bill for an Act Regulating the Transfer of Shares of Stock in Corporations, 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, 97; nays, 5; absent and not voting, 11.

Those voting in the affirmative were:

Aker	Halcrow	Nelson
Allen, Grand Forks	Haugen	Ohnstad
Allen, Pierce	Haugland	Olson, Barnes
Anderson	Heckman	Olson, Bowman
Arndt	Hegge	Ostgulen
Bagge	Hildre	Peterson, Ransom
Bauer	Hofstrand	Pyle
Baumgartner	Hogoboom	Rettke
Belzer	Holm	Runk
Benno	Hovey	Sailer
Bergesen	Iszler	Saumur
Bjella	Jennings	Sandness
Bolmeier	Johnson, Richland	Schmalenberger
Boulden	Johnson, Rolette	Schnell
Braun	Kolpin	Schwartz
Bubel	Langley	Severson
Bureau	Larson, Ward	Stair
Bymers	Larson, Wells	Starck
Callahan	Leet	Sticka
Carlson	Levin	Stormon
Collette	Lillehaugen	Tuff
Dahlen	Lunde	Twichell
Dalzell	Manstrom	Wambheim
Drovdal	Marks	Welder
Ekren	McInnes	Welk
Falconer	Mittag	Westby
Fitch	Mollet	Williams, Richland
Fleck	Monson	Williams, Sargent
Fraser	Morland	Williams, Stutsm'n
Fuglestad	Morrison	Wolf, McIntosh

Gainor	Mortenson	Wolf, Morton
Graham	Myers	Mr. Speaker
Haag		
Those voting in the negative were:		
Blair	Moe	Shure
Halvorson	Rohde	
Absent and not voting:		
Coghlan	Gackle	Rohrer
Crockett	Johnson, Cass	Sellens
Devlin	Nystrom	Sharpe
Forseth	Peterson, Bottin'au	

So the bill passed and the title was agreed to.

Rep. Morland: "I vote 'Aye' for the purpose of reconsideration."

Rep. Bergesen moved that House Bill No. 195 be laid over one legislative day, which motion prevailed.

House Bill No. 222. A Bill for an Act Providing that the Proceeds of Income Taxes Collected in This State Less Expenses of Collection and Refunds Shall Be Placed in a Special Fund to be Used Solely for Old Age Assistance, Repealing All Acts or Parts of Acts in Conflict Therewith.

Was read the second time.

Rep. Aker moved that House Bill No. 222 be placed on the table, which motion was lost.

Rep. Aker demanded a roll call, which request was granted.

ROLL CALL

The question being on the motion of Rep. Aker, the roll was called and there were ayes, 50; nays, 58; absent and not voting, 5.

Those voting in the affirmative were:

Aker	Ekren	Olson, Barnes
Allen, Grand Forks	Fitch	Peterson, Ransom
Allen, Pierce	Fleck	Pyle
Arndt	Gackle	Runck
Bagge	Gainor	Sailer
Benno	Halcrow	Sandness
Bergesen	Hildre	Saumur
Bjella	Hogoboom	Sellens
Blair	Holm	Severson
Bolmeier	Hovey	Sharpe
Boulden	Johnson, Richland	Shure
Callahan	Johnson, Rolette	Stormon
Carlson	Langley	Twichell
Coghlan	Leet	Wambheim
Collette	Lunde	Westby
Dahlen	Manstrom	Williams, Stutsm'n
Dalzell	McInnes	

Those voting in the negative were:

Anderson	Hofstrand	Ohnstad
Bauer	Iszler	Ostgulen
Baumgartner	Jennings	Peterson, Bottin'au
Belzer	Kolpin	Rettko
Braun	Larson, Ward	Rohde
Bubel	Larson, Wells	Schwartz
Bureau	Levin	Schmalenberger
Bymers	Lillehaugen	Schnell
Crockett	Marks	Stair



Drovdal	Mittag	Starck
Falconer	Moe	Sticka
Fraser	Mollet	Tuff
Fuglestad	Monson	Welder
Graham	Morland	Welk
Haag	Morrison	Williams, Richland
Halvorson	Mortenson	Williams, Sargent
Haugen	Myers	Wolf, McIntosh
Haugland	Nelson	Wolf, Morton
Heckman	Olson, Bowman	Mr. Speaker
Hegge		
Absent and not voting:		
Devlin	Johnson, Cass	Rohrer
Forseth	Nystrom	

So the motion was declared lost.

Rep. Myers: "I was just about to ask for a roll call myself. I am very glad that the motion was made so that the opponents of this bill are putting themselves on record as to just exactly where they stand."

Rep. Bauer: "I passed because I didn't know just exactly which was which and who was how. I wouldn't do a single thing to take anything away from the old people. I vote 'No.'"

Rep. Haugen moved that further action on House Bill No. 222 be deferred one legislative day, which motion was lost.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 57; nays, 51; absent and not voting, 5.

Those voting in the affirmative were:

Anderson	Hegge	Olson, Bowman
Bauer	Hofstrand	Ostgulen
Baumgartner	Iszler	Peterson, Bottin'au
Belzer	Jennings	Rettke
Bjella	Kolpin	Rohde
Braun	Larson, Ward	Schmalenberger
Bubel	Larson, Wells	Schnell
Bureau	Levin	Schwartz
Bymers	Lillehaugen	Stair
Crockett	Marks	Starck
Drovdal	Mittag	Sticka
Falconer	Mollet	Tuff
Fraser	Monson	Welder
Graham	Morland	Welk
Haag	Morrison	Williams, Richland
Halvorson	Mortenson	Williams, Sargent
Haugen	Myers	Wolf, McIntosh
Haugland	Nelson	Wolf, Morton
Heckman	Ohnstad	Mr. Speaker

Those voting in the negative were:

Aker	Fitch	Moe
Allen, Grand Forks	Fleck	Olson, Barnes
Allen, Pierce	Fuglestad	Peterson, Ransom
Arndt	Gackle	Pyle
Bagge	Gainor	Runk
Benno	Halcrow	Sailer
Bergesen	Hildre	Sandness
Blair	Hogoboom	Saumur

Bolmeier	Holm	Sellens
Boulden	Hovey	Severson
Callahan	Johnson, Richland	Sharpe
Carlson	Johnson, Rolette	Shure
Coghlan	Langley	Stormon
Collette	Leet	Twichell
Dahlen	Lunde	Wambheim
Dalzell	Manstrom	Westby
Ekren	McInnes	Williams, Stutsm'n
Absent and not voting:		
Devlin	Johnson, Cass	Rohrer
Forseth	Nystrom	

So the bill passed and the title was agreed to.

Rep. Crockett moved that the vote by which House Bill No. 222 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Rep. Hofstrand requested the House to revert to the seventh order of business, which request was granted.

Rep. Hofstrand moved that House Bill No. 85 be placed in General Orders, which motion prevailed.

Rep. Crockett moved that after being on the seventh order of business and the sixteenth order of business, the House recess until 12:45 o'clock p. m. tomorrow, which motion prevailed.

W. M. SMART, Chief Clerk.

FORTY-FOURTH DAY AFTER RECESS AND  
THE FORTY-FIFTH DAY

Bismarck, February 18, 1943

The House convened at 12:45 o'clock p. m., pursuant to recess, Speaker Beede presiding.

The Speaker announced the House would be on the eleventh order of business.

SECOND READING OF HOUSE BILLS

House Bill No. 170. A Bill for an Act to Amend and Re-enact Chapter 262, Laws of 1941, Relating to the Preservation of the Right to Benefits Under the North Dakota Unemployment Compensation Law for Persons Entering the Military or Naval Service During the Period of Such Service, Extending the Provisions Thereof to Members of the Auxiliary Military or Naval Services, Extending and Limiting the Time of Preservation of Such Rights, Providing Necessary Definitions, Authorizing the Unemployment Compensation Division to Receive and Disburse Funds Provided by the United States Government for Any Special Unemployment Compensation Programs, Repealing the Inconsistent Provisions and Declaring an Emergency.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 83; nays, 0; absent and not voting, 30.

Those voting in the affirmative were:

Allen, Grand Forks	Halvorson	Ostgulen
Allen, Pierce	Haugen	Peterson, Bottin'au
Anderson	Hegge	Peterson, Ransom
Arndt	Hildre	Pyle
Bauer	Hogboom	Rettke
Baumgartner	Hovey	Rohde
Belzer	Iszler	Runck
Benno	Johnson, Richland	Sandness
Bergesen	Johnson, Rolette	Schmalenberger
Bjella	Langley	Schnell
Bolmeier	Leet	Sellens
Burau	Levin	Sharpe
Callahan	Lillehaugen	Shure
Carlson	Lunde	Stair
Bymers	Manstrom	Starck
Coghlan	Marks	Sticka
Dahlen	McInnes	Stormon
Dalzell	Mittag	Tuff

Devlin	Moe	Wambheim
Drovdal	Mollet	Welder
Ekren	Monson	Welk
Falconer	Morland	Williams, Richland
Fitch	Morrison	Williams, Sargent
Fuglestad	Mortenson	Williams, Stutsm'n
Gackle	Myers	Wolf, McIntosh
Gainor	Ohnstad	Wolf, Morton
Haag	Olson, Barnes	Mr. Speaker
Halcrow	Olson, Bowman	
Absent and not voting:		
Aker	Fraser	Larson, Wells
Bagge	Graham	Nelson
Blair	Haugland	Nystrom
Boulden	Heckman	Rohrer
Braun	Hofstrand	Sailer
Bubel	Holm	Saumur
Collette	Jennings	Schwartz
Crockett	Johnson, Cass	Severson
Fleck	Kolpin	Twichell
Forseth	Larson, Ward	Westby

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

Rep. Rohde moved that the vote by which House Bill No. 170 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 182. A Bill for an Act Authorizing School Districts to Transfer Certain Portions of the General Fund Into Sinking Funds, and Providing for the Time, Manner and Amount of Such Transfers, 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, 91; nays, 0; absent and not voting, 22.

Those voting in the affirmative were:

Aker	Halvorson	Ostgulen
Allen, Grand Forks	Haugen	Peterson, Bottina'u
Allen, Pierce	Hegge	Peterson, Ransom
Anderson	Hildre	Pyle
Arndt	Hofstrand	Rettke
Bagge	Hogoboom	Rohde
Bauer	Hovey	Runck
Baumgartner	Iszler	Sailer
Belzer	Johnson, Richland	Sandness
Benno	Johnson, Rolette	Schmalenberger
Bergesen	Langley	Schnell
Bjella	Leet	Sellens
Bolmeier	Levin	Severson
Burau	Lillehaugen	Sharpe
Bymers	Lunde	Shure
Callahan	Manstrom	Stair
Carlson	Marks	Starck
Coghlan	McInnes	Sticka
Collette	Mittag	Stormon
Dahlen	Moe	Tuff
Dalzell	Mollet	Twichell

Devlin	Monson	Wambheim
Drovdal	Morland	Welder
Ekren	Morrison	Welk
Falconer	Mortenson	Williams, Richland
Fitch	Myers	Williams, Stutsm'n
Fleck	Nelson	Williams, Sargent
Fuglestad	Ohnstad	Wolf, McIntosh
Gainor	Olson, Barnes	Wolf, Morton
Haag	Olson, Bowman	Mr. Speaker
Halcrow		
Absent and not voting:		
Blair	Graham	Larson, Ward
Boulden	Haugland	Larson, Wells
Braun	Heckman	Nystrom
Bubel	Holm	Rohrer
Crockett	Jennings	Saumur
Forseth	Johnson, Cass	Schwartz
Fraser	Kolpin	Westby
Gackle		

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

Rep. Moe moved that the vote by which House Bill No. 182 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Rep. Fitch moved that House Bills No. 207 and 200 be referred to the Committee on Insurance, which motion prevailed.

Rep. Fitch moved that:

House Concurrent Resolution "U." Memorializing, Petitioning and Urging Congress to Take Such Steps and Measures as Are Necessary for the Purpose of Setting Up a Fund to Provide for the Payment to Each Returned Soldier of an Amount Not Less Than \$100.00 Per Month for a Period of One Year After Duration of the War.

Be adopted, which motion prevailed and House Concurrent Resolution "U" was adopted.

Rep. Rohde moved that:

House Concurrent Resolution "V." Memorializing Congress and the President to Authorize the Indians to Elect Their Commissioner of Indian Affairs and Other Administrative Officials and That Treaty Rights and Claims be Promptly Adjudicated and Paid.

Be adopted, which motion prevailed, and House Concurrent Resolution "V" was adopted.

Rep. Bergesen requested that the House be on the seventh order of business, which request was granted.

Rep. Bergesen moved that the Select Committee on Indian Affairs be discharged, which motion prevailed.

Rep. Morland moved that the vote by which House Bill No. 173 was passed be reconsidered, which motion prevailed.

Rep. Bergesen moved that House Bill No. 173 be referred to the Committee on Judiciary, which motion prevailed.

Rep. Rohde moved that permission be granted to withdraw House Bills Nos. 128 and 129, which motion prevailed.

Rep. Starck moved that permission be granted to withdraw House Bill No. 172, which motion prevailed.

Rep. Halvorson moved that House Bill No. 142 be referred to the Committee on Agriculture, which motion prevailed.

Rep. Hofstrand moved that Senate Bill No. 117 be transferred from the Committee on Education to the Committee on Tax and Tax Laws, which motion prevailed.

Rep. Crockett moved that the vote by which House Bill No. 203 was passed be reconsidered.

Division was called for which disclosed 52 for and 21 against, so the motion prevailed.

Rep. Crockett moved that House Bill No. 203 be re-referred to the Committee on Counties, which motion prevailed.

SECOND READING OF HOUSE BILLS

House Bill No. 148. A Bill for an Act Requiring Instruction in Military Training at the University and Agricultural College, and Repealing Chapter 234 of the Session Laws of North Dakota for 1937 and All Acts or Parts of Acts in Conflict Herewith.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 82; nays, 27; absent and not voting, 4.

Those voting in the affirmative were:

Aker	Falconer	Nelson
Allen, Grand Forks	Fitch	Olson, Barnes
Allen, Pierce	Fleck	Ohnstad
Anderson	Fraser	Peterson, Bottin'au
Arndt	Fuglestad	Peterson, Ransom
Bagge	Gackle	Pyle
Bauer	Gainor	Rettke
Baumgartner	Graham	Rohrer
Belzer	Haag	Runck
Benno	Halcrow	Sailer
Bergesen	Heckman	Sandness
Bjella	Hegge	Saumur
Blair	Hildre	Schwartz
Bolmeier	Hofstrand	Schmalenberger
Boulden	Hogoboom	Schnell
Braun	Hovey	Severson
Bureau	Iszler	Sharpe
Bymers	Jennings	Shure
Callahan	Johnson, Cass	Stair
Carlson	Johnson, Richland	Starck
Coghlan	Johnson, Rolette	Sticka
Collette	Langley	Stormon
Crockett	Leet	Twichell
Dahlen	Lunde	Wambheim
Dalzell	McInnes	Welk
Devlin	Morland	Wolf, Morton
Drovdal	Mortenson	Mr. Speaker
Ekren		

Those voting in the negative were:

Bubel	Manstrom	Ostgulen
Halvorson	Marks	Rohde
Haugen	Mittag	Tuff
Haugland	Moe	Welder
Kolpin	Mollet	Westby
Larson, Ward	Monson	Williams, Richland

Larson, Wells	Morrison	Williams, Sargent
Levin	Myers	Williams, Stutsm'n
Lillehaugen	Olson, Bowman	Wolf, McIntosh
Absent and not voting:		
Forseth	Nystrom	Sellens
Holm		

So the bill passed and the title was agreed to.

Rep. Fitch moved that the vote by which House Bill No. 148 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Rep. Lillehaugen: "I vote 'No.' This is a war to end wars. Why then make it compulsory for our young men to train for war?"

Rep. Myers: "We have military training at the present time. It is optional and we have had it all the time. I have no objection to military training but I see no reason for making it compulsory in one institution and not in all others. I think if we are to have military training compulsory it should be compulsory in all institutions alike."

Mr. Speaker: "I am absolutely opposed to compulsory military service but we are now in such an emergency that many of the ideas that we have had in the past have had to give way to all kinds of compulsion. I am voting 'Aye' on this now but if times ever clear up so that military service is no longer compulsory I will be one of the first to work to undo what we are doing today."

Rep. Crockett moved that the rules be suspended and that House Bill No. 153 be considered properly engrossed and placed on second reading and final passage at this time, which motion prevailed.

House Bill No. 153. A Bill for an Act Making It a Felony for an Official or Employee in Any Penal, Correctional, or Eleemosynary Institution to Have Sexual Intercourse With an Inmate of Such Institution in Which Such Officer or Other Person Is Employed; Making It a Felony for a Guardian or Person Administering Public Relief or Welfare to Induce a Female Ward Under His Care to Have Illicit Sexual Intercourse With Him, by Threatening to Withhold from Such Female or Her Family, the Necessities of Life, or Threatening Physical Violence; 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, 99; nays, 0; absent and not voting, 14.

Those voting in the affirmative were:

Allen, Grand Forks	Haag	Myers
Allen, Pierce	Halcrow	Nelson
Anderson	Halvorson	Olson, Barnes
Arndt	Haugen	Olson, Bowman
Bagge	Haugland	Ohnstad
Bauer	Heckman	Ostgulen
Baumgartner	Hegge	Peterson, Bottin'au
Belzer	Hildre	Peterson, Ransom
Benno	Hofstrand	Pyle
Bergesen	Hogoboom	Rettke
Bjella	Hovey	Rohde

Blair	Iszler	Rohrer
Bolmeier	Jennings	Runck
Braun	Johnson, Cass	Sailer
Bubel	Johnson, Richland	Schwartz
Burau	Johnson, Rolette	Schmalenberger
Bymers	Kolpin	Schnell
Callahan	Langley	Sellens
Carlson	Larson, Ward	Severson
Coghan	Larson, Wells	Sharpe
Collette	Leet	Shure
Crockett	Levin	Stair
Dahlen	Lillehaugen	Starck
Dalzell	Lunde	Sticka
Devlin	Manstrom	Stormon
Drovdal	Marks	Tuff
Ekren	Mittag	Welder
Falconer	Moe	Welk
Fitch	Mollet	Williams, Richland
Fleck	Monson	Williams, Stutsm'n
Fraser	Morland	Wolf, McIntosh
Gackle	Morrison	Wolf, Morton
Gainor	Mortenson	Mr. Speaker
Absent and not voting:		
Aker	Holm	Twichell
Boulden	McInnes	Wambheim
Forseth	Nystrom	Westby
Fuglestad	Sandness	Williams, Sargent
Graham	Saumur	

So the bill passed as amended and the title was agreed to.

Rep. Starck moved that the vote by which House Bill No. 153 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Rep. Bergesen moved that the rules be suspended and that House Concurrent Resolution "O" be considered properly engrossed and placed on second reading and final passage at this time, which motion prevailed.

Rep. Fitch moved that the rules be suspended for the purpose of amending House Concurrent Resolution "O," which motion was lost.

House Concurrent Resolution "O." A Concurrent Resolution for an Amendment to the Constitution of the State of North Dakota Permitting Liquor Stores.

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, 91; nays, 17; absent and not voting, 4; passed, 1.

Those voting in the affirmative were:

Aker	Halvorson	Morrison
Allen, Grand Forks	Haugen	Myers
Allen, Pierce	Haugland	Olson, Bowman
Anderson	Heckman	Ohnstad
Arndt	Hegge	Ostgulen
Bagge	Hildre	Peterson, Bottin'au
Bauer	Hofstrand	Peterson, Ransom
Benno	Hogboom	Pyle
Bergesen	Holm	Rettke
Bjella	Hovey	Rohde



Blair	Iszler	Rohrer
Bolmeier	Jennings	Runk
Boulden	Johnson, Richland	Sailer
Braun	Johnson, Rolette	Sandness
Bubel	Kolpin	Saumur
Burau	Langley	Schwartz
Bymers	Larson, Ward	Schmalenberger
Carlson	Larson, Wells	Schnell
Crockett	Leet	Sellens
Dahlen	Levin	Severson
Dalzell	Lillehaugen	Sharpe
Devlin	Lunde	Shure
Drovdal	McInnes	Sticka
Falconer	Manstrom	Stormon
Fleck	Marks	Twichell
Fraser	Mittag	Tuff
Fuglestad	Moe	Wambheim
Gackle	Mollet	Westby
Gainor	Monson	Williams, Stutsm'n
Graham	Morland	Mr. Speaker
Halcrow		
Those voting in the negative were:		
Baumgartner	Haag	Starck
Belzer	Johnson, Cass	Welder
Callahan	Mortenson	Welk
Collette	Nelson	Wolf, McIntosh
Ekren	Olson, Barnes	Wolf, Morton
Fitch	Stair	
Absent and not voting:		
Coghlan	Nystrom	Williams, Sargent
Forseth		
Passed:		
Williams, Richland		

So House Concurrent Resolution "O" was adopted as amended.

Rep. Graham moved that the vote by which House Concurrent Resolution "O" was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Rep. Bauer: "I am going to vote 'Aye' on this because I think this is not something for the legislature to decide. I think it is the people who ought to decide it and this resolution ought to go before the people."

Rep. Halcrow: "I will have to vote 'Aye' on this although I do not like the resolution but it has been brought out on the floor that there are twenty-seven liquor stores running in this state without any license to operate so I think our liquor laws are in a deplorable condition. I would like to throw it all out of the window but we cannot, so I am voting 'Aye' so we may get some regulation."

Rep. Lillehaugen: "In choosing between two evils, I choose the lesser one. I vote 'Aye'."

Rep. Marks: "I vote 'Aye' on this resolution because I believe it is one of the best steps, the most progressive steps ever taken in order to legalize the liquor traffic."

Rep. Moe: "I vote 'Aye' because it takes it back to the people for a vote, which is as it should be."

Rep. Welder: "I believe in this resolution but I cannot vote for it because it will put our individual liquor dealers

out of business and they have spent considerable money in their establishments, therefore I vote 'Aye'."

Rep. Lillehaugen moved that Rep. Williams of Richland be excused from voting, which motion prevailed.

Rep. Marks moved that the absent members be excused, which motion prevailed.

Rep. Marks moved that the House do now adjourn, which motion prevailed.

W. M. SMART, Chief Clerk.

#### FORTY-FIFTH DAY

Bismarck, February 18, 1943

The House convened pursuant to adjournment, Speaker Beede presiding.

Prayer was offered by Rev. T. H. Simpson.

Roll call: All members were present except Reps. Forseth, Nystrom and Williams of Sargent.

#### MESSAGES FROM THE SENATE

Senate Chamber

Bismarck, February 18, 1943

Mr. Speaker: I have the honor to return:

House Bill No. 58. A Bill for an Act to Amend and Re-enact Chapter 156 of the Session Laws of 1941, Making It a Misdemeanor for Any Person to Hunt and Pursue Any Wild Life With the Aid of a Spot Light or Any Other Kind of Artificial Light, Except Under Certain Conditions.

House Concurrent Resolution "B." Memorializing the War Production Board of the United States to Release Sufficient Supplies of Metallic Ammunition and Shot Shells to Permit Farmers and Stockmen to Keep Predatory Animals Under Control and to Permit Hunters to Adequately Harvest Surplus Crops of Game Birds and Game Animals for Food During the Period of the War Emergency.

Which the President has signed.

W. J. TROUT, Secretary.

Senate Chamber

Bismarck, February 18, 1943

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 48. 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, Chapter 98 of the Session Laws of North Dakota for the Year 1937 and Chapter 103 of the Session Laws of North Dakota for the Year 1939; Providing Method of Examination; Method of Collecting State Tax on Beer by the State Tax Commissioner; Providing Penalty for Violation Thereof and Repealing All Acts and Parts of Acts in Conflict Herewith.

Senate Bill No. 142. A Bill for an Act Authorizing the State of North Dakota to Exchange Tracts of Land Located Within the Diminished Borders of Fort Berthold Reservation for Lands Owned by the United States Government Outside of the Diminished Borders of said Fort Berthold Reservation; Providing for Appraisals, and Execution of Conveyance.

Senate Bill No. 144. A Bill for an Act to Amend and Re-enact Section 11 of Chapter 159 of the Session Laws of North Dakota for 1927 as Amended by Chapter 174 of the Session Laws of North Dakota for 1941, Relating to the Department of State Highways.

Senate Bill No. 159. A Bill for an Act Prescribing the Method of Investing the Various Funds of the State of North Dakota and the Boards, Bureaus, Institutes and Industries of the State; to Eliminate the Confusion and Competition Between the Various Departments Now Selling and Buying Bonds; Provide Penalty for Violation of This Act, and Repealing All Acts in Conflict Herewith.

Senate Bill No. 78. A Bill for an Act Providing for Reimbursement for Living Expenses of the Members of the State Legislature While in Attendance at the Session, Making an Appropriation Therefor; and Declaring an Emergency.

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

W. J. TROUT, Secretary.  
Senate Chamber

Bismarck, February 18, 1943

Mr. Speaker: I have the honor to return:

House Bill No. 82. A Bill for an Act to Ratify and Approve the Compact Between the States of Montana, North Dakota and Wyoming, Providing for an Equitable Apportionment of the Waters in the Yellowstone River Basin Among Said States.

Which the Senate has passed unchanged.

W. J. TROUT, Secretary.

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

Mr. Speaker: 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 488 show Peterson of Bottineau voting "Nay" instead of "Aye" and change the figures on the roll call to correspond.

On page 494, lines 28 and 29, and on page 495, line 16, strike out the words "as amended".

On page 486 in the roll call Braun and Bubel are shown as voting "Aye" whereas they voted "No".

In the same roll call change the roll call totals to read as follows, Ayes 43, nays 62.

And when so corrected recommends that the same be approved.

REP. WELDER, Chairman.

Rep. Morrison moved that the report be adopted.

Rep. Bolmeier offered as a substitute motion that the report of the Standing Committee be further amended by showing Rep. Saumur voting "No" and Rep. Sandness voting "Aye", on the roll call on House Bill No. 220 on Page 480, which motion prevailed.

Rep. Bolmeier moved that the report of Standing Committee as amended be adopted, which motion prevailed.

## PETITIONS AND COMMUNICATIONS

Communications from  
Casper W. Scholl, Raleigh,  
Fred Simmons, Raleigh,  
And another unsigned from Raleigh,

Asking support of Senate Bill No. 119 and House Bill No. 184 were referred to the Committee on Education.

Communications from:  
Eleanor E. Bauer, Center,  
Mrs. Evelyn Sveum, McLeod, N. D.,  
A. W. Simson, Supt., Litchville Public Schools,  
Isabelle Fir, Principal, Litchville Public Schools,  
And Aug. Pera, Pastor, Trinity Lutheran Church of Woodworth, R. R.,

Asking support of appropriation for Correspondence study were referred to the Committee on Appropriations.

A letter from Oscar E. Erickson, State Insurance Commissioner, with reference to a joint session of the two Houses to hear a speaker on the matter of a synthetic rubber plant, was read from the desk.

Rep. Falconer moved that arrangements be made for a joint session to hear the Speaker referred to in the communication, which motion was lost.

The communication was referred to the Committee on Agriculture with instructions that they obtain the necessary information in accordance with the expressed wish of Rep. Sellens.

A communication from Mrs. Clara Chapman, Secretary, Townsend Club No. 9 of Fargo, asking for passage of Senate Concurrent Resolution "P" was referred to the Committee on Public Welfare.

A resolution from the North Dakota State Association of Soil Conservation District Supervisors, with reference to House Bill No. 74, was referred to the Committee on State Affairs.

A communication from Caroline Sander and Mabel Gilbertson of Bonney Beauty Shop, Gardner Hotel, Fargo, asking support of House Bill No. 206, was referred to the Committee on Ways and Means.

A letter from Paul R. Wunsch, Speaker of Kansas House of Representatives stating that House Concurrent Resolution "E" had been received, was read from the desk.

## MESSAGE FROM THE GOVERNOR

State of North Dakota

OFFICE OF THE GOVERNOR

Bismarck, February 17, 1943

To the House of Representatives of the State of North Dakota:

This is to notify you that I have approved the following House Bill:

House Bill No. 38. A Bill for an Act to Amend and Re-enact Sections 5631 and 5632 of the Compiled Laws of North Dakota for the Year 1913, as Amended by Chapter 236 of the Session Laws of 1941, Relating to Homestead Estate, Its Exemption from Debts and Declaring an Emergency.

And the same has today been filed with the Secretary of State.

JOHN MOSES, Governor.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: Your Committee on Ways and Means to whom was referred House Bill No. 121, have had the same under consideration and recommend that the same be amended as follows:

In Line 19, after the word "work" strike out the words "is so light that it".

And when so amended recommend the same do pass.

REP. FITCH, Chairman.

Rep. Benno moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Ways and Means to whom was referred House Bill No. 186, have had the same under consideration and recommend that the same be indefinitely postponed.

REP. FITCH, Chairman.

Rep. Ostgulen moved that the report be adopted, which motion prevailed and the report was adopted.

Rep. Boulden moved that the vote by which House Bill No. 186 was indefinitely postponed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Mr. Speaker: Your Committee on Ways and Means to whom was referred House Bill No. 51, have had the same under consideration and recommend that the same be indefinitely postponed.

REP. FITCH, Chairman.

Rep. Gackle moved that the report be adopted.

Rep. Fugelstad offered as a substitute motion that House Bill No. 51 be placed on the calendar, which motion prevailed.

Mr. Speaker: Your Committee on Tax and Tax Laws, to whom was referred House Bill No. 211, have had the same under consideration and recommend that the same be amended as follows:

Line 37—Strike out all after the last word "the".

Line 38—Strike out all up to and including the word "of", and insert the following, "mileage of County Roads in each County shall bear to the total mileage of County Roads in", and renumber the lines.

And when so amended recommend the same do pass.

REP. McINNES, Chairman.

Rep. Byemers moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Agriculture to whom was referred House Bill No. 137, have had the same under consideration and recommend that the same be amended as follows:

In the third line of the title, after the semi-colon following the word "Commissioner" insert "declaring butterfat standards for certain dairy products;"

In the sixth line of the title, after the semi-colon following the word "same" insert "by the State Dairy Commissioner,".

Strike out lines 26, 27, 28 and 29.

After line 25 insert two new paragraphs reading as follows:

Section 2. STANDARDS OF DAIRY PRODUCTS.) The minimum percentum of butterfat content, by weight, of the following dairy products shall be as follows: Butter, 80%; cheddar cheese, 50%; ice cream, 12%; milk, 3.25%; cream, 18%.

Section 3. POWERS OF THE STATE DAIRY COMMISSIONER.) The State Dairy Commissioner may at any time during the duration of the present war, reduce the minimum butterfat standard aforesaid of any or all of the said products, in accordance with Federal Government regulations or restrictions heretofore or hereafter made as to the manufacture, use or consumption of butterfat.

SECTION 4. The provisions of this Act are intended to protect the producer and processor against unscrupulous business practices, and shall not empower the State Dairy Commissioner to supersede ordinances, rules, or regulations now in force or subsequently adopted by local political subdivisions in so far as health and/or sanitary protection to the consumer are concerned."

In Line 30, change the figure "2" to "5".

In Line 33, change the figure "3" to "6".

And when so amended recommend the same do pass.

REP. OLSON OF BOWMAN, Chairman.

Rep. Fugelstad moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Temperance to whom was referred House Bill No. 216, have had the same under consideration and recommend that the same be amended as follows:

In line 22, strike out the period and add the following words, "or by written consent of either such guardian or parent."

And when so amended recommend the same do pass.

REP. WILLIAMS OF RICHLAND, Chairman.

Rep. Lillehaugen moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on State Affairs to whom was referred House Bill No. 111, have had the same under consideration and recommend that the same do pass.

REP. TWICHELL, Chairman.

Rep. Haugland moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on State Affairs to whom was referred House Concurrent Resolution "X," have had the same under consideration and recommend that the same do pass.

REP. TWICHELL, Chairman.

Rep. Sandness moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on State Affairs to whom was referred House Bill No. 151, have had the same under consideration and recommend that the same do pass.

REP. TWICHELL, Chairman.

Rep. Dalzell moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on State Affairs to whom was referred House Concurrent Resolution "W," have had the same under consideration and recommend that the same be indefinitely postponed.

REP. TWICHELL, Chairman.

Rep. Saumur moved that the report be adopted.

Rep. Schnell offered a substitute motion that House Concurrent Resolution "W" be laid over one legislative day, which motion was lost.

The question was on the adoption of the report of the Standing Committee, which motion prevailed.

Mr. Speaker: Your Committee on State Affairs to whom was referred House Bill No. 74, have had the same under consideration and recommend that the same be indefinitely postponed.

REP. TWICHELL, Chairman.

Rep. Haugen moved that the report be adopted.

Rep. Braun moved that House Bill No. 74 be placed on the calendar, which motion was lost.

The question was on the adoption of the report of the Standing Committee, which motion prevailed.

Rep. Moe moved that the vote by which House Bill No. 74 was indefinitely postponed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Mr. Speaker: Your Committee on State Affairs to whom was referred House Bill No. 217, have had the same under consideration and recommend that the same be indefinitely postponed.

REP. TWICHELL, Chairman.

Rep. Wambheim moved that the report be adopted.

Rep. Wolf of McIntosh offered as a substitute motion that House Bill No. 217 be placed in General Orders, which motion prevailed.

A division was asked for which disclosed 48 for and 44 against, so the motion prevailed.

Mr. Speaker: Your Committee on Appropriations to whom was referred House Bill No. 9, have had the same under consideration and recommend that the same be amended as follows:

In line 3 strike out the figures "\$27,500.00" and insert the figures "\$30,000.00" in lieu thereof.

And when so amended recommend the same do pass.

REP. JOHNSON OF CASS, Chairman.

Rep. Carlson moved that the report be adopted, which motion prevailed and the report was adopted.

#### MESSAGE TO THE SENATE

House of Representatives  
Bismarck, February 18, 1943

Mr. President: I have the honor to transmit:

House Bill No. 29. 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 Concurrent Resolution "J." A Concurrent Resolution Regarding the Policy of the State of North Dakota to Maintain Its Jurisdiction and Control Over the Rights to the Use of the Waters in This State.

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

W. M. SMART, Chief Clerk.

#### REPORTS OF STANDING COMMITTEES

Mr. Speaker: Your Committee on Appropriations to whom was referred House Bill No. 101, have had the same under consideration and recommend that the same be indefinitely postponed.

REP. JOHNSON OF CASS, Chairman.

Rep. Haag moved that the report be adopted, which motion prevailed and the report was adopted.

Rep. Lillehaugen moved that the vote by which House Bill No. 101 was indefinitely postponed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Mr. Speaker: Your Committee on Insurance to whom was referred House Bill No. 233, have had the same under consideration and recommend that the same do pass.

REP. PETERSON OF BOTTINEAU, Chairman.

Rep. Rohde moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Judiciary to whom was referred House Bill No. 197, have had the same under consideration and recommend that the same be amended as follows:

In line 7 strike out the words "as here-".

Strike out lines 8 to 17 inclusive.

At line 8, insert the following words: "served or mailed at least thirty (30) days prior to the time of the expiration of the lease or rental agreement. Nothing in the rental contract or lease shall avoid the necessity of such notice."

In line 20, before the word "default", insert the word "substantial".

And when so amended recommend the same do pass.

REP. OHNSTAD, Chairman.

Rep. Aker moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Judiciary to whom was referred House Bill No. 213, have had the same under consideration and recommend that the same be amended as follows:

In line 13, strike out the word "anew".

In lines 15 and 16, strike out the following words: "an exact copy of the original mortgage together with".

In lines 32 and 33, strike out the following words: "street car companies, telephone companies and telegraph", and insert in lieu thereof the words "public utility".

In line 35, after the word "or" insert the word "chattel".

And when so amended, recommend the same do pass.

REP. OHNSTAD, Chairman.



Rep. Aker moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Judiciary to whom was referred House Bill No. 177, have had the same under consideration and recommend that the same be indefinitely postponed.

REP. OHNSTAD, Chairman.

Rep. Anderson moved that the report be adopted, which motion prevailed and the report was adopted.

Rep. Rohde moved that the vote by which House Bill No. 177 was indefinitely postponed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Mr. Speaker: Your Committee on Judiciary to whom was referred House Bill No. 235, have had the same under consideration and recommend that the same do pass.

REP. OHNSTAD, Chairman.

Rep. Aker moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Judiciary to whom was referred House Bill No. 138, have had the same under consideration and recommend that the same do pass.

REP. OHNSTAD, Chairman.

Rep. Mollet moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Judiciary to whom was referred House Bill No. 226, have had the same under consideration and recommend that the same be indefinitely postponed.

REP. OHNSTAD, Chairman.

Rep. Blair moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Judiciary to whom was referred House Bill No. 212, have had the same under consideration and recommend that the same do pass.

REP. OHNSTAD, Chairman.

Rep. Mollet moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Agriculture to whom was referred House Bill No. 92, have had the same under consideration and recommend that the same be amended as follows:

Strike out all after the words "A Bill", and insert in lieu thereof the following:

"An Act to establish a state program of Chemurgic Research; establishing a North Dakota Chemurgic Research Fund and providing for a tonnage tax upon lignite coal for the establishment and maintenance of said Fund; providing for the administration of said Fund and the program of Chemurgic Research by a Chemurgic Research Commission; and providing that all patents, copyrights, and profits developed by such Research inure to the State of North Dakota for the benefit of said Fund.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF NORTH DAKOTA:

1 SECTION 1. PURPOSES AND FUNCTIONS.) For  
1a the

2 purpose of actively encouraging and promoting the  
3 welfare of agriculture and mining and the people of the  
4 State of North Dakota through scientific efforts and  
5 research to discover and develop industrial uses and  
6 commercial outlets for agricultural products and min-  
7 eral products of the State of North Dakota and is hereby  
8 created and established a Chemurgic Research Com-  
8a mission

9 of the State of North Dakota which Commission shall be  
10 composed of the Commissioner of Agriculture and Labor,  
11 and the heads of the departments of Chemistry of the  
12 University of North Dakota and the State Agricultural  
13 College at Fargo, and two additional members to be  
14 named by the Commission, one a farmer known for his  
15 interest in agricultural development of the state, and  
16 the other a person known for his interest in the min-  
17 eral resources of the State, who shall serve for a  
18 term of two years each.

19 SECTION 2. POWER OF COMMISSION.) The  
20 Chemurgic Research Commission shall have full author-  
20a ity

21 to provide necessary equipment and supplies, to employ  
22 such chemists and other assistants as may be necessary  
23 for the efficient conduct of any research program  
24 decided upon by said Commission, and to provide com-  
25 pensation to all persons engaged in the work of the  
26 program commensurate with their duties and responsi-  
27 bilities, and that all sums of money required for such  
28 program shall be disbursed from the Chemurgic Re-  
28a search

29 Fund established and maintained as provided by this act.  
30 The Chemurgic Research Commission may from time  
30a to time

31 set aside and allocate specific sums from said Fund for  
32 particular research projects and shall at all times  
33 arrange research projects to avoid duplication and  
34 secure the most efficient work.

35 SECTION 3. There is hereby levied an annual  
36 flat tonnage tax of five cents per ton upon every long  
37 ton of lignite coal mined in the State of North Dakota  
38 in excess of 25 tons in each quarter year. That every  
39 owner, operator or managing agent of a coal mine in  
40 this state shall on or before the 1st day of October, 1943  
41 and quarterly thereafter in each year, report to the  
42 State Tax Commissioner upon forms to be provided by  
42a him,

43 the number of long tons of lignite coal mined during  
44 the preceding quarter year in excess of 25 tons and  
45 shall at the time of making said report to the State  
46 Tax Commissioner, remit to the State Tax Commissioner  
47 a sum of money equal to five cents for each long ton of  
48 lignite coal shown by such report to have been mined  
49 during the preceding quarter year. That such a tax  
50 shall for all purposes of collection and lien be governed  
51 by the statute applicable to income taxes levied by the  
52 State of North Dakota.

53 SECTION 4. DISPOSITION OF TAX.) That at the  
54 end of each calendar month the State Tax Commissioner  
55 shall pay over to the State Treasurer of North Dakota

56 all moneys collected and received by him by virtue of  
 57 tax levied as provided in this act and the State Treas-  
 58 urer shall deposit all of such moneys into a North  
 59 Dakota Chemurgic Research Fund which is hereby estab-  
 59a lish-  
 60 ed and created and shall be kept by him in such Fund as  
 61 a separate trust fund to be used and disbursed as pro-  
 62 vided by this act and all the moneys collected under  
 63 the tax provided by this act and all of the moneys from  
 64 whatever source covered into the said North Dakota  
 64a Chem-  
 65 urgic Research Fund, are hereby appropriated for the  
 66 purpose of Chemurgic Research as provided by this act.  
 67 SECTION 5. PATENTS AND PROFITS.) Any and  
 67a all  
 68 patents for equipment, processes, methods, designs,  
 69 formulas or developments based upon research conducted  
 70 under this act shall inure and be taken out in the name  
 71 of or assigned to the State of North Dakota, and any  
 72 and all profits resulting therefrom shall inure to the  
 73 benefit of the North Dakota Chemurgic Research Fund.  
 74 The Chemurgic Research Commission is hereby author-  
 74a ized  
 75 and empowered to take out any patent or copyright in the  
 76 name and for the benefit of the State of North Dakota,  
 77 and to receive assignments of any patent or copyright  
 78 for the benefit of the State of North Dakota and may  
 79 with the concurrents of the Industrial Commission of the  
 80 State of North Dakota, enter into any agreements for the  
 81 Commission or Industrial sale or use of any such patents  
 82 or copyrights or such a royalty basis as may seem proper  
 83 but no such agreement shall be binding upon the State of  
 84 North Dakota for a period of longer than five years.

85 SECTION 6. CONSTITUTIONALITY. )If any sec-  
 85a tion,  
 86 subsection, clause, sentence, or phrase of this act is  
 87 for any reason held to be unconstitutional and invalid,  
 88 such decision shall not affect the validity of the re-  
 89 maining portions of this act. The Legislature hereby,  
 90 declares that it would have passed this act and each  
 91 section, subsection, sentence, clause or phrase thereof,  
 92 irrespective of the fact that any one or more of the  
 93 sections, subsections, sentences, clauses or phrases be  
 94 declared unconstitutional.

And when so amended recommend the same do pass.

REP. OLSON OF BOWMAN, Chairman.

Rep. Halvorson moved that the report be adopted, which motion prevailed and the report was adopted.

#### HOUSE COMMITTEE ON ENROLLMENT AND ENGROSSMENT

The Committee on Enrollment and Engrossment made the following report:

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

House Bill No. 153.

House Concurrent Resolution "O."

And find the same correctly Engrossed.

REP. MORLAND, Chairman.

Rep. Burau moved that the report be adopted, which motion prevailed, and the report was adopted.

HOUSE COMMITTEE ON ENROLLMENT  
AND ENGROSSMENT

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

House Bill No. 2.  
House Bill No 6.  
House Bill No. 11.  
House Bill No. 17.  
House Bill No. 24.  
House Bill No. 34. /  
House Bill No. 45.  
House Bill No. 46.  
House Bill No. 69.  
House Concurrent Resolution "I."

And find the same correctly Enrolled.

REP. MORLAND, Chairman.

Rep. Burau moved that the report be adopted, which motion prevailed, and the report was adopted.

MESSAGE TO THE SENATE

House of Representatives  
Bismarck, February 18, 1943

Mr. President: I have the honor to transmit:

House Bill No. 1. 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. 44. A Bill for an Act to Amend and Re-enact Section 10322a27 of the 1925 Supplement to the Compiled Laws of North Dakota of 1913, as Amended by Chapter 117 of the Session Laws of North Dakota for 1933, Relative to the Use of Hunting Dogs.

House Bill No. 135. A Bill for an Act Relating to the Registration of Brands on Dairy Product Containers and to the Use and Possession of Said Containers, Repealing Section 2863a1 of the 1925 Supplement to the 1913 Compiled Laws of North Dakota, and Repealing All Acts or Parts of Acts in Conflict Therewith; Providing for the Enforcement of the Provisions of This Act and for Penalties for the Violation Thereof and Declaring an Emergency.

House Bill No. 157. A Bill for an Act to Amend and Re-enact Section 1 of Chapter 140 of the Session Laws of 1919, Being Section 2618 of the Supplement to the Compiled Laws of 1913 as Amended by Chapter 4 of the Session Laws of 1931, as Amended by Chapter 17 of the Session Laws of 1941, Relating to Herd Law Suspension.

House Bill No. 110. A Bill for an Act Fixing the Salaries or Compensation of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, Attorney General, Superintendent of Public Instruction, Commissioner of Insurance, Commissioner of Agriculture and Labor, and Each Commissioner of the Public Service Commission to Be

Elected After the Effective Date of This Act and All Subsequent Elections and Amending and Re-enacting the Initiated Act Known as, Reduction Salaries of State Officials, Approved by the People of the State of North Dakota November 8, 1932.

House Bill No. 159. A Bill for an Act to Permit the State Food Commissioner and Chemist, With the Approval of the Governor, to Suspend by Regulation the Requirements of the Food and Drug Act, Being Article 40, Sections 2889b1 to 2889b25, Inclusive of the 1925 Supplement, as Amended by Chapter 132 of the Session Laws of North Dakota for the Year 1937, for the Duration of the Present War, and Declaring an Emergency.

House Bill No. 188. A Bill for an Act Amending and Re-enacting the Initiated Act Approved by the Electors of North Dakota on November 8, 1932, Which Act Amended and Re-enacted Section 769a9 of the 1925 Supplement to the Compiled Laws of North Dakota for 1913, Relating to the Salaries of the Judges of the Districts of the State of North Dakota; and Providing for an Increase of Salaries of Said District Judges from \$3,500.00 a Year to \$4,000.00 a Year, and Providing for the Payment of His Actual Travelling Expenses and Subsistence While Holding Court Inside of Their Districts But Outside the Counties in Which They Reside.

House Bill No. 189. A Bill for an Act Providing That a Course for Teachers in Cooperatives, Their History, Principles, Organization and Operation Shall Be Taught in the Teachers' Colleges of the State of North Dakota and in the Teachers' College at the University of the State of North Dakota.

House Bill No. 196. A Bill for an Act to Amend and Re-enact Section 2844 of the Supplement to the 1913 Compiled Laws of North Dakota as Amended by Chapter 119 of the 1929 Session Laws Relating to Licenses for Creameries, Cheese Factories, Process Butter Factories, Ice Cream Factories, Cream Stations and Dairies, and Declaring an Emergency.

House Bill No. 220. A Bill for an Act to Provide a Standard War Time for the State of North Dakota, Providing for Its Institution and continuance; Repealing All Acts in Conflict Therewith; and Declaring an Emergency.

House Bill No. 222. A Bill for an Act Providing that the Proceeds of Income Taxes Collected in This State Less Expenses of Collection and Refunds Shall Be Placed in a Special Fund to be Used Solely for Old Age Assistance, Repealing All Acts or Parts of Acts in Conflict Therewith.

House Bill No. 139. A Bill for an Act to Regulate the Practice of Professional Engineering; Creating a State Board of Registration for Professional Engineers; Defining Its Powers and Duties; Providing for Registration of Professional Engineers; Fixing Fees Therefor; Imposing Certain Duties Upon the State and the Political Subdivisions Thereof in Connection with Public Works; and Providing Penalties for Violation of Its Provisions.

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

W. M. SMART, Chief Clerk.

The Speaker announced that House Bill No. 153 and House Concurrent Resolution "O" were adopted this morning by suspension of the rules before the report of the Committee on Enrollment and Engrossment was adopted in which they were reported correctly engrossed.

Rep. Wolf of McIntosh moved that the vote by which House Bill No. 219 was indefinitely postponed be reconsidered.

Rep. Fitch demanded a call of the house. A call of the house was granted and the Clerk proceeded to call the roll, which disclosed four members absent.

Rep. Sharpe informed the House that Rep. Nystrom was out of town.

Rep. Dahlen informed the House that Rep. Forseth was out of town.

Rep. Fitch moved that the call of the house be dispensed with.

A division was called for and disclosed 59 voting for and 47 voting against so the motion to dispense with the call of the House prevailed.

The question was on the motion of Rep. Wolf of McIntosh.

Rep. Wolf of McIntosh asked permission to withdraw his motion.

Objection being made, permission was not granted.

Rep. Lillehaugen moved that Rep. Wolf of McIntosh be granted permission to withdraw his motion, which motion was lost.

Rep. Fitch moved that the motion of Rep. Wolf of McIntosh be laid on the table.

The chair was in doubt.

Roll call was demanded.

#### ROLL CALL

The question being on the motion of Rep. Fitch, the roll was called and there were ayes, 60; nays, 50; absent and not voting, 2; passed, 1.

Those voting in the affirmative were:

Aker	Ekren	Manstrom
Allen, Grand Forks	Fitch	Moe
Allen, Pierce	Fleck	Morland
Arndt	Fuglestad	Olson, Barnes
Bagge	Gackle	Olson, Bowman
Benno	Gainor	Peterson, Ransom
Bergesen	Halcrow	Pyle
Bjella	Haugland	Runck
Blair	Heckman	Saller
Bolmeier	Hildre	Sandness
Boulden	Hogoboom	Saumur
Bureau	Holm	Sellens
Bymers	Hovey	Severson
Callahan	Johnson, Cass	Sharpe
Carlson	Johnson, Richland	Shure
Coghlan	Johnson, Rolette	Stormon
Collette	Langley	Twichell
Dahlen	Leet	Wambheim
Dalzell	Lunde	Westby
Devlin	McInnes	Williams, Stutsman

Those voting in the negative were:

Anderson	Kolpin	Rohde
Baumgartner	Larson, Ward	Rohrer
Belzer	Larson, Wells	Schwartz
Braun	Levin	Schmalenberger
Bubel	Lillehaugen	Schnell
Crockett	Marks	Stair
Drovdal	Mittag	Starck
Falconer	Mollet	Sticka
Fraser	Monson	Tuff
Graham	Morrison	Welder
Haag	Mortenson	Welk
Halvorson	Myers	Williams, Richland
Haugen	Nelson	Williams, Sargent
Hegge	Ohnstad	Wolf, McIntosh
Hofstrand	Ostgulen	Wolf, Morton
Iszler	Peterson, Bottin'au	Mr. Speaker
Jennings	Rettke	
Absent and not voting:		
Forseth	Nystrom	
Passed:		
Bauer		

So the motion of Rep. Fitch was declared carried.

Rep. Johnson of Cass moved that Rep. Bauer be excused from voting, which motion prevailed.

Rep. Rohde moved that House Bill No. 43 be re-referred to the Committee on Agriculture, which motion prevailed.

#### SIGNING OF BILLS

The Chief Clerk announced that the Speaker was about to sign the following bills; immediately before signing each bill the title was publicly read.

House Bill No. 46.

House Bill No. 45.

House Bill No. 34.

House Bill No. 24.

House Bill No. 17.

House Bill No. 11.

House Bill No. 6.

House Bill No. 2.

House Concurrent Resolution "I."

House Bill No. 69.

And the Speaker signed each of the above bills in the presence of the House.

Rep. Haugen moved that the House do now recess for fifteen minutes, which motion prevailed.

The House re-convened after a fifteen minute recess.

The Speaker announced the House would be on the eleventh order of business.

Rep. Bergesen moved that the rules be suspended and House Bill No. 169 be considered properly engrossed and placed on second reading and final passage, which motion prevailed.

Rep. Crockett moved that House Bill No. 169 be indefinitely postponed, which motion was lost.

#### SECOND READING OF HOUSE BILLS

House Bill No. 169. A Bill for an Act Authorizing the Bank of North Dakota as Agent for the State Treasurer of

North Dakota as Trustee for the State of North Dakota to Sell Lands Belonging to the State Treasurer of North Dakota as Trustee for the State of North Dakota to Bona Fide Farmers; Fixing the Manner and Terms of Sale, Interest Rate on Deferred and Delinquent Payments, Publication of Notice of Sale, Method of Cancellation of Contract, Taxation of Land Sold, Redemption Rights of Tax Certificate Holders, and Providing for Rules and Regulations of the Industrial 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, 87; nays, 17; absent and not voting, 9.

Those voting in the affirmative were:

Allen, Pierce	Haugen	Olson, Bowman
Anderson	Haugland	Ohnstad
Arndt	Heckman	Ostgulen
Bagge	Hegge	Peterson, Bottin'au
Bergesen	Hildre	Peterson, Ransom
Bjella	Hofstrand	Pyle
Blair	Hogboom	Rohde
Bolmeier	Holm	Rohrer
Boulden	Hovey	Runck
Braun	Jennings	Sailer
Bubel	Johnson, Cass	Sandness
Bureau	Johnson, Richland	Saumur
Callahan	Johnson, Rolette	Schwartz
Carlson	Kolpin	Schmalenberger
Coghlan	Langley	Schnell
Collette	Larson, Wells	Sellens
Dahlen	Leet	Sharpe
Dalzell	Levin	Shure
Drovdal	Lunde	Stair
Ekren	McInnes	Sticka
Falconer	Manstrom	Stormon
Fitch	Marks	Twichell
Fraser	Mollet	Wambheim
Fuglestad	Moe	Westby
Gackle	Monson	Williams, Richland
Gainor	Morland	Williams, Sargent
Graham	Mortenson	Williams, Stutsm'n
Halcrow	Nelson	Wolf, Morton
Halvorson	Olson, Barnes	Mr. Speaker

Those voting in the negative were:

Allen, Grand Forks	Larson, Ward	Starck
Baumgartner	Lillehaugen	Tuff
Benno	Mittag	Welder
Crockett	Morrison	Welk
Haag	Myers	Wolf, McIntosh
Iszler	Rettke	

Absent and not voting:

Aker	Bymers	Forseth
Bauer	Devlin	Nystrom
Belzer	Fleck	Severson

So the bill passed as amended and the title was agreed to.

Rep. Moe: "I vote 'Aye' for the purpose of reconsideration."



Rep. Benno: "If this bill would not take effect until after the war I would vote 'Aye'."

MESSAGE TO THE SENATE

House of Representatives  
Bismarck, February 18, 1943

Mr. President: I have the honor to transmit:

House Bill No. 69. A Bill for an Act to Repeal Section 8270, Compiled Laws of North Dakota for 1913, Providing for the Appropriation of Water by the Proper Officers of the United States; and Declaring an Emergency.

House Concurrent Resolution "I." A Concurrent Resolution Memorializing Congress to Revise Farm Prices to Permit Reasonable Profit.

House Bill No. 2. 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. 6. A Bill for an Act Making an Appropriation for the Purpose of Paying Insurance Tax to the Various Fire Departments of the State.

House Bill No. 11. 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. 17. A Bill for an Act Making an Appropriation for the Purpose of Paying Salary, Clerkhire and General Expenses of the Department of Coal Mine Inspection and Coal Mine Safety Work.

House Bill No. 24. A Bill for an Act to Provide for the Payment of the Expenses of Auditing and Examining the Affairs of the State Industrial Institutions, and the Special Departments and Its Subdivisions, of the State of North Dakota, Designating and Appropriating the Funds from Which Paid; Providing for the Payment of Said Collection Into the Special Fund in the State Treasury; Providing for Repeal of Acts.

House Bill No. 34. A Bill for an Act Making an Appropriation for the Financing of the Operations of the State Soil Conservation Committee or the Activities of the State Soil Conservation Districts.

House Bill No. 45. A Bill for an Act Making an Appropriation to Reimburse Griggs County in the Sum of Nine Thousand Eight Hundred Forty-nine and 85/100 (\$9,849.85) Dollars, Penalty and Interest Belonging to Griggs County, But Erroneously and Inadvertently Remitted to the State and Declaring an Emergency.

House Bill No. 46. A Bill for an Act Making an Appropriation to Reimburse Dickey County in the Sum of Eleven Thousand, Nine Hundred Sixty-six and no/100 (\$11,966.00) Dollars, Penalty and Interest Belonging to Dickey County, But Erroneously and Inadvertently Remitted to the State and Declaring an Emergency.

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

W. M. SMART, Chief Clerk.

Rep. Morland asked unanimous consent to amend House Bill No. 115, which consent was granted.

Rep. Morland moved that House Bill No. 115 be amended as follows:

In line 1 after the word "That" change the word "Section" to read "Subsection" and after the word "of" in the same line insert "Section 3 of".

In the title before the word "Section" add the word "Sub" and after the word "of" in the same line insert "Section 3 of".

Which motion prevailed.

Rep. Morland moved that the rules be suspended and that House Bill No. 115 be considered properly engrossed and placed on second reading and final passage, which motion prevailed.

Rep. Fitch moved that House Bill No. 115 be placed at the foot of the calendar, which motion prevailed.

Rep. Crockett moved that House Bill No. 206 be placed in General Orders.

Rep. Wolf of McIntosh moved that House Bill No. 206 be indefinitely postponed.

Rep. Crockett withdrew his motion.

Rep. Fitch offered as a substitute motion that House Bill No. 206 be re-referred to the Committee on State Affairs, which motion was lost.

The question was on the motion of Rep. Wolf, which motion prevailed and House Bill No. 206 was indefinitely postponed.

Rep. Crockett moved that the vote by which House Bill No. 206 was indefinitely postponed, be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

#### PETITIONS AND COMMUNICATIONS RESOLUTION

Be it unanimously resolved by the members of the 28th Legislative Assembly, State of North Dakota, that we thank Mr. H. C. Hanson, Turtle Lake, N. D., for the good hunk of cheese presented to the members this 18th day of February in the year 1943.

Rep. Moe moved that the Resolution be adopted, which motion prevailed.

Rep. Moe moved that a copy of the Resolution be sent to Mr. Hanson, which motion prevailed.

#### SECOND READING OF HOUSE BILLS

House Bill No. 90. A Bill for an Act to Amend and Re-enact Section 7 of Chapter 297 of the Session Laws of North Dakota for 1941, Relating to the Confidential Character of Birth Records, and Who May Inspect the Same and to Whom Information Concerning the Same May Be Given.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 107; nays, 0; absent and not voting, 6.

Those voting in the affirmative were:

Aker	Halvorson	Olson, Bowman
Allen, Pierce	Haugen	Ohnstad
Anderson	Haugland	Ostgulen
Arndt	Heckman	Peterson, Bottin'au
Bagge	Hegge	Peterson, Ransom
Baumgartner	Hildre	Pyle
Belzer	Hofstrand	Rettke
Benno	Hogoboom	Rohde
Bergesen	Holm	Rohrer
Bjella	Hovey	Runck
Blair	Iszler	Sailer
Bolmeier	Jennings	Sandness
Boulden	Johnson, Cass	Saumur
Braun	Johnson, Richland	Schwartz
Bubel	Johnson, Rolette	Schmalenberger
Bureau	Kolpin	Schnell
Bymers	Langley	Sellens
Callahan	Larson, Ward	Severson
Carlson	Larson, Wells	Sharpe
Coghlan	Leet	Shure
Collette	Levin	Stair
Crockett	Lillehaugen	Starck
Dahlen	Lunde	Sticka
Dalzell	McInnes	Stormon
Drovdal	Manstrom	Twichell
Ekren	Marks	Tuff
Falconer	Mittag	Wambheim
Fitch	Moe	Welk
Fleck	Mollet	Westby
Fraser	Monson	Williams, Richland
Fuglestad	Morland	Williams, Sargent
Gackle	Morrison	Williams, Stuts'm'n
Gainor	Mortenson	Wolf, McIntosh
Graham	Myers	Wolf, Morton
Haag	Nelson	Mr. Speaker
Halcrow	Olson, Barnes	

Absent and not voting:

Allen, Grand Forks	Forseth	Nystrom
Devlin	Bauer	Welder

So the bill passed and the title was agreed to.

Rep. Halcrow asked unanimous consent to amend House Bill No. 165, which consent was granted.

Rep. Halcrow moved that House Bill No. 165 be amended as follows: In line 39, fill in the blank space with the figures "10", which motion prevailed.

Rep. Halcrow moved that the rules be suspended and that House Bill No. 165 be considered properly engrossed and placed on second reading and final passage, which motion prevailed.

#### SECOND READING OF HOUSE BILLS

House Bill No. 165. A Bill for an Act to Amend and Re-enact Section 2486 of the 1925 Supplement Relating to Repairs of Existing Drains; and Providing for the Abandonment and Dissolution 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, 94; nays, 6; absent and not voting, 13.

Those voting in the affirmative were:

Allen, Grand Forks	Haag	Ohnstad
Allen, Pierce	Halcrow	Ostgulen
Anderson	Halvorson	Peterson, Bottin'au
Arndt	Haugen	Peterson, Ransom
Bagge	Haugland	Pyle
Baumgartner	Hegge	Rettke
Benno	Hildre	Rohde
Bergesen	Hofstrand	Rohrer
Bjella	Hogoboom	Sailer
Blair	Hovey	Sandness
Bolmeier	Iszler	Saumur
Boulden	Jennings	Schwartz
Braun	Johnson, Cass	Schmalenberøer
Bubel	Johnson, Rolette	Sellens
Burau	Kolpin	Severson
Callahan	Langley	Sharpe
Carlson	Larson, Ward	Stair
Coghlan	Larson, Wells	Starck
Collette	Leet	Sticka
Crockett	Levin	Stormon
Dahlen	Lillehaugen	Tuff
Dalzell	Lunde	Wambheim
Drovdal	McInnes	Welder
Ekren	Manstrom	Welk
Falconer	Marks	Westby
Fitch	Mollet	Williams, Richland
Fleck	Morland	Williams, Sargent
Fraser	Mortenson	Williams, Stutsm'n
Fuglestad	Myers	Wolf, McIntosh
Gackle	Nelson	Wolf, Morton
Gainor	Olson, Bowman	Mr. Speaker
Graham		

Those voting in the negative were:

Belzer	Mittag	Morrison
Johnson, Richland	Monson	Shure

Absent and not voting:

Aker	Heckman	Olson, Barnes
Bauer	Holm	Runk
Bymers	Moe	Schnell
Devlin	Nystrom	Twichell
Forseth		

So the bill passed as amended and the title was agreed to.

Rep. Bergesen moved that House Bill No. 195 be re-referred to the Committee on Judiciary, which motion prevailed.

Rep. Fitch moved that action on House Bill No. 115 be deferred one legislative day, which motion prevailed.

#### CONSIDERATION OF MESSAGES FROM THE SENATE

Rep. Johnson of Cass moved that the House do concur in the Senate amendment to House Bill No. 5, which motion prevailed.

Rep. Fitch moved that the rules be suspended and House Bill No. 5 be considered properly engrossed and placed on second reading and final passage, which motion prevailed.

#### SECOND READING OF HOUSE BILLS

House Bill No. 5. A Bill for an Act Making an Appro-

priation to Provide a State Contingency Fund to Be Placed at the Disposal of the State Emergency Commission to Be Used as Provided by Chapters 26 and 152, Session Laws of 1913, 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, 102; nays, 0; absent and not voting, 11.

Those voting in the affirmative were:

Aker	Halvorson	Ohnstad
Allen, Grand Forks	Haugen	Ostgulen
Allen, Pierce	Haugland	Peterson, Bottin'au
Anderson	Heckman	Peterson, Ransom
Arndt	Hegge	Pyle
Bagge	Hildre	Rettke
Baumgartner	Hofstrand	Rohde
Belzer	Hogoboom	Runk
Benno	Holm	Sailer
Bergesen	Hovey	Sandness
Bjella	Iszler	Saumur
Bolmeier	Jennings	Schwartz
Boulden	Johnson, Cass	Schmalenberger
Braun	Johnson, Richland	Schnell
Bubel	Johnson, Rolette	Sellens
Burau	Kolpin	Severson
Callahan	Langley	Sharpe
Carlson	Larson, Ward	Shure
Collette	Larson, Wells	Stair
Crockett	Leet	Starck
Dahlen	Lillehaugen	Sticka
Dalzell	Lunde	Stormon
Drovdal	McInnes	Twichell
Ekren	Manstrom	Tuff
Falconer	Marks	Wambheim
Fitch	Mittag	Welder
Fleck	Moe	Welk
Fraser	Monson	Westby
Fuglestad	Morland	Williams, Richland
Gackle	Morrison	Williams, Sargent
Gainor	Mortenson	Williams, Stutsman
Graham	Myers	Wolf, McIntosh
Haag	Nelson	Wolf, Morton
Halcrow	Olson, Bowman	Mr. Speaker

Absent and not voting:

Bauer	Devlin	Nystrom
Blair	Forseth	Olson, Barnes
Bymers	Levin	Rohrer
Coghlan	Mollet	

So the bill passed as amended and the title was agreed to.

#### REPORTS OF STANDING COMMITTEES

Mr. Speaker: Your Committee on Ways and Means to whom was referred House Bill No. 193, have had the same under consideration and recommend that the same be indefinitely postponed.

REP. FITCH, Chairman.

Rep. Boulden moved that the report be adopted, which motion prevailed and the report was adopted.

Rep. Graham moved that the vote by which House Bill No. 193 was indefinitely postponed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Mr. Speaker: Your Committee on Delayed Bills to whom was referred House Bill No. 244 recommend that the enclosed bill be introduced as House Bill No. 244.

REP. BOULDEN, Chairman.

Rep. Bubel moved that the report be adopted, which motion prevailed and the report was adopted.

#### GENERAL ORDERS

Rep. Morland moved that the House resolve itself into a committee of the whole for the consideration of general orders; which motion prevailed, and the House resolved itself into a committee of the whole.

The Speaker called Rep. Morland to the chair.

When the committee arose it submitted the following report:

Mr. Speaker: The committee of the whole have had under consideration:

House Bill No. 214.

In line 8, correct the spelling of the first word "nominee".

In line 76, after the figure 9 insert "Chapter 135".

In line 79, after the word "o'clock" insert the letters "P. M."

In line 90, after the word "said" insert the word "State".

In line 101, correct the spelling of the word "declared".

And when so amended recommend the same do pass.

House Bill No. 57.

Recommend House Bill No. 57 be re-referred to the Committee on Agriculture.

House Bill No. 204.

In lines 49 and 50, strike out the words "Three hundred and twenty-five" and the figures "325" and insert in lieu thereof the words "three hundred" and the figures "300".

In line 53, strike out the word "fifty" and insert in lieu thereof the word "twenty-five".

In the same line change the figures "350" to read "325".

In line 55 strike out the words "four hundred" and insert in lieu thereof the words "three hundred fifty".

In line 56, strike out the figures "400" and insert in lieu thereof the figures "350".

And when so amended recommend the same do pass.

House Bill No. 168.

Strike out everything after "A Bill" and insert the following:

"For an Act requiring owners of dogs to keep them under control at any and all times when such dogs are away from the premises of the owner outside the limits of cities or villages; defining stray dogs, and premises, as used in this act; declaring stray dogs a predatory animal and allowing the killing of same, and declaring an emergency.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF NORTH DAKOTA:

1 SECTION 1. DEFINITIONS.) "Premises" as used  
1a in this Act

2 shall include all lands, and roads and highways adjoining  
3 land owned, leased, or operated by owner of dog or dogs.

4 "Stray dogs" shall include all dogs not under the im-  
4a medi-

5 ate control of its owner or keeper roaming the country-  
5a side,

6 off the premises of owner and off the highways.

7 SECTION 2. From and after the effective date of this  
8 Act, it shall be unlawful for any owner or keeper of any  
8a dog

9 or dogs to allow such dog or dogs to be at large away  
9a from

10 the premises of the owner or keeper outside the limits of  
11 cities or villages except when under the actual control of  
12 such owner or keeper.

13 SECTION 3. Stray dogs are hereby declared to be a  
13a preda-

14 tory animal and may be killed on sight.

15 SECTION 4. EMERGENCY.) Whereas thousands of  
15a sheep and

16 other livestock are killed by stray dogs each year  
16a through-

17 out the State, this is declared to be an emergency measure  
18 and shall be in full force and effect from and after its

19 passage and approval."

And when so amended recommend the same do pass.

Action on House Bill No. 88 was deferred one legislative  
day.

House Bill No. 85.

In line 14 change "Section 4" to read "Section 3".

In line 25 change "Section 5" to read "Section 4".

And when so amended recommend the same do pass.

REP. MORLAND, Chairman.  
Committee of the Whole.

Rep. Welder moved that the report of the Committee of  
the Whole be adopted, which motion prevailed.

Rep. Graham moved that the House recess until 1:00  
o'clock p. m., tomorrow, which motion prevailed.

W. M. SMART, Chief Clerk.

FORTY-FIFTH DAY AFTER RECESS AND  
THE FORTY-SIXTH DAY

Bismarck, February 19, 1943

The House convened at 1:00 o'clock p. m., pursuant to recess taken, Speaker Beede presiding.

The Speaker announced the House would be on the tenth order of business.

FIRST READING OF HOUSE BILLS

The Delayed Bills Committee introduced:

House Bill No. 244. A Bill for an Act to Permit the Purchase by the State, County, Township and Other Municipalities of North Dakota of Tax Exempt Gasoline for the Construction, Reconstruction or Maintenance of Highways, Public Roads, Streets and Airports; and Declaring an Emergency.

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

REPORTS OF STANDING COMMITTEES

Mr. Speaker: Your Committee on Public Safety to whom was referred House Bill No. 208, have had the same under consideration and recommend that the same do pass.

REP. SHARPE, Chairman.

Rep. Westby moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Cities and Municipal Corporations to whom was referred House Bill No. 134, have had the same under consideration and recommend that the same be amended as follows:

In the title, line 4, correct the spelling of the word "bond" to "bonds", and following the word "paid" add the words "without the consent of the governing body of such municipality."

In line 9, after the word "paid", strike out the comma and insert the words "without the consent of the governing body of such municipality." Strike out all of the remaining part of line 9, and all lines following, through the word "relocated" in line 26.

Set up a new Section 2, titled "Penalty", and include in it the remaining part of line 26 and line 27, and renumber the lines. Renumber Section 2, in the original bill, and make it Section 3.

And when so amended recommend the same do pass.

REP. WOLF OF MORTON, Chairman.

Rep. Aker moved that the report be adopted, which motion prevailed and the report was adopted.



Mr. Speaker: Your Committee on Cities and Municipal Corporations to whom was referred House Bill No. 228, have had the same under consideration and recommend that the same be amended as follows:

In line 16, strike out the word "let" and insert "leased to a responsible party offering the most returns to the municipality" in place of line 16 and line 17 up to the comma.

In line 19, after the period, add a new sentence, "The governing body reserves the right to reject any and all bids."

And when so amended recommend the same do pass.

REP. WOLF OF MORTON, Chairman.

Rep. Aker moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Cities and Municipal Corporations to whom was referred House Bill No. 215, have had the same under consideration and recommend that the same be indefinitely postponed.

REP. WOLF OF MORTON, Chairman.

Rep. Mittag moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Tax and Tax Laws to whom was referred House Bill No. 234, have had the same under consideration and recommend that the same do pass.

REP. McINNES, Chairman.

Rep. Peterson moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Tax and Tax Laws to whom was referred House Bill No. 218, have had the same under consideration and recommend that the same be returned to the House without recommendation.

REP. McINNES, Chairman.

Rep. Hovey moved that the report be adopted.

Rep. Rohde moved that House Bill No. 218 be placed on the calendar.

Rep. Bergesen offered as a substitute motion that House Bill No. 218 be indefinitely postponed, which motion was lost.

A roll call was demanded and granted.

#### ROLL CALL

The question being on the motion of Rep. Bergesen, the roll was called and there were ayes, 46; nays, 57; absent and not voting, 10.

Those voting in the affirmative were:

Allen, Grand Forks	Fleck	Peterson, Ransom
Allen, Pierce	Gainor	Pyle
Arndt	Halcrow	Runck
Bagge	Hogoboom	Sailer
Benno	Holm	Sandness
Bergesen	Johnson, Cass	Saumur
Bjella	Johnson, Richland	Sellens
Blair	Johnson, Rolette	Severson
Bolmeier	Langley	Sharpe
Boulden	Leet	Shure
Callahan	Lunde	Stormon
Coghlan	McInnes	Twichell
Dahlen	Manstrom	Wambheim
Dalzell	Morland	Westby

Ekren	Olson, Barnes	Williams, Stutsm'n
Fitch		
Those voting in the negative were:		
Aker	Heckman	Ohnstad
Anderson	Hegge	Ostgulen
Bauer	Hovey	Petersoh, Bottin'au
Baumgartner	Iszler	Rettke
Belzer	Jennings	Rohde
Braun	Kolpin	Schwartz
Bubel	Larson, Ward	Schmalenberger
Bureau	Larson, Wells	Schnell
Bymers	Levin	Stair
Crockett	Lillehaugen	Starck
Drovdal	Marks	Sticka
Falconer	Mittag	Tuff
Fraser	Mollet	Welder
Fuglestad	Monson	Welk
Graham	Morrison	Williams, Richland
Haag	Mortenson	Williams, Sargent
Halvorson	Myers	Wolf, McIntosh
Haugen	Nelson	Wolf, Morton
Haugland	Olson, Bowman	Mr. Speaker
Absent and not voting:		
Carlson	Gackle	Moe
Collette	Hildre	Nystrom
Devlin	Hofstrand	Rohrer
Forseth		

So the motion was declared lost.

The question was on the motion of Rep. Rohde, which motion prevailed.

Mr. Speaker: Your Committee on Tax and Tax Laws to whom was referred House Bill No. 184, have had the same under consideration and recommend that the same be amended as follows:

"To the tax levied pursuant to the provisions of Chapter 253 of the Session Laws of North Dakota for 1941 and amendments thereto, for support and maintenance of county agricultural and training schools, up to a maximum of one and a half mills on the assessed value in the county for such purpose. Nothing herein contained shall be construed to prevent the appropriation of money from the county general fund for the support and maintenance of county agricultural and training schools."

And renumber the lines.

And when so amended recommend the same do pass.

REP. McINNIS, Chairman.

Rep. Hovey moved that the report be adopted, which motion prevailed and the report was adopted.

Rep. Haugen moved that action on House Bill No. 190 be deferred one legislative day, which motion prevailed.

Rep. Haugen moved that action on House Bill No. 187 be deferred one legislative day, which motion prevailed.

Mr. Speaker: Your Committee on Livestock to whom was referred House Bill No. 47, have had the same under consideration and recommend that the same be amended as follows:

Strike out lines 8 to 19, inclusive, and insert the following

in lieu thereof: "That there shall be paid for each mature wolf and mature coyote killed between the first day of April and the first day of October of each year, the sum of Two Dollars and Fifty Cents (\$2.50); there shall be paid for each mature fox killed between the first day of April and the first day of October of each year, the sum of One Dollar and Fifty Cents (\$1.50), and One Dollar (\$1.00) for each wolf or coyote pup, and Fifty Cents (50c) for each fox pup killed between the first day of April and the first day of October of the year of the whelping of such wolf, coyote or fox pup, provided that no bounty shall be paid for wolves, coyotes or foxes killed between the first day of October and the first day of April of each year; provided further, that no bounty shall be paid on wolves, coyotes or foxes killed by the Extension Division of the North Dakota Agricultural College through the directors thereof cooperating with the Fish and Wildlife Service of the United States Department of the Interior." And when so amended, renumber the lines.

And when so amended recommend the same do pass.

REP. HALVORSON, Chairman.

Rep. Drovdal moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Livestock to whom was referred House Bill No. 63, have had the same under consideration and recommend that the same be indefinitely postponed.

REP. HALVORSON, Chairman.

Rep. Hofstrand moved that the report be adopted, which motion prevailed and the report was adopted.

Rep. Graham moved that the vote by which House Bill No. 63 was indefinitely postponed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

#### HOUSE COMMITTEE ON ENROLLMENT AND ENGROSSMENT

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

- House Bill No. 5.
- House Bill No. 85.
- House Bill No. 169.
- House Bill No. 204.
- House Bill No. 214.

And find the same correctly Engrossed.

REP. MORLAND, Chairman.

Rep. Bubel moved that the report be adopted, which motion prevailed, and the report was adopted.

Rep. Bergesen requested that the House be on the seventh order of business, which request was granted.

Rep. Bergesen moved that the vote by which House Bill No. 206 was indefinitely postponed be reconsidered.

A division was asked for, which disclosed 48 voting for and 43 against, so the motion was lost.

#### REPORTS OF STANDING COMMITTEES

Mr. Speaker: Your Committee on Public Welfare to whom was referred House Bill No. 239, have had the same under

consideration and recommend that the same be amended as follows:

Line 104 after the word "paid" insert the following "including the attorney's fees approved by the court".

And renumber the lines.

In section 5 page 6 line 97 of the bill have it read Section 21.

Line 102 add an "s" to the word "expense".

And when so amended recommend the same do pass.

REP. HAUGLAND, Chairman.

Rep. Falconer moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Public Welfare to whom was referred House Bill No. 240, have had the same under consideration and recommend that the same be amended as follows:

Line 44 after the word "correcting" add the word "glasses".

And when so amended recommend the same do pass.

REP. HAUGLAND, Chairman.

Rep. Bergesen moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Public Welfare to whom was referred House Bill No. 191, have had the same under consideration and recommend that the same be indefinitely postponed.

REP. HAUGLAND, Chairman.

Rep. Haag moved that the report be adopted, which motion prevailed and the report was adopted.

#### PETITIONS AND COMMUNICATIONS

A resolution from the Fargo-Moorhead Contractors Association, Fargo, North Dakota, with reference to the registration of professional engineers, was read from the desk.

Communications from Adeline Elton and Oliver Elton, Lawton, N. Dak., asking support of appropriation for correspondence courses were referred to the Committee on Appropriations.

A telegram from the Northwest Sportsmen's Association of Minot, North Dakota, with reference to Senate Bill No. 163, was referred to the Committee on Game and Fish.

A communication from L. E. Stearns, superintendent of schools, Portal, North Dakota, supporting Senate Bill No. 119 and House Bill No. 184 was read from the desk and referred to the Committee on Tax and Tax Laws.

Mr. Speaker: This is to inform you that in accordance with the request of the Senate Committee investigating the report of Examiner Commissioner A. J. Klaut that we have appointed a sub-committee consisting of Rep. Schnell, Rep. Rohde and Rep. Fitch who are now meeting with the Senate sub-committee and will report at the completion of the hearing.

Respectfully yours,

PETER PETERSON,  
Chairman,

House Insurance Committee

#### REPORT OF STANDING COMMITTEE

Mr. Speaker: Your Committee on Appropriations to whom

was referred House Bill No. 243, have had the same under consideration and recommend that the same be amended as follows:

In line 9 correct the spelling of the word "WEREAS" to "WHEREAS".

And when so amended recommend the same do pass.

REP. JOHNSON OF CASS, Chairman.

Rep. Allen of Grand Forks moved that the report be adopted, which motion prevailed and the report was adopted.

Rep. Fitch requested that the House be on the seventh order of business, which request was granted.

Rep. Fitch moved that the vote by which House Bill No. 101 was indefinitely postponed be reconsidered, which motion was lost.

A division was asked for and disclosed 52 voting for and 48 voting against, so the motion was lost.

Rep. Haag moved that the absent members be excused, which motion prevailed.

Rep. Haag moved that the House do now adjourn, which motion prevailed.

W. M. SMART, Chief Clerk.

#### FORTY-SIXTH DAY

Bismarck, February 19, 1943

The House convened at 2:00 o'clock p. m., pursuant to adjournment, Speaker Beede presiding.

Prayer was offered by Rev. T. H. Simpson.

Roll call: All members present except Representatives Collette, Forseth, Nystrom and Rohrer.

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

Mr. Speaker: 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 recommends that the same be corrected as follows:

On page 522 line 5 change the wording "insert the word "Subsection" to read "change the word Section to Subsection".

And when so corrected recommends that the same be approved.

REP. WELDER, Chairman.

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

#### SECOND READING OF HOUSE BILLS

House Bill No. 51. A Bill for an Act to Amend and Re-enact Sections 2, 4, 7 and 8 of Chapter 181, Session Laws of 1941, Relating to the Licensing and Regulation of Coin-Operated Amusement Devices, and Appropriating a Portion of the Revenue Derived Therefrom.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 75; nays, 24; absent and not voting, 14.

Those voting in the affirmative were:

Aker

Haugland

Peterson, Bottina'u

Allen, Pierce	Heckman	Peterson, Ransom
Anderson	Hildre	Pyle
Bagge	Hofstrand	Rettko
Baumgartner	Holm	Rohde
Belzer	Hovey	Sailer
Bjella	Iszler	Sandness
Braun	Jennings	Schmalenberger
Bubel	Kolpin	Schnell
Burau	Langley	Sellens
Bymers	Larson, Ward	Sharpe
Callahan	Larson, Wells	Stair
Crockett	Leet	Starck
Dahlen	Levin	Sticka
Dalzell	Lunde	Stormon
Devlin	McInnes	Twichell
Drovdal	Manstrom	Wambheim
Falconer	Mollet	Welder
Fraser	Monson	Welk
Fuglestad	Morrison	Westby
Gainor	Mortenson	Williams, Sargent
Graham	Myers	Williams, Stutsman
Haag	Nelson	Wolf, McIntosh
Halcrow	Olson, Barnes	Wolf, Morton
Haugen	Olson, Bowman	Mr. Speaker
Those voting in the	negative were:	
Arndt	Halvorson	Morland
Bergesen	Hogoboom	Ostgulen
Blair	Johnson, Cass	Runk
Coghlan	Johnson, Rolette	Saumur
Ekren	Lillehaugen	Schwartz
Fitch	Marks	Shure
Fleck	Mittag	Tuff
Gackle	Moe	Williams, Richland
Absent and not voting:		
Allen, Grand Forks	Carlson	Nystrom
Bauer	Collette	Ohnstad
Benno	Forseth	Rohrer
Bolmeier	Hegge	Severson
Boulden	Johnson, Richland	

So the bill passed and the title was agreed to.

Rep. Haugen 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.

#### HOUSE COMMITTEE ON ENROLLMENT AND ENGROSSMENT

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

- House Bill No. 115.
- House Bill No. 165.
- House Bill No. 168.

And find the same correctly Engrossed.

REP. MORLAND, Chairman.

Rep. Bubel moved that the report be adopted, which motion prevailed, and the report was adopted.

#### REPORT OF STANDING COMMITTEE

Mr. Speaker: Your Committee on Highways and Bridges to whom was referred House Bill No. 50, have had the same

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

In line number 9 after the word "market" there shall be inserted "or from livestock markets".

In line 12 after the word "places" there shall be inserted "and between the farms and the livestock markets".

And when so amended recommend the same do pass.

REP. CROCKETT, Chairman.

Rep. Schnell moved that the report be adopted, which motion prevailed and the report was adopted.

#### MESSAGES FROM THE SENATE

Senate Chamber

Bismarck, February 19, 1943

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 189. A Bill for an Act to Provide for Filling Vacancies on the State No-Party Ballots.

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

W. J. TROUT, Secretary.

Senate Chamber

Bismarck, February 19, 1943

Mr. Speaker: I have the honor to return:

House Bill No. 83. A Bill for an Act to Equalize Taxation and Replace in Part the Tax on Property; to Provide the Public Revenue to Be Used for Such Replacement by Imposing a Tax on the Gross Receipts from Retail Sales as Defined Herein; to Provide for the Collection of Such Tax, the Distribution and Use of the Revenue Derived Therefrom, and the Administration of Said Law; to Provide for Certain Deductions and Exemptions; Establishing a Lien for the Payment of Such Tax; to Fix Fines and Penalties for the Violation of the Provisions of This Act; to Repeal All Laws or Parts of Laws in Conflict Herewith, and Declaring an Emergency.

Which the Senate has passed unchanged.

W. J. TROUT, Secretary.

Senate Chamber

Bismarck, February 19, 1943

Mr. Speaker: I have the honor to return:

House Bill No. 59. A Bill for an Act to Amend and Re-enact Subsection 4 of Section 32 of Chapter 148 of the Session Laws of 1931, Providing for an Open Season on Mink, Weasel, Raccoon and Fox.

Which the Senate has amended.

W. J. TROUT, Secretary.

Rep. Morland moved that action of House Bill No. 111 be deferred one legislative day, which motion was lost.

Rep. Rohde moved that further consideration of House Bill No. 111 be indefinitely postponed.

A roll call was requested.

Rep. Rohde withdrew his motion.

#### SECOND READING OF HOUSE BILLS

House Bill No. 111. A Bill for an Act to Amend and Re-enact Section 2 of Chapter 177, Laws of North Dakota for

1927, as Amended by Chapter 182, Laws of North Dakota for 1931, as Amended by Chapter 146, Laws of North Dakota for 1935, Relating to the Coloring of Gasoline by the use of Harmless Dye, and Permitting the State Food Commissioner and Chemist by Regulation to Lower Such Requirements for the Duration of the War, 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, 59; absent and not voting, 5.

Those voting in the affirmative were:

Aker	Fuglestad	Olson, Barnes
Allen, Grand Forks	Gackle	Peterson, Ransom
Allen, Pierce	Gainor	Runck
Bagge	Halcrow	Sailer
Benno	Haugland	Saumur
Bergesen	Hildre	Sellens
Bjella	Hogoboom	Severson
Blair	Holm	Sharpe
Bolmeier	Hovey	Shure
Boulden	Johnson, Cass	Stormon
Callahan	Johnson, Richland	Twichell
Coghlan	Johnson, Rolette	Wambheim
Dahlen	Langley	Westby
Devlin	Leet	Williams, Stutsman
Dalzell	McInnes	Wolf, Morton
Fitch	Manstrom	Mr. Speaker
Fleck		

Those voting in the negative were:

Anderson	Hofstrand	Ohnstad
Arndt	Iszler	Ostgulen
Bauer	Jennings	Peterson, Bottina'u
Baumgartner	Kolpin	Pyle
Belzer	Larson, Ward	Rettke
Braun	Larson, Wells	Rohde
Bubel	Levin	Sandness
Burau	Lillehaugen	Schwartz
Bymers	Lunde	Schmalenberger
Crockett	Marks	Schnell
Drovdal	Mittag	Stair
Ekren	Moe	Starck
Falconer	Mollet	Sticka
Fraser	Monson	Tuff
Graham	Morland	Welder
Haag	Morrison	Welk
Halvorson	Mortenson	Williams, Richland
Haugen	Myers	Williams, Sargent
Heckman	Nelson	Wolf, McIntosh
Hegge	Olson, Bowman	

Absent and not voting:

Carlson	Forseth	Rohrer
Collette	Nystrom	

So the bill was declared lost.

Rep. Morland: "I vote 'No' for the purpose of reconsideration."



## MESSAGE TO THE SENATE

House of Representatives  
Bismarck, February 19, 1943

Mr. President: I have the honor to transmit:

House Bill No. 105. A Bill for an Act to Amend and Re-enact Section 9115 of the Compiled Laws of North Dakota for 1913, Relating to the Issuance of Executions on Judgments in Justice Court.

House Bill No. 118. A Bill for an Act to Amend and Re-enact Section 363 of the 1913 Compiled Laws of North Dakota, as Amended and Re-enacted by Chapter 231 of the Session Laws of North Dakota for 1931, as Amended and Re-enacted by Chapter 223 of the Session Laws of North Dakota for 1933, Relating to the Fixing and Collecting and Distribution of Fees at the Leasing and Sale of School Lands.

House Bill No. 147. A Bill for an Act to Amend and Re-enact Sections 2 and 6 of Chapter 217 of the Session Laws of North Dakota for the Year 1941 to Extend the Time in Which the Development of Projects May Be Initiated Thereunder.

House Bill No. 148. A Bill for an Act Requiring Instruction in Military Training at the University and Agricultural College, and Repealing Chapter 234 of the Session Laws of North Dakota for 1937 and All Acts or Parts of Acts in Conflict Herewith.

House Bill No. 153. A Bill for an Act Making It a Felony for an Official or Employee in Any Penal, Correctional, or Eleemosynary Institution to Have Sexual Intercourse With an Inmate of Such Institution in Which Such Officer or Other Person Is Employed; Making It a Felony for a Guardian or Person Administering Public Relief or Welfare to Induce a Female Ward Under His Care to Have Illicit Sexual Intercourse With Him, by Threatening to Withhold from Such Female or Her Family, the Necessities of Life, or Threatening Physical Violence; Providing Penalty.

House Bill No. 166. A Bill for an Act Authorizing Employers to Pay to the Surviving Spouse of a Deceased Employee, Wages Owning to the Deceased Employee for Work, Labor or Services Performed for the Employer to the Extent of Four Hundred Dollars (\$400.00) When No Executor or Administrator Has Been Appointed, and Providing for the Discharge of the Employer from Such Obligation by and to the Extent of Such Payment, and Providing That Such Payment Shall Apply in Diminution of Allowance to Family

House Bill No. 170. A Bill for an Act to Amend and Re-enact Chapter 262, Laws of 1941, Relating to the Preservation of the Right to Benefits Under the North Dakota Unemployment Compensation Law for Persons Entering the Military or Naval Service During the Period of Such Service, Extending the Provisions Thereof to Members of the Auxiliary Military or Naval Services, Extending and Limiting the Time of Preservation of Such Rights, Providing Necessary Definitions, Authorizing the Unemployment Compensation Division to Receive and Disburse Funds Provided by the United States Government for Any Special Unemployment Compensation Programs, Repealing the Inconsistent Provisions and Declaring an Emergency.

House Bill No. 182. A Bill for an Act Authorizing School Districts to Transfer Certain Portions of the General Fund Into Sinking Funds, and Providing for the Time, Manner and Amount of Such Transfers, Repealing All Acts or Parts of Acts in Conflict Herewith and Declaring an Emergency.

House Bill No. 192. A Bill for an Act to Amend and Re-enact Section 5 of Chapter 204, Session Laws of 1941, Relating to the Funding and Refunding of Existing Indebtedness of Municipalities, Authorizing Legal Expense Under Certain Conditions, and Declaring an Emergency.

House Bill No. 198. A Bill for an Act Authorizing and Permitting the Payment and Discharge of Delinquent Estate Taxes Where Such Estate Is of an Appraised Value of Less Than \$30,000.00 and Consists of at Least Two-Thirds in Value of Agricultural Lands and Farm Equipment and Livestock, or Products on Such Lands, and Where Such Estate Tax Shall Have Been Due and Payable Since Prior to July 1, 1939, by the Payment of the Principal of Such Original Estate Tax, With One Percent Per Annum Penalty Thereon from Date Such Estate Tax Became Due, and Declaring an Emergency.

House Bill No. 199. A Bill for an Act Requiring All Property of the State Be Assessed at Full and True Value in Money Subject to Correction, Abatement and Refund; Providing for Notice by County Auditor When Local Equalization Boards Meet; Annual Meetings of State Board of Equalization, and Providing for Hearing Before Such Board; Prescribing the Time for Levy of State Taxes and Fixing Rate; When Taxes Became Due and Delinquent; Penalties; Discount for Payment of Taxes Before Delinquency; Repealing Chapter 269, Laws of 1941, and All Acts or Parts of Acts in Conflict Herewith.

House Concurrent Resolution "O." A Concurrent Resolution for an Amendment to the Constitution of the State of North Dakota Permitting Liquor Stores.

House Concurrent Resolution "P." A Concurrent Resolution Providing for the Amendment of Section 154 of Article IX of the Constitution of North Dakota.

House Concurrent Resolution "R." Memorializing Congress of the United States to Lift Restrictions and Priorities on Batteries Used for Telephones and Radios for Farms and Residents in Rural Communities.

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

W. M. SMART, Chief Clerk.

#### SECOND READING OF HOUSE BILLS

House Concurrent Resolution "X." A Concurrent Resolution Providing for the Amendment of Section 45 of the Constitution of North Dakota.

Was read the second time.

#### ROLL CALL

The question being on the final passage of House Concurrent Resolution "X," the roll was called and there were ayes, 98; nays, 10; absent and not voting, 5.

Those voting in the affirmative were:

Aker	Haugen	Ohnstad
Allen, Pierce	Haugland	Ostgulen

Anderson	Heckman	Peterson, Bottin'au
Arndt	Hegge	Pyle
Bagge	Hildre	Rettke
Bauer	Hofstrand	Rohde
Baumgartner	Hogoboom	Runck
Belzer	Holm	Sailer
Benno	Hovey	Sandness
Bergesen	Iszler	Saumur
Bjella	Jennings	Schwartz
Bolmeier	Johnson, Cass	Schmalenberger
Boulden	Johnson, Richland	Schnell
Braun	Johnson, Rolette	Sellens
Bubel	Kolpin	Severson
Burau	Larson, Ward	Sharpe
Bymers	Larson, Wells	Shure
Crockett	Leet	Stair
Dahlen	Levin	Starck
Dalzell	Lillehaugen	Sticka
Devlin	Lunde	Stormon
Drovdal	McInnes	Twichell
Ekren	Manstrom	Wambheim
Falconer	Marks	Welder
Fleck	Mollet	Welk
Fraser	Monson	Westby
Fuglestad	Morland	Williams, Richland
Gackle	Morrison	Williams, Sargent
Gainor	Mortenson	Williams, Stutsm'n
Graham	Myers	Wolf, McIntosh
Haag	Nelson	Wolf, Morton
Halcrow	Olson, Barnes	Mr. Speaker
Halvorson	Olson, Bowman	

Those voting in the negative were:

Allen, Grand Forks	Fitch	Moe
Blair	Langley	Peterson, Ransom
Callahan	Mittag	Tuff

Absent and not voting:

Carlson	Forseth	Rohrer
Collette	Nystrom	

So House Concurrent Resolution "X" was adopted.

House Bill No. 151. A Bill for an Act Providing for the Retirement of Supreme and District Court Judges, Providing the Manner of Making Application, Compensation in Case of Retirement, Method of Filling Such Vacancy, and Declaring an Emergency.

Was read the second time.

Rep. Saumur moved the previous question.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 59; nays, 44; absent and not voting, 10.

Those voting in the affirmative were:

Aker	Gainor	Ohnstad
Allen, Grand Forks	Graham	Peterson, Ransom
Allen, Pierce	Halcrow	Pyle
Anderson	Haugen	Rettke
Arndt	Haugland	Runck
Bauer	Heckman	Sailer

Benno	Hildre	Sandness
Bergesen	Hofstrand	Saumur
Blair	Hogoboom	Schnell
Bolmeier	Hovey	Sellens
Boulden	Johnson, Richland	Severson
Callahan	Johnson, Rolette	Sharpe
Carlson	Langley	Shure
Mahlen	Leet	Starck
Dalzell	Lunde	Stormon
Ekren	Manstrom	Twichell
Falconer	Mortenson	Westby
Fitch	Myers	Williams, Stutsm'n
Fleck	Nelson	Mr. Speaker
Fuglestad	Olson, Barnes	
Those voting in the negative were:		
Baumgartner	Jennings	Ostgulen
Belzer	Johnson, Cass	Peterson, Bottin'au
Bjella	Iszler	Rohde
Braun	Kolpin	Schwartz
Bubel	Larson, Ward	Schmalenberger
Buraa	Larson, Wells	Stair
Bymers	Levin	Sticka
Crockett	Lillehaugen	Wambheim
Devlin	Marks	Welder
Drovdal	Mittag	Welk
Fraser	Moe	Williams, Richland
Haag	Mollet	Williams, Sargent
Halvorson	Monson	Wolf, McIntosh
Hegge	Morland	Wolf, Morton
Holm	Morrison	
Absent and not voting:		
Bagge	Gackle	Olson, Bowman
Coghlan	McInnes	Rohrer
Collette	Nystrom	Tuff
Forseth		

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

Rep. Bauer 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.

Rep. Falconer: "I want it understood that I am 100% for the Old Age Assistance. However, I believe that two wrongs don't make a right. The old people I know are not getting what they should. I think we have been inconsistent when we appropriate a dollar a day for prisoners in our County Jail for their food alone and only allow about seventeen cents a day for the old people of North Dakota. But, as I said, two wrongs don't make a right so I am voting for this bill."

Rep. Moe: "I am going to vote 'No' and I believe the judges would feel I am justified in doing so because I don't believe they expect any larger pension than the old people."

Rep. Myers: "I believe in old age pensions to take care of the old people and I am voting 'Aye' on this bill with the understanding that when the appropriation for the old age assistance comes up that it will be given the same consideration."

Rep. Rohde: "Until the old folks of the State get an

average of over twenty dollars a month—the Judges get \$3,500.00 a year—I cannot see any reason for voting for this bill and therefore I vote 'No'."

Rep. Williams of Richland: "I vote 'No' on this bill. I don't think the Judges are entitled to a bit more than the old farmers who came here and have worked hard. We are putting them on a dole of about seventeen cents a day."

Rep. Drovdal: "I vote 'No' for the same reasons as Rep. Rohde did."

House Bill No. 233. A Bill for an Act to Amend and Re-enact Section 189c2 of the 1925 Supplement of the 1913 Compiled Laws of the State of North Dakota, as Amended and Re-enacted by Section 2 of Chapter 153 of the 1935 Session Laws of the State of North Dakota, Relating to Fire and Tornado Insurance on Public Buildings, and Declaring an Emergency.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 88; nays, 7; absent and not voting, 18.

Those voting in the affirmative were:

Aker	Hofstrand	Rettke
Allen, Grand Forks	Hogoboom	Rohde
Allen, Pierce	Holm	Runck
Arndt	Iszler	Sailer
Bagge	Jennings	Sandness
Bauer	Johnson, Cass	Saumur
Baumgartner	Johnson, Rolette	Schwartz
Belzer	Kolpin	Schmalenberger
Benno	Langley	Schnell
Bergesen	Larson, Ward	Sellens
Blair	Larson, Wells	Severson
Bolmeier	Leet	Sharpe
Boulden	Levin	Shure
Braun	Lillehaugen	Stair
Bubel	Lunde	Starck
Bureau	Manstrom	Sticka
Bymers	Mittag	Stormon
Callahan	Mollet	Twichell
Carlson	Monson	Tuff
Dalzell	Morland	Wambheim
Devlin	Mortenson	Welder
Falconer	Myers	Welk
Fitch	Nelson	Westby
Graham	Olson, Barnes	Williams, Richland
Haag	Olson, Bowman	Williams, Sargent
Halcrow	Ohnstad	Williams, Stutsm'n
Haugen	Ostgulen	Wolf, McIntosh
Haugland	Peterson, Ransom	Wolf, Morton
Heckman	Pyle	Mr. Speaker
Hildre		

Those voting in the negative were:

Bjella	Fuglestad	Marks
Dahlen	Hovey	Moe

Absent and not voting:

Anderson	Forseth	Johnson, Richland
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Coghlan	Fraser	McInnes
Collette	Gackle	Morrison
Crockett	Gainor	Nystrom
Ekren	Halvorson	Peterson, Bottin'au
Fleck	Hegge	Rohrer

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

House Bill. No. 235. A Bill for an Act Making it a Criminal Offense for a Parent or Other Person Legally Responsible for the Care or Support of a Child to Abandon Such Child; Providing for Penalty; Repealing All 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, 79; nays, 4; absent and not voting, 30.

Those voting in the affirmative were:

Aker	Haugland	Myers
Allen, Grand Forks	Heckman	Nelson
Allen, Pierce	Hegge	Olson, Barnes
Anderson	Hildre	Olson, Bowman
Arndt	Hofstrand	Ohnstad
Bagge	Hogoboom	Ostgulen
Bauer	Holm	Peterson, Ransom
Benno	Hovey	Pyle
Bergesen	Iszler	Rettke
Bolmeier	Jennings	Runck
Bymers	Kolpin	Schmalenberger
Callahan	Larson, Wells	Schnell
Carlson	Leet	Sellens
Crockett	Levin	Sharpe
Devlin	Lillehaugen	Shure
Drovdal	Lunde	Stair
Falconer	McInnes	Sticka
Fitch	Manstrom	Twichell
Fleck	Marks	Tuff
Fraser	Mittag	Welder
Fuglestad	Moe	Welk
Gackle	Mollet	Williams, Richland
Gainor	Monson	Williams, Sargent
Graham	Morland	Williams, Stuts'm'n
Haag	Morrison	Wolf, McIntosh
Halcrow	Mortenson	Wolf, Morton
Halvorson		

Those voting in the negative were:

Baumgartner	Starck	Mr. Speaker
Belzer		

Absent and not voting:

Bjella	Ekren	Rohde
Blair	Forseth	Rohrer
Boulden	Haugen	Sailer
Braun	Johnson, Cass	Sandness
Bubel	Johnson, Richland	Saumur
Burau	Johnson, Rolette	Schwartz
Coghlan	Langley	Severson
Collette	Larson, Ward	Stormon
Dahlen	Nystrom	Wambheim

Dalzell Peterson, Bottina'u Westbv

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

Rep. Graham moved that the vote by which House Bill No. 235 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Rep. Morland moved that the House do now recess for fifteen minutes, which motion was lost.

Rep. Graham moved that action on House Bill No. 138 be deferred one legislative day, which motion prevailed.

House Bill No. 212. A Bill for an Act Providing a Means by Which Any Citizen May Have His Date of Birth and Place of Birth Judicially Determined; Providing for the Notice to Be Given of a Hearing; Giving to the District Courts Jurisdiction Thereof; Providing for an Appeal and Designating the Fees to Be Paid to the Clerk of Court 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, 91; nays, 2; absent and not voting, 20.

Those voting in the affirmative were:

Aker	Gainor	Myers
Allen, Grand Forks	Graham	Nelson
Allen, Pierce	Haag	Olson, Bowman
Anderson	Halcrow	Ohnstad
Arndt	Halvorson	Ostgulen
Bagge	Haugen	Peterson, Bottina'u
Bauer	Heckman	Peterson, Ransom
Baumgartner	Hegge	Pyle
Belzer	Hildre	Rettke
Bergesen	Hofstrand	Rohde
Bjella	Hogoboom	Runk
Blair	Holm	Sandness
Bolmeier	Hovey	Schwartz
Boulden	Iszler	Schmalenberger
Braun	Jennings	Sellens
Bubel	Johnson, Richland	Severson
Bureau	Kolpin	Sharpe
Bymers	Larson, Ward	Stair
Callahan	Larson, Wells	Starck
Carlson	Leet	Sticka
Crockett	Levin	Tuff
Dahlen	Lillehaugen	Wambheim
Dalzell	McInnes	Welder
Devlin	Manstrom	Welk
Ekren	Marks	Westby
Falconer	Mittag	Williams, Sargent
Fitch	Moe	Williams, Stutsman
Fleck	Mollet	Wolf, McIntosh
Fraser	Monson	Wolf, Morton
Fuglestad	Morrison	Mr. Speaker
Gackle		

Those voting in the negative were:

Shure Twichell

Absent and not voting:

Benno Johnson, Rolette Rohrer

Coghlan	Langley	Sailer
Collette	Lunde	Saumur
Drovdal	Morland	Schnell
Forseth	Mortenson	Stormon
Haugland	Nystrom	Williams, Richland
Johnson, Cass	Olson, Barnes	

So the bill passed and the title was agreed to.

Rep. Shure moved that the vote by which House Bill No. 212 was passed be reconsidered, which motion prevailed.

Rep. Shure moved that House Bill No. 212 be referred to the Committee on Judiciary, which motion prevailed.

House Bill No. 214. A Bill for an Act to Amend and Re-enact Sections 8 and 9 of Chapter 135 of the Session Laws of 1935 as Amended and Re-enacted by Chapter 143 of the Session Laws of 1939 Relating to the Election of Delegates to State Party Conventions and Members of County Executive Committees, and Repealing All Acts or Parts of Acts in Conflict Herewith.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 97; nays, 0; absent and not voting, 16.

Those voting in the affirmative were:

Allen, Grand Forks	Haag	Olson, Bowman
Allen, Pierce	Halcrow	Ohnstad
Anderson	Halvorson	Ostgulen
Arndt	Haugen	Peterson, Bottin'au
Bagge	Haugland	Peterson, Ransom
Bauer	Heckman	Pyle
Baumgartner	Hegge	Rettke
Belzer	Hildre	Rohde
Benno	Hofstrand	Runck
Bergesen	Holm	Sailer
Bjella	Hovey	Sandness
Bolmeier	Iszler	Saumur
Boulden	Johnson, Cass	Schwartz
Braun	Johnson, Richland	Schnell
Bubel	Johnson, Rolette	Sellens
Bureau	Kolpin	Severson
Bymers	Langley	Sharpe
Callahan	Larson, Ward	Shure
Carlson	Larson, Wells	Stair
Crockett	Levin	Starck
Dahlen	Lillehaugen	Sticka
Dalzell	McInnes	Stormon
Devlin	Marks	Tuff
Drovdal	Mittag	Wambheim
Ekren	Moe	Welder
Falconer	Mollet	Welk
Fitch	Monson	Westby
Fleck	Morland	Williams, Sargent
Fraser	Morrison	Williams, Stutsm'n
Fuglestad	Mortenson	Wolf, McIntosh
Gackle	Myers	Wolf, Morton
Gainor	Nelson	Mr. Speaker
Graham		



## Absent and not voting:

Aker	Jennings	Olson, Barnes
Blair	Leet	Rohrer
Coghan	Lunde	Schmalenberger
Collette	Manstrom	Twichell
Forseth	Nystrom	Williams, Richland
Hogoboom		

So the bill passed as amended and the title was agreed to.

Rep. Fitch moved that the vote by which House Bill No. 214 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Rep. Graham moved that action on House Bill No. 204 be deferred one legislative day, which motion prevailed.

House Bill No. 168. A Bill for an Act Requiring Owners of Dogs to Keep Them Under Control at Any and All Times when Such Dogs Are Away from the Premises of the Owner Outside the Limits of Cities or Villages; Defining Stray Dogs, and Premises, as Used in This Act; Declaring Stray Dogs a Predatory Animal and Allowing the Killing of Same, 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, 68; nays, 31; absent and not voting, 14.

Those voting in the affirmative were:

Aker	Gackle	Olson, Barnes
Allen, Grand Forks	Gainor	Olson, Bowman
Allen, Pierce	Graham	Peterson, Bottin'au
Anderson	Halcrow	Peterson, Ransom
Arndt	Halvorson	Rettke
Bagge	Haugen	Runck
Bauer	Haugland	Sandness
Benno	Heckman	Sailer
Bjella	Hegge	Saumur
Boulden	Hildre	Schmalenberger
Bubel	Hofstrand	SchneM
Burau	Holm	Sellens
Bymers	Iszler	Severson
Callahan	Johnson, Cass	Sharpe
Carlson	Kolpin	Shure
Dahlen	Langley	Stair
Dalzell	Larson, Ward	Sticka
Drovdal	Leet	Stormon
Ekren	McInnes	Twichell
Falconer	Mittag	Westby
Fleck	Morland	Williams, Sargent
Fraser	Mortenson	Williams, Stutsm'n
Fuglestad	Nelson	

Those voting in the negative were:

Baumgartner	Johnson, Rolette	Rohde
Bergesen	Lillehaugen	Schwartz
Blair	Manstrom	Tuff
Bolmeier	Marks	Wambheim
Braun	Moe	Welder
Crockett	Mollet	Welk

Devlin	Morrison	Williams, Richland
Fitch	Ohnstad	Wolf, McIntosh
Haag	Ostgulen	Wolf, Morton
Hovey	Pyle	Mr. Speaker
Jennings		

Absent and not voting:

Belzer	Johnson, Richland	Myers
Coghlan	Larson, Wells	Nystrom
Collette	Levin	Rohrer
Forseth	Lunde	Starck
Hogoboom	Monson	

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

Rep. Bauer 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. 85. A Bill for an Act Making an Appropriation to Pay for a Portion of the Current Operating Expenses of Our Public School System as Provided in the State Equalization Fund 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, 102; nays, 0; absent and not voting, 11.

Those voting in the affirmative were:

Aker	Haag	Olson, Bowman
Allen, Pierce	Halcrow	Ohnstad
Anderson	Halvorson	Ostgulen
Arndt	Haugen	Peterson, Bottin'au
Bagge	Haugland	Peterson, Ransom
Bauer	Heckman	Pyle
Baumgartner	Hegge	Rettke
Belzer	Hildre	Runk
Benno	Hofstrand	Sailer
Bergesen	Holm	Sandness
Bjella	Hovey	Saumur
Blair	Iszler	Schwartz
Bolmeier	Jennings	Schmalenberger
Boulden	Johnson, Cass	Schnell
Braun	Johnson, Richland	Sellens
Bubel	Johnson, Rolette	Severson
Burau	Kolpin	Sharpe
Bymers	Langley	Shure
Callahan	Larson, Ward	Stair
Carlson	Leet	Starck
Crockett	Levin	Sticka
Dahlen	Lillehaugen	Stormon
Dalzell	Lunde	Twichell
Devlin	McInnes	Tuff
Drovdal	Manstrom	Wambheim
Ekren	Marks	Welder
Falconer	Moe	Welk
Fitch	Mollet	Westby
Fleck	Monson	Williams, Richland
Fraser	Morland	Williams, Sargent
Fuglestad	Morrison	Williams, Stutsm'n
Gackle	Mortenson	Wolf, McIntosh

Gainor	Nelson	Wolf, Morton
Graham	Olson, Barnes	Mr. Speaker
Absent and not voting:		
Allen, Grand Forks	Hogoboom	Nystrom
Coglan	Larson, Wells	Rohde
Collette	Mittag	Rohrer
Forseth	Myers	

So the bill passed as amended and the title was agreed to.

Rep. Fitch moved that action on House Bill No. 115 be deferred one legislative day, which motion prevailed.

#### REPORT OF STANDING COMMITTEE

Mr. Speaker: Your Committee on Delayed Bills to whom was referred House Concurrent Resolution "Y," recommend that the same be introduced.

REP. BOULDEN, Chairman.

Rep. Boulden moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Delayed Bills to whom was referred House Concurrent Resolution "Z," recommend that the same be introduced.

REP. BOULDEN, Chairman.

Rep. Boulden moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Delayed Bills to whom was referred House Bill No. 245, recommend that the same be introduced.

REP. BOULDEN, Chairman.

Rep. Boulden moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Enrollment and Engrossment respectfully reports that:

House Bill No. 58.

Was delivered to the Governor for his approval at the hour of 2:40 o'clock P. M., February 19, 1943.

REP. MORLAND, Chairman.

The Committee on Enrollment and Engrossment respectfully reports that:

House Concurrent Resolution "B."

Was delivered to the Secretary of State at the hour of 2:30 o'clock P. M., February 19, 1943.

REP. MORLAND, Chairman.

Mr. Speaker: Your Committee on Public Welfare to whom was referred House Bill No. 161, have had the same under consideration and recommend that the same be indefinitely postponed.

REP. HAUGLAND, Chairman.

Rep. Falconer moved that the report be adopted, which motion prevailed and the report was adopted.

Rep. Rohde moved that the vote by which House Bill No. 161 was indefinitely postponed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

#### CONSIDERATION OF MESSAGES FROM THE SENATE

Rep. Benno moved that action of House Bill No. 59 be deferred one legislative day, which motion prevailed.

## REPORT OF STANDING COMMITTEE

Mr. Speaker: Your Committee on Education to whom was referred House Bill No. 236, have had the same under consideration and recommend that the same be amended as follows:

Strike out everything after the words "A Bill" and add the following:

"For an Act providing for the regulation of private trade schools, correspondence schools and solicitors therefor, and providing penalties for violation.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF NORTH DAKOTA:

1 SECTION 1. DEFINITIONS.) The following words,  
 1a terms  
 2 and phrases, when used in this act, shall have the mean-  
 2a ings  
 3 ascribed to them in this section:  
 4 (1) Private trade schools and correspondence schools  
 5 mean schools maintained or classes conducted for the  
 5a purpose  
 6 of teaching any trade or industrial occupation or edu-  
 6a cational  
 7 subjects for profit or for a tuition charge but shall not  
 8 include private business schools, schools or colleges  
 9 regularly chartered and authorized by the laws of the  
 9a State  
 10 of North Dakota to grant degrees, endowed schools  
 10a which offer  
 11 approved courses without profit, schools exclusively  
 11a engaged  
 12 in training physically handicapped persons or schools  
 12a con-  
 13 ducted by any person for the education and training of  
 13a his  
 14 own employees.  
 15 (2) Board means the State Board for Vocational Edu-  
 15a cation.  
 16 (3) Commissioner means the Commissioner of the  
 16a Board  
 17 of Higher Education of the State of North Dakota, or  
 17a the  
 18 chief executive officer of the above mentioned board.  
 19 (4) Solicitor means a person who solicits business  
 20 for a private trade or correspondence school or who  
 20a offers  
 21 to sell or sells any such instruction or course of in-  
 21a struction.  
 22 Private trade schools or correspondence schools, as  
 22a used in  
 23 this paragraph, includes those within and without the  
 23a state  
 24 of North Dakota.  
 25 SECTION 2. LICENSE PROCURED, FROM  
 25a WHOM.) Every private  
 26 trade or correspondence school, before offering any in-  
 26a struc-  
 27 tion, shall first procure a license from the commissioner.  
 28 SECTION 3. LICENSING OF PRIVATE TRADE  
 28a AND CORRESPONDENCE

## 29 SCHOOLS; REQUIREMENTS FOR.)

30 Subdivision 1. The commissioner is empowered to  
30a issue  
31 a license upon compliance with the terms and provi-  
31a sions  
32 of this act.

33 Subdivision 2. Application for a license shall be made  
34 to the commissioner upon a form prescribed and fur-  
34a ished by -  
35 him and shall be accompanied by an application fee of  
35a Twenty-  
36 five Dollars (\$25.00).

37 Subdivision 3. A license shall not be issued until the  
38 commissioner has approved the method and content of  
39a the  
39 advertising, the standards and methods of instruction,  
39a the  
40 equipment and housing provided, the qualifications of  
40a the  
41 teachers, the form and contents of the student enroll-  
41a ment  
42 agreement or contract, and the sufficiency of its re-  
42a sources  
43 and equipment for its license purpose.

44 Subdivision 4. If the license is granted it shall be  
45 issued upon the payment of an additional fee of Twenty-  
45a five  
46 Dollars (\$25.00), and the filing with the commissioner  
46a of a  
47 surety bond to the State of North Dakota in the penal  
47a sum  
48 of One Thousand Dollars (\$1,000.00). Such bond shall be  
49 conditioned for the faithful performance of all agree-  
49a ments  
50 and contracts with students, as disclosed by the ap-  
50a plication  
51 for license, and the compliance with this act and all rules  
52 and regulations prescribed hereunder. Every license  
52a shall  
53 expire on the thirtieth day of June following the date of  
54 issuance. Licenses may be renewed upon payment of  
54a Twenty-

55 five Dollars (\$25.00).

56 SECTION 4. SOLICITORS REQUIRED TO PRO-  
56a CURE PERMITS.)

57 Subdivision 1. Every solicitor, before engaging in  
57a such  
58 business, shall first procure a permit from the commis-  
58a sioner.

59 Subdivision 2. A permit shall only be issued upon  
60 written application to the commissioner. The applica-  
60a tion  
61 shall be upon a form prescribed and furnished by the  
61a commis-  
62 sioner and shall be accompanied by Ten Dollars (\$10.00),  
62a the  
63 fee for such permit. If the application is granted, the  
64 permit shall not be issued until the applicant has filed  
64a with

65 the commissioner a continuing surety bond to the state of  
66 North Dakota in the penal sum of One-thousand Dollars  
67 (\$1,000.00), conditioned for the faithful performance of  
67a all  
68 contracts and agreements with students by the solicitor and  
68a  
69 the employing private trade or correspondence school,  
69a as dis-  
70 closed by the application for the permit, and for the compliance  
70a  
71 by the solicitor with this act and all rules and regulations  
72 prescribed hereunder. Every permit shall expire on the  
73 thirtieth day of June following the date of issuance.

74 SECTION 5. RULES AND REGULATIONS.) The  
74a board shall  
75 make rules and regulations prescribing standards for  
75a private  
76 trade and correspondence schools and regulating the  
76a conduct  
77 thereof and of solicitors. The rules and regulations shall  
78 be effective when filed in the office of the secretary of  
79 state and amendments thereof shall be effective twenty  
79a days  
80 after being so filed.

81 SECTION 6. REVOCATION OR SUSPENSION OF  
81a LICENSE OR  
82 PERMIT.)

83 Subdivision 1. A license or permit issued hereunder  
84 may be revoked by the board for cause upon notice and  
84a hearing.

85 Subdivision 2. Upon the filing with the board of  
85a charges  
86 against the holder of a license or permit issued here-  
86a under,  
87 the commissioner may suspend such license or permit  
87a pending  
88 determination thereof.

89 SECTION 7. PENALTY.) Any person, firm, asso-  
89a ciation,  
90 or corporation violating any of the provisions of this  
90a act,  
91 shall upon conviction, be subject to a fine not to exceed  
92 One Hundred dollars (\$100.00) or imprisonment in the  
92a county  
93 jail, not to exceed ninety days, or by both such fine and  
94 imprisonment.

95 SECTION 8. REMEDY OF STUDENT DEFRAUD-  
95a ED BY MISREPRESENTATION. TREBLE DAMAGES.) Any pupil of a cor-  
96a  
96 response  
97 school, or of a private trade school as defined in this  
98 act, who is defrauded by a misrepresentation made by an  
99 officer or agent of such school, or by any advertisement  
100 or circular issued by it, or by any person, firm, associa-  
100a tion  
101 or corporation, who sells textbooks to the said school or  
102 to the pupils thereof, may recover from such school or  
102a person,

103 firm, association or corporation, three times the amount  
103a paid.

104 SECTION 9. SEVERABILITY CLAUSE.) If any  
104a section, sub-

105 section, clause, sentence, or phrase of this act is for any  
106 reason held to be unconstitutional and invalid, such deci-  
106a sion

107 shall not effect the validity of the remaining portions of  
108 this act. The Legislature hereby declares that it would  
109 have passed this act, and each section, sub-section, clause,  
110 sentence or phrase hereof, irrespective of whether any  
110a one

111 or more of the sections, sub-sections, clauses, sentences,  
112 or phrases, be declared unconstitutional."

And when so amended recommend the same do pass.

REP. HOFSTRAND, Chairman.

Rep. Heckman moved that the report be adopted, which motion prevailed and the report was adopted.

#### GENERAL ORDERS

Rep. Ohnstad moved that the House resolve itself into a committee of the whole for the consideration of general orders; which motion prevailed, and the House resolved itself into a committee of the whole.

The Speaker called Rep. Ohnstad to the chair.

When the committee arose it submitted the following report:

Mr. Speaker: The committee of the whole have had under consideration:

House Bill No. 211.

And recommend action be deferred one legislative day.

House Bill No. 137.

In the third line of the title, after the semi-colon following the word "Commissioner" insert "declaring butterfat standards for certain dairy products;"

In the sixth line of the title, after the semi-colon following the word "same" insert "by the State Dairy Commissioner,".

Strike out lines 26, 27, 28 and 29.

After line 25 insert two new paragraphs reading as follows:

Section 2. STANDARDS OF DAIRY PRODUCTS.) The minimum percentum of butterfat content, by weight, of the following dairy products shall be as follows: Butter, 80%; cheddar cheese, 50%; ice cream, 12%; milk, 3.25%; cream, 18%.

Section 3. POWERS OF THE STATE DAIRY COMMISSIONER.) The State Dairy Commissioner may at any time during the duration of the present war, reduce the minimum butterfat standard aforesaid of any or all of the said products, in accordance with Federal Government regulations or restrictions heretofore or hereafter made as to the manufacture, use or consumption of butterfat.

SECTION 4. The provisions of this Act are intended to protect the producer and processor against unscrupulous business practices, and shall not empower the State Dairy Commissioner to supersede ordinances, rules, or regulations now in force or subsequently adopted by local political sub-

divisions in so far as health and/or sanitary protection to the consumer are concerned."

In Line 30, change the figure "2" to "5".

In Line 33, change the figure "3" to "6".

And when so amended recommend the same do pass.

House Bill No. 216.

And recommend the same do pass without amendments.

House Bill No. 217.

After the title strike out period and add "and declaring an emergency."

Add Section 3. Emergency. This Act is hereby declared to be an emergency measure and shall be in full force and effect from and after its passage and approval.

And when so amended recommend the same do pass.

House Bill No. 9.

And recommend that the same be re-referred to the Committee on Appropriations.

House Bill No. 197.

Rep. Aker moved that the report of the committee of the whole as to House Bill No. 197 be not adopted, which motion prevailed.

Rep. Falconer moved that House Bill No. 197 be re-referred to general orders, which motion prevailed.

House Bill No. 213.

In line 13, strike out the word "anew".

In lines 15 and 16, strike out the following words: "an exact copy of the original mortgage together with".

In lines 32 and 33, strike out the following words: "street car companies, telephone companies and telegraph", and insert in lieu thereof the words "public utility".

In line 35, after the first word "or" insert the word "chattel".

And when so amended recommend the same do pass.

House Bill No. 92.

And recommend action be deferred one legislative day.

House Bill No. 121.

And recommend action be deferred until Monday.

House Bill No. 88.

And recommend the proposed amendments be printed in the Journal and action deferred one legislative day.

House Bill No. 88.

Strike out all prior amendments.

In the title of the Act, in Line 6, strike out all after "1939", and in lieu thereof insert the following:

"Providing for net operating loss carry-over and additional deductions in computing net income for income tax purposes; repealing all Acts or parts of Acts in conflict herewith, and declaring an emergency."

On Page 2 of the Bill, strike out all of Paragraphs 1 and 2 of Subsection 4 of Section 1, and in lieu thereof insert the following:

(4) (a) Losses sustained during the income year that are not compensated for by insurance or otherwise, if incurred in connection with the business or transaction, the gains from



which, if any, would be includable in gross income; or if arising from fires not attributable to arson by the taxpayer, or from storms, wrecks or theft. Losses from wagering or illegal acts shall not be allowed.

(b) Net Operating Loss Carry-over. If for any taxable year beginning after December 31, 1941, a taxpayer has a net operating loss from trade or business, such net operating loss may be carried forward by the taxpayer as a credit against the net income, both taxable and nontaxable, received in either of the two succeeding years, subject to the following limitations:

(1) No carry-over loss shall accrue from any taxpayer, except to the extent that the loss of such year shall exceed any income not taxable under this Act received in the same year;

(2) The carry-over loss from any prior year or years may be deducted from the taxable income of any tax year only to the extent that such carry-over loss shall exceed any nontaxable income received in such tax year.

(3) That the carry-over in the case of the second succeeding taxable year shall be the excess, if any, of the amount of such net operating loss over the net income (both taxable and nontaxable) for the intervening taxable year.

(c) Taxpayers entitled to net loss carry-over privileges are:

- (a) Corporations.
- (b) Partnerships.
- (c) Individuals.
- (d) Estates and trusts if engaged in trade or business.

In Subsection 5 of Section 1 of the printed Bill, strike out the period and everything following the word "year" in Line 58, and strike out all in lines 59 to 66, inclusive, and insert in lieu thereof the following:

" , except that a worthless debt arising from unpaid wages, salary, rent or other similar item of taxable income is not an allowable deduction unless the income which such item represents has been included as income by the taxpayer in a return previously rendered under this Act."

On Page 5 of the printed Bill, Subsection 9 of Section 1, after the word "dependents" in Line 110, strike out period and add the following:

"and not compensated for by insurance or otherwise."

Strike out all of Section 2.

Add Section 2 as follows:

SECTION 2. REPEAL.) All Acts or parts of Acts in conflict herewith are hereby repealed.

Add Section 3 as follows:

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.

(RENUMBER THE LINES)

REP. OHNSTAD, Chairman.  
Committee of the Whole.

Rep. Westby moved that the report of the committee of

the whole as to the remaining bills be adopted, which motion prevailed.

Rep. Leet moved that after the First Reading of Senate Bills the House recess until 1:00 o'clock p. m., tomorrow, which motion prevailed.

#### FIRST READING OF SENATE BILLS

Senate Bill No. 34. A Bill for an Act to Amend and Re-enact Sections 3, 4, 7, 8, 9 and 10 of Chapter 229, of the Session Laws of 1941, Relating to the North Dakota State Farm, and Making an Appropriation Therefor.

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

Senate Bill No. 81. A Bill for an Act to Amend and Re-enact Section 10521 of the Compiled Laws of North Dakota for the Year 1913.

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

Senate Bill No. 123. A Bill for an Act to Authorize the State Highway Commissioner to Cancel Certain Contracts for the Construction, Reconstruction, or Repair of Highways or Bridges Which Cannot Be Performed Because of War Conditions, and to Make Full Settlement with Such Contractors, and Declaring an Emergency.

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

Senate Bill No. 135. A Bill for an Act to Amend and Re-enact Sections 859 and 860 of the Compiled Laws of North Dakota for the Year 1913, as Amended by Chapters 139 and 142 of the Session Laws of 1939—and Providing a Penalty for the Violation Thereof.

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

Senate Bill No. 114. A Bill for an Act to Amend and Re-enact Section 17 of Chapter 71 of the Session Laws of North Dakota for the Year 1933, Requiring the State Examiner to Prescribe a System of Uniform Accounting for County Officers, Making an Appropriation Therefore and Repealing All Acts and Parts of Acts in Conflict Herewith.

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

Senate Bill No. 43. A Bill for an Act to Create a State Control Board for Survey and Control of Mental Deficiency and Designating the Three Appointive Members of the Board of Administration as Such Board, and the Superintendent of the Grafton State School as Secretary Thereof; Providing for Its Organization and Headquarters; Prescribing Its Powers and Duties; Providing for a County Control Board for Mental Deficiency and Designating the Commissioners of Insanity as Such Board, and Prescribing its Powers and Duties; Defining Mental Deficiency; Providing for the Furnishing of Certain Information by Institutions, Boards of Education, Teachers, School Principals and Superintendents, Doctors, Nurses, Hospitals, County Health Officers, County Welfare Boards and State Boards and Commissions; Providing for a List of Mentally Deficient Persons to be Furnished All County Judges, Prohibiting the Issuance of Marriage Licenses to Mentally Deficient Persons and Providing a Pen-

alty for the Violation Thereof; Providing for Certain Exceptions; Providing for the Right of Appeal to the District Courts in Case of Refusal to Issue Marriage License and Prescribing the Time for Such Appeal; Repealing All Statutes in Direct Conflict With the Provisions Hereof; and Making an Appropriation Therefor.

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

Senate Bill No. 104. A Bill for an Act to Authorize the State Highway Commissioner to Cooperate with the Public Roads Administration of the United States in the Construction and Maintenance of Flight Strips and of Certain Classes of Highways and to Acquire, by Purchase or Condemnation, Lands Required for Such Flight Strips and Highways.

Was read the first time and referred to the Committee on Highways and Bridges.

Senate Bill No. 197. A Bill for an Act to Amend and Re-enact Section 819 of the Compiled Laws of North Dakota for 1913 and to Provide for Keeping Jury Lists Filed With Names of Qualified Jurors.

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

Senate Concurrent Resolution "T." A Concurrent Resolution Memorializing Congress to Make No Further Extension of Game Reserves in the State of North Dakota.

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

Senate Concurrent Resolution "1-A." A Concurrent Resolution Requesting Congress to Transfer the Fort Peck Project to the Bureau of Reclamation of the Department of Interior for Operation and Maintenance and That Adequate Appropriations Be Made Available to the Bureau of Reclamation to Enable Completion of Preliminary Plans and Estimates in Preparation for Post-War Conditions.

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

Senate Concurrent Resolution "1-B." A Concurrent Resolution Protesting Favoritism for Youth of Japanese Extraction, in the Advantages of Higher Education.

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

Senate Bill No. 48. 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, Chapter 98 of the Session Laws of North Dakota for the Year 1937 and Chapter 103 of the Session Laws of North Dakota for the Year 1939; Providing Method of Examination; Method of Collecting State Tax on Beer by the State Tax Commissioner; Providing Penalty for Violation Thereof and Repealing All Acts and Parts of Acts in Conflict Herewith.

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

Senate Bill No. 78. A Bill for an Act Providing for Reimbursement for Living Expenses of the Members of the State

Legislature While in Attendance at the Session, Making an Appropriation Therefor; and Declaring an Emergency.

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

Senate Bill No. 142. A Bill for an Act Authorizing the State of North Dakota to Exchange Tracts of Land Located Within the Diminished Borders of Fort Berthold Reservation for Lands Owned by the United States Government Outside of the Diminished Borders of said Fort Berthold Reservation; Providing for Appraisals, and Execution of Conveyance.

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

Senate Bill No. 149. A Bill for an Act to Amend and Re-enact Subsection (c) of Section 51 of the Session Laws of North Dakota for the Year 1927, Providing for the Tilting of Motor Vehicle Headlights, and Declaring an Emergency.

Was read the first time and referred to the Committee on Highways and Bridges.

Senate Bill No. 154. A Bill for an Act to Create and Establish Under the Industrial Commission of the State of North Dakota a Research Agency to Be Known as the North Dakota Research Foundation; Fixing the Membership of the Foundation Providing for Their Appointment and Compensation; Prescribing the Duties of the Industrial Commission and the Foundation; and Making an Appropriation Therefore.

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

Senate Bill No. 157. A Bill for an Act to Amend and Re-enact Chapter 190 of the Laws of North Dakota for the Year 1929, Providing That the Execution of a Specified Certificate and the Recording Thereof, Shall Constitute Prima Facie Evidence of the Termination of the Estate Held by a Deceased Person, Under an Estate in Joint Tenancy; Providing for the Recording of Such Certificate; Providing for the Transfer by an Owner to Himself and Others in Joint Tenancy With Right of Survivorship and Declaring Valid Transfers Heretofore Made by Owner to Himself and Others in Joint Tenancy with Right of Survivorship, and Declaring an Emergency.

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

Senate Bill No. 60. A Bill for an Act to Amend and Re-enact Paragraph (a) of Section 3 of Chapter 221 of the Session Laws of North Dakota for 1935 Relative to Per Diem and Expenses of the Members of the State Board of Public Welfare and Repealing All Acts in Conflict Herewith.

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

Senate Bill No. 150. A Bill for an Act to Repeal Sections 2763 to 2779 Inclusive, of 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 Judiciary.

Senate Bill No. 152. A Bill for an Act to Amend and Re-enact Section Six (6) of Chapter 110 of the Session Laws of

1937 Relating to License Fees of Public Contractors, and Declaring an Emergency.

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

Senate Bill No. 162. A Bill for an Act Making an Appropriation of \$5,000.00 Each for the Completion of the Armories at Carrington, North Dakota, and Bottineau, North Dakota, and Providing for the Manner of Disbursing Said Funds, and Declaring an Emergency.

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

Senate Bill No. 168. A Bill for an Act Regulating the Expenditure of Monies Appropriated by the Legislative Assembly of the State of North Dakota for Emergency Purposes, Fixing the Methods for Obtaining Approval for Such Expenditures, Providing Penalties for Violation Hereof, and Repealing All Acts or Parts of Acts in Conflict Herewith.

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

Senate Bill No. 179. A Bill for an Act to Amend and Re-enact Section 17 of Chapter 97 of the Session Laws of 1933 Relating to the Expense of Burial of Indigent Persons and Declaring an Emergency.

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

Senate Bill No. 183: A Bill for an Act to Amend and Re-enact Chapter 137 of the 1939 Session Laws Relating to Marihuana, and Defining Marihuana as a Narcotic and a Habit-forming Drug; Prohibiting the Cultivation, Sale or Gift Thereof, Except Under Certain Circumstances; Permitting the Establishment of a Hemp Mill; Providing a Penalty for Violation; and Declaring an Emergency.

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

Senate Bill No. 188. A Bill for an Act to Regulate the Practice in the District Courts and County Courts of Increased Jurisdiction, to Provide for Conferences in Advance of Trial, and the Simplification of Issues and Other Purposes; and Giving the Judge Power to Make Orders in Connection With Such Conferences.

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

Senate Bill No. 190. A Bill for an Act to Amend and Re-enact Section 2 of Chapter 216 of the Session Laws of 1941 so as to Extend the Term of Office of Members of the Governmental Survey Commission Until January 1, 1945, Appropriating for the Use of the Commission the Balance Remaining Unexpended in the Governmental Survey Commission Fund Created Pursuant to Section 14 of Said Chapter 216 of the Session Laws of 1941, and Declaring an Emergency.

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

Senate Bill No. 191. A Bill for an Act Providing for the Appointment of a Guardian of the Estate of a Missing Person, Prescribing the Procedure Therefor, Providing for

Family Support and the Payment of Expenses and of Indebtedness, and Further Providing for the Rendition of an Account and the Discharge of the Guardian.

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

Senate Bill No. 196. A Bill for an Act to Amend and Re-enact Section 11 of Chapter 309 of the Session Laws of 1931, Relating to the Guardianship of Incompetent Veterans and of Minor Children of Disabled or Deceased Veterans.

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

Senate Bill No. 144. A Bill for an Act to Amend and Re-enact Section 11 of Chapter 159 of the Session Laws of North Dakota for 1927 as Amended by Chapter 174 of the Session Laws of North Dakota for 1941, Relating to the Department of State Highways.

Was read the first time and referred to the Committee on Highways and Bridges.

Senate Bill No. 159. A Bill for an Act Prescribing the Method of Investing the Various Funds of the State of North Dakota and the Boards, Bureaus, Institutes and Industries of the State; to Eliminate the Confusion and Competition Between the Various Departments Now Selling and Buying Bonds; Provide Penalty for Violation of This Act, and Repealing All Acts in Conflict Herewith.

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

The House stood recessed until 1:00 o'clock p. m., tomorrow.  
W. M. SMART, Chief Clerk.

FORTY-SIXTH DAY AFTER RECESS AND  
THE FORTY-SEVENTH DAY

Bismarck, February 20, 1943

The House convened at 1:00 o'clock p. m., pursuant to recess, Speaker Beede presiding.

The House was on the fifth order of business.

## REPORTS OF STANDING COMMITTEES

Mr. Speaker: Your Committee on Judiciary to whom was referred House Bill No. 152, have had the same under consideration and recommend that the same be amended as follows:

Strike out all of Section 25.

And when so amended recommend the same do pass.

REP. QHNSTAD, Chairman.

Rep. Mollet moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Education to whom was referred House Bill No. 187, have had the same under consideration and recommend that the same be indefinitely postponed.

REP. HOFSTRAND, Chairman.

Rep. Langley moved that the report be adopted.

Rep. Bymers offered as a substitute motion that House Bill No. 187 be placed on the calendar, which motion was lost.

The question was on the adoption of the Standing Committee report, which motion prevailed.

Rep. Rohde moved that the vote by which House Bill No. 187 was indefinitely postponed, be reconsidered and the motion to reconsider be placed on the table, which motion prevailed.

Mr. Speaker: Your Committee on Education to whom was referred House Bill No. 190, have had the same under consideration and recommend that the same be indefinitely postponed.

REP. HOFSTRAND, Chairman.

Rep. Langley moved that the report be adopted, which motion prevailed and the report was adopted.

Rep. Haag moved that the vote by which House Bill No. 190 was indefinitely postponed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Mr. Speaker: Your Committee on Cities and Municipal Corporations to whom was referred House Bill No. 241, have

had the same under consideration and recommend that the same be indefinitely postponed.

REP. WOLF OF MORTON, Chairman.

Rep. Heckman moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Agriculture to whom was referred House Bill No. 57, have had the same under consideration and recommend that the same be indefinitely postponed.

REP. OLSON OF BOWMAN, Chairman.

Rep. Gainor moved that the report be adopted, which motion prevailed and the report was adopted.

Rep. Crockett moved that the vote by which House Bill No. 57 was indefinitely postponed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Mr. Speaker: Your Committee on Judiciary to whom was referred House Bill No. 173, have had the same under consideration and recommend that the same be amended as follows:

In the title, after the word herewith, strike out the period and insert a comma and the words "and making certain exceptions thereto."

Strike out all of Section 15.

In Section 23, after the period on line 269, insert the following:

"This act shall not apply to Building and Loan associations, mutual or cooperative associations or cooperative corporations."

Renumber the lines.

And when so amended recommend the same do pass.

REP. OHNSTAD, Chairman.

Rep. Shure moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Agriculture 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 of the title, correct the spelling of the word "direction".

And when so amended recommend the same do pass.

REP. OLSON OF BOWMAN, Chairman.

Rep. Anderson moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on State Affairs to whom was referred House Bill No. 244, have had the same under consideration and recommend that the same do pass.

REP. TWICHELL, Chairman.

Rep. Levin moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on State Affairs to whom was referred House Bill No. 221, have had the same under consideration and recommend that the same be indefinitely postponed.

REP. TWICHELL, Chairman.

Rep. Wambheim moved that the report be adopted.



Rep. Morland offered as a substitute motion that House Bill No. 221 be placed in General Orders, which motion prevailed.

Mr. Speaker: Your Committee on State Affairs to whom was referred House Bill No. 210, have had the same under consideration and recommend that the same be indefinitely postponed.

REP. TWICHELL, Chairman.

Rep. Sandness moved that the report be adopted.

Rep. Crockett offered as a substitute motion that House Bill No. 210 be placed on the calendar.

Rep. Wolf of McIntosh seconded the motion.

Rep. Bergesen arose to a point of order, calling the attention of the House to Rule No. 9.

Rep. Graham moved that Rep. Crockett be given permission to speak further on House Bill No. 210, which motion prevailed.

The question was on the substitute motion of Rep. Crockett, which motion prevailed.

A division was asked for.

Rep. Crockett demanded a roll call.

A roll call was granted.

#### ROLL CALL

The question being on the substitute motion of Rep. Crockett to place House Bill No. 210 on the calendar, the roll was called and there were ayes, 54; nays, 44; absent and not voting, 12; passed, 3.

Those voting in the affirmative were:

Aker	Gackle	Myers
Allen, Pierce	Graham	Nelson
Anderson	Haag	Ohnstad
Bagge	Halvorson	Ostgulen
Baumgartner	Haugen	Peterson, Bottin'au
Belzer	Heckman	Rettke
Bjella	Hofstrand	Rohde
Bubel	Kolpin	Schwartz
Burau	Larson, Ward	Schmalenberger
Bymers	Larson, Wells	Schnell
Callahan	Levin	Starck
Crockett	Lillehaugen	Welder
Dahlen	Marks	Welk
Devlin	Mittag	Williams, Richland
Drovdal	Moe	Williams, Sargent
Falconer	Mollet	Wolf, McIntosh
Forseth	Monson	Wolf, Morton
Fraser	Mortenson	Mr. Speaker

Those voting in the negative were:

Allen, Grand Forks	Haugland	Olson, Barnes
Arndt	Hildre	Olson, Bowman
Bauer	Hogoboom	Pyle
Benno	Holm	Runck
Bergesen	Hovev	Sailer
Blair	Jennings	Sandness
Boulden	Johnson, Cass	Saumur
Coghlan	Johnson, Rolette	Sellens
Collette	Langley	Severson
Dalzell	Leet	Stormon

Ekren	Lunde	Twichell
Fleck	McInnes	Wambheim
Fuglestad	Manstrom	Westby
Gainor	Morrison	Williams, Stutsm'n
Halcrow	Morland	
Absent and not voting:		
Braun	Iszler	Sharpe
Carlson	Johnson, Richland	Stair
Fitch	Nystrom	Sticka
Hegge	Rohrer	Tuff
Passed:		
Bolmeier	Peterson, Ransom	Shure

So the motion prevailed and House Bill No. 210 was placed on the calendar.

Rep. Crockett moved that Rep. Bolmeier be excused from voting, which motion prevailed.

Rep. Bolmeier moved that Rep. Peterson of Ransom be excused from voting, which motion prevailed.

Rep. Crockett moved that Rep. Shure be excused from voting, which motion prevailed.

Rep. Bauer: "I believe competition is the life of trade and I think this is just another damn tax started. I vote 'No'."

Rep. Bymers moved that the absent members be excused, which motion prevailed.

Rep. Bymers moved that the House do now adjourn, which motion prevailed.

W. M. SMART, Chief Clerk.

#### FORTY-SEVENTH DAY

Bismarck, February 20, 1943

The House convened pursuant to adjournment, Speaker Beede presiding.

Prayer was offered by Rev. T. H. Simpson.

Roll call: All members were present except Reps. Fitch, Iszler, Nystrom, Rohrer, Stair and Sticka.

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

Mr. Speaker: 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:

Under first reading of Senate Bills on page 555 insert the following additional bills: Senate Bills No. 34, 81, 123, 135, 114, 43 and 104.

Substitute the amended title for the title used on House Bill No. 168 on page 546.

And when so corrected recommends that the same be approved.

REP. WELDER, Chairman.

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

#### PETITIONS AND COMMUNICATIONS

A telegram from Lewis Larson, Fargo, North Dakota, asking support of Senate Bills No. 133 and No. 134 was referred to the Committee on State Affairs.

Communications from Carl E. Zeller, Leith, N. Dak., and

Anna Meyer, Leith, N. Dak., requesting support of appropriation for correspondence study, were referred to the Committee on Appropriations.

MESSAGE FROM THE GOVERNOR

State of North Dakota

OFFICE OF THE GOVERNOR

Bismarck, February 19, 1943

To the House of Representatives of the State of North Dakota:

This is to notify you that I have today approved the following House bills:

House Bill No. 3. A Bill for an Act Making an Appropriation to Provide Funds for the Arrest and Return of Fugitives from Justice.

House Bill No. 4. A Bill for an Act Making an Appropriation for the Purpose of Paying Premiums on Bonds of State Officials.

House Bill No. 12. 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. 14. 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. 15. 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. 36. A Bill for an Act Making an Appropriation to Pay the Expenses and Per Diem of Presidential Electors.

House Bill No. 56. A Bill for an Act Making an Appropriation for the Payment of Salaries, Postage, Office Supplies and Printing in the State Department of Health, and Declaring an Emergency.

And the same have been filed with the Secretary of State.

JOHN MOSES, Governor.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: 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 indefinitely postponed.

REP. TWICHELL, Chairman.

Rep. Sandness moved that the report be adopted, which motion prevailed and the report was adopted.

Rep. Bergesen moved that the vote by which House Bill No. 103 was indefinitely postponed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Mr. Speaker: Your Committee on State Affairs to whom was referred House Bill No. 229, have had the same under consideration and recommend that the same be indefinitely postponed.

REP. TWICHELL, Chairman.

Rep. Bolmeier moved that the report be adopted.

Rep. Morland offered as a substitute motion that House Bill No. 229 be placed on the calendar.

Rep. Morland asked permission to withdraw his substitute motion.

Objection being made, request was not granted.

The question was on Rep. Morland's motion, which motion was lost.

The question was on the adoption of the standing committee report, which motion prevailed.

Rep. Twichell moved that the vote by which House Bill No. 229 was indefinitely postponed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Mr. Speaker: Your Committee on State Affairs to whom was referred House Concurrent Resolution "S," have had the same under consideration and recommend that the same be indefinitely postponed.

REP. TWICHELL, Chairman.

Rep. Levin moved that the report be adopted.

Rep. Falconer offered as a substitute motion that House Concurrent Resolution "S" be adopted.

The chair was in doubt on a viva voce vote.

A rising vote disclosed 54 voting for and 38 voting against, so House Concurrent Resolution "S" was adopted.

Rep. Graham moved that the vote by which House Concurrent Resolution "S" was adopted be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Rep. Fleck requested that the House be on the seventh order of business, which request was granted.

Rep. Fleck moved that the rules be suspended for the purpose of considering Joint Resolution "Z," which motion prevailed.

Rep. Fleck moved that the rules be suspended and that Joint Resolution "Z" be placed on final passage at this time by roll call, which motion prevailed by the required two-thirds.

#### FIRST READING OF HOUSE BILLS AND CONCURRENT RESOLUTIONS

The Delayed Bills Committee introduced:

Joint Resolution "Z." Requesting the Legislature to Authorize Payment of Certain Employees in the Code Revision Commission.

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

#### SECOND READING OF HOUSE BILLS

Joint Resolution "Z." Requesting the Legislature to Authorize Payment of Certain Employees in the Code Revision Commission.

Was read the second time.

#### ROLL CALL

The question being on the adoption of Joint Resolution "Z," the roll was called and there were ayes, 99; nays, 0; absent and not voting, 14.

Those voting in the affirmative were:

Aker	Haugen	Olson, Bowman
Allen, Grand Forks	Haugland	Ohnstad

Allen, Pierce	Heckman	Ostgulen
Anderson	Hildre	Peterson, Bottin'au
Arndt	Hofstrand	Peterson, Ransom
Bagge	Hogoboom	Pyle
Bauer	Holm	Rettke
Baumgartner	Hovey	Rohde
Belzer	Jennings	Runck
Benno	Johnson, Cass	Sailer
Bergesen	Johnson, Richland	Sandness
Bjella	Johnson, Rolette	Saumur
Blair	Kolpin	Schwartz
Bolmeier	Langley	Schmalenberger.
Boulden	Larson, Ward	Schnell
Braun	Larson, Wells	Sellens
Bubel	Leet	Severson
Callahan	Levin	Sharpe
Collette	Lillehaugen	Shure
Dahlen	Lunde	Starck
Dalzell	McInnes	Stormon
Devlin	Manstrom	Tuff
Drovdal	Marks	Twichell
Falconer	Mittag	Wambheim
Fleck	Moe	Welder
Fraser	Mollet	Welk
Fuglestad	Monson	Westby
Gackle	Morland	Williams, Richland
Gainor	Morrison	Williams, Sargent
Graham	Mortenson	Williams, Stutsm'n
Haag	Myers	Wolf, McIntosh
Halcrow	Nelson	Wolf, Morton
Halvorson	Olson, Barnes	Mr. Speaker
Absent and not voting:		
Burau	Ekren	Nystrom
Bymers	Fitch	Rohrer
Carlson	Forseth	Stair
Coghlan	Hegge	Sticka
Crockett	Iszler	

So the joint resolution was adopted.

Rep. Saumur moved that the vote by which Joint Resolution "Z" was adopted be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Rep. Bergesen moved that the vote by which House Bill No. 215 was indefinitely postponed be reconsidered, which motion prevailed.

Rep. Bergesen moved that House Bill No. 215 be re-referred to the Committee on Cities and Municipal Corporations, which motion prevailed.

#### REPORTS OF STANDING COMMITTEES

Mr. Speaker: Your Committee on Cities and Municipal Corporations to whom was referred House Bill No. 225, have had the same under consideration and recommend that the same be indefinitely postponed.

REP. WOLF OF MORTON, Chairman.

Rep. Shure moved that the report be adopted, which motion prevailed and the report was adopted.

Rep. Welk moved that the vote by which House Bill No. 225 was indefinitely postponed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Mr. Speaker: Your Committee on Cities and Municipal Corporations to whom was referred House Bill No. 133, have had the same under consideration and recommend that the same be indefinitely postponed.

REP. WOLF OF MORTON, Chairman.

Rep. Olson of Barnes moved that the report be adopted, which motion prevailed and the report was adopted.

Rep. Wolf of McIntosh moved that the vote by which House Bill No. 133 was indefinitely postponed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

#### HOUSE COMMITTEE ON ENROLLMENT AND ENGROSSMENT

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

House Bill No. 137.

House Bill No. 213.

House Bill No. 217.

And find the same correctly Engrossed.

REP MORLAND, Chairman.

Rep. Monson moved that the report be adopted, which motion prevailed, and the report was adopted.

#### MESSAGES FROM THE SENATE

Senate Chamber

Bismarck, February 20, 1943

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 124. A Bill for an Act to Amend and Re-enact Sections 3790 and 3802 of the Compiled Laws of North Dakota for the Year 1913, Relating to Salaries of Members of the Board of City Commissioners.

Senate Bill No. 132. A Bill for an Act to Amend and Re-enact Chapter 218 of the Session Laws of 1935 Giving Preference to North Dakota Bidders and Sellers; Defining Such North Dakota Bidders and Sellers, and Prescribing the Nature of Preference to Be Given.

Senate Bill No. 133. A Bill for an Act to Regulate and Control the Barber Shop Business of the State of North Dakota; Conferring Upon the State Board of Barber Examiners Powers and Jurisdiction with Relation Thereto, Defining Such Powers, Jurisdiction and Duties; Authorizing the Said Board to Approve Price Schedules and to Make Orders Fixing Minimum Prices for Barber Services; Providing for Judicial Review of Such Acts of Said Board; Providing Penalties for the Violation of This Act.

Senate Bill No. 134. A Bill for an Act to Amend and Re-enact Section 7, the Fourth Paragraph of Section 11, and Section 15 of Chapter 101 of the Session Laws of 1927, Chapter 79 of the Session Laws of 1933, the First Paragraph and Sub-section 2 of Section 18 (as Amended by Chapter 98 of the Session Laws of 1931) and the Second Paragraph of Section 21, of Chapter 101 of the Session Laws of 1927, Relating to the Barbers Examining Board of the State of North Dakota and the Regulation of the Business of Barbering.

Senate Bill No. 145. A Bill for an Act to Amend and Re-enact Section 200b4 of the 1925 Supplement to the Compiled Laws of North Dakota for 1913, Providing for the Payment of Premiums on Bonds of Public Employees; and Providing for the Transfer of Such Bonds, and Declaring an Emergency.

Senate Concurrent Resolution "1-C." A Concurrent Resolution Memorializing the Congress of the United States and the Selective Service Authorities to Adopt a Distinctive Insignia to Be Worn by Men Deferred from Induction Into the Armed Forces by Reason of Being Engaged in an Essential Occupation Necessary to the War Effort.

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

W. J. TROUT, Secretary.

Senate Chamber

Bismarck, February 20, 1943

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 52. A Bill for an Act Amending and Re-enacting Section 396d3 of the 1925 Supplement as Amended and Re-enacted by Chapter 189, Session Laws of 1933 Relating to the Qualifications, Salary and Duties of the State Health Officer.

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

W. J. TROUT, Secretary.

Senate Chamber

Bismarck, February 20, 1943

Mr. Speaker: I have the honor to return:

House Bill No. 2. 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. 6. A Bill for an Act Making an Appropriation for the Purpose of Paying Insurance Tax to the Various Fire Departments of the State.

House Bill No. 11. 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. 17. A Bill for an Act Making an Appropriation for the Purpose of Paying Salary, Clerkhire and General Expenses of the Department of Coal Mine Inspection and Coal Mine Safety Work.

House Bill No. 24. A Bill for an Act to Provide for the Payment of the Expenses of Auditing and Examining the Affairs of the State Industrial Institutions, and the Special Departments and Its Subdivisions, of the State of North Dakota, Designating and Appropriating the Funds from Which Paid; Providing for the Payment of Said Collection Into the Special Fund in the State Treasury; Providing for Repeal of Acts.

House Bill No. 34. 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. 29. A Bill for an Act Making an Appro-

appropriation for the Financing of the Operations of the State Soil Conservation Committee or the Activities of the State Soil Conservation Districts.

House Bill No. 45. A Bill for an Act Making an Appropriation to Reimburse Griggs County in the Sum of Nine Thousand Eight Hundred Forty-nine and 85/100 (\$9,849.85) Dollars, Penalty and Interest Belonging to Griggs County, But Erroneously and Inadvertently Remitted to the State and Declaring an Emergency.

House Bill No. 46. A Bill for an Act Making an Appropriation to Reimburse Dickey County in the Sum of Eleven Thousand, Nine Hundred Sixty-six and no/100 (\$11,966.00) Dollars, Penalty and Interest Belonging to Dickey County. But Erroneously and Inadvertently Remitted to the State and Declaring an Emergency.

House Bill No. 69. A Bill for an Act to Repeal Section 8270, Compiled Laws of North Dakota for 1913, Providing for the Appropriation of Water by the Proper Officers of the United States; and Declaring an Emergency.

House Concurrent Resolution "I." A Concurrent Resolution Memorializing Congress to Revise Farm Prices to Permit Reasonable Profit.

House Concurrent Resolution "J." A Concurrent Resolution Regarding the Policy of the State of North Dakota to Maintain Its Jurisdiction and Control Over the Rights to the Use of the Waters in This State.

Which the President has signed.

W. J. TROUT, Secretary.

#### REPORTS OF STANDING COMMITTEES

Mr. Speaker: Your Committee on Appropriations to whom was referred House Bill No. 114, have had the same under consideration and the majority recommend that the same be indefinitely postponed.

REP. ALLEN of Grand Forks

REP. BJELLA

REP. COLLETTE

REP. GACKLE

REP. LILLEHAUGEN

REP. MARKS

REP. MITTAG

REP. SEVERSON

REP. STICKA

REP. STORMON

REP. WOLF of Morton

REP. JOHNSON OF CASS, Chairman.

Rep. Lillehaugen moved that the report be adopted.

Mr. Speaker: Your Committee on Appropriations to whom was referred House Bill No. 114, have had the same under consideration and the minority recommend that the same do pass.

REP. GRAHAM

REP. JOHNSON OF CASS, Chairman.

Rep. Graham offered as a substitute motion that the report of the minority be substituted for the report of the majority, which motion was lost.

Rep. Graham demanded a roll call.

A roll call was granted.



## ROLL CALL

The question being on the adoption of the minority report, the roll was called and there were ayes, 28; nays, 64; absent and not voting, 21.

Those voting in the affirmative were:

Aker	Graham	Ohnstad
Bauer	Halcrow	Rettke
Belzer	Heckman	Sandness
Benno	Johnson, Richland	Shure
Bergesen	Larson, Wells	Stormon
Bymers	Levin	Twichell
Crockett	Monson	Tuff
Dalzell	Myers	Westby
Falconer	Nelson	Williams, Stutsman
Fraser		

Those voting in the negative were:

Allen, Grand Forks	Halvorson	Morrison
Allen, Pierce	Haugen	Mortenson
Arndt	Haugland	Olson, Bowman
Bagge	Hildre	Ostgulen
Baumgartner	Hofstrand	Peterson, Bottin'au
Bjella	Hogoboom	Pyle
Blair	Holm	Rohde
Bolmeier	Hovey	Runk
Braun	Jennings	Sailer
Bubel	Johnson, Cass	Schwartz
Bureau	Kolpin	Schnell
Callahan	Langley	Sellens
Coghlan	Leet	Severson
Collette	Lillehaugen	Sharpe
Dahlen	Lunde	Starck
Devlin	McInnes	Welk
Drovdal	Manstrom	Williams, Richland
Fleck	Marks	Williams, Sargent
Forseth	Moe	Wolf, McIntosh
Fuglestad	Mollet	Wolf, Morton
Gackle	Morland	Mr. Speaker
Haag		

Absent and not voting:

Anderson	Iszler	Rohrer
Boulden	Johnson, Rolette	Saumur
Carlson	Larson, Ward	Schmalenberger
Ekren	Mittag	Stair
Fitch	Nystrom	Sticka
Gainor	Olson, Barnes	Wambheim
Hegge	Peterson, Ransom	Welder

So the motion was lost.

The question was on the adoption of the majority report that House Bill No. 114 be indefinitely postponed.

Rep. Shure moved that House Bill No. 114 be re-referred to the Committee on State Affairs.

Rep. Rohde moved that the motion of Rep. Shure be tabled.

Rep. Johnson of Cass seconded the motion, which motion prevailed.

Rep. Rohde moved that further consideration of House Bill No. 114 be laid on the table, which motion prevailed.

Mr. Speaker: Your Committee on Appropriations to whom was referred House Bill No. 9, have had the same under con-

sideration and recommend that the same be amended as follows:

After the word coyotes in the title strike out the word "and" and insert a comma in lieu thereof and after the word magpies strike out the period and add the words "and foxes.", and to strike from line 3 the figures \$27,500.00 and insert the figures "\$45,000.00" in lieu of the figures stricken out, and to add after the words North Dakota in line 12 a comma and the following words: "and any bounty on foxes provided by law".

And when so amended recommend the same do pass.

REP. JOHNSON OF CASS, Chairman.

Rep. Graham moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Highways and Bridges to whom was referred House Bill No. 163, have had the same under consideration and recommend that the same be amended as follows:

In the title of the Bill strike out the period after the word "basis" and insert ", and declaring an emergency."

In line 67 strike out "\$20.00" and insert "\$13.50", and in line 68 strike out "\$25.00" and insert "\$16.50".

After line 83 insert the following lines and change the numbers of these and following lines accordingly:

36,000	180.00
38,000	210.00
40,000	245.00
42,000	280.00
44,000	320.00
46,000	360.00
48,000	405.00
50,000	450.00
52,000	500.00
54,000	550.00
56,000	605.00
58,000	660.00

Strike out lines 84, 85, and 86 altogether. Beginning with Schedule B immediately after Schedule A.

After line 102 add the following sections.

"Sec. 4. AMENDMENT.) The terms and provisions of this Bill shall expire on the first day of July 1945.

"Sec. 5. EMERGENCY.) This Act is declared to be an emergency measure and shall be in full force and effect upon its passage and approval."

And when so amended recommend the same do pass.

REP. CROCKETT, Chairman.

Rep. Boulden moved that the report be adopted, which motion prevailed and the report was adopted.

#### HOUSE COMMITTEE ON ENROLLMENT AND ENGROSSMENT

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

House Bill No. 5.

House Bill No. 82.

And find the same correctly Enrolled.

REP. MORLAND, Chairman.

Rep. Monson moved that the report be adopted, which motion prevailed, and the report was adopted.

Mr. Speaker: Your Committee on Delayed Bills to whom was referred:

House Bill No. 246. A Bill for an Act to Exempt Judgments, Mortgages and Other Liens Held by the United States Government, or Any Agency Thereof, from the Operation of the Provisions of Chapter 315 of the Session Laws of North Dakota for 1931, Section 3 of Chapter 137 of the Session Laws of North Dakota for 1933, and Chapter 159 of the Session Laws of North Dakota for 1937, Declaring Such Mortgages and Liens to Be Prior and Superior to Certain Judgments Rendered and Hail Indemnity Taxes Levied Pursuant to Said Acts, Repealing Conflicting Acts and Declaring an Emergency.

Recommend that the same be introduced.

REP. BOULDEN, Chairman.

Rep. Blair moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Delayed Bills to whom was referred:

House Bill No. 247. A Bill for an Act to Create a State Legislative Council; Providing for the Number of Its Members, Their Appointment and Qualifications, Their Term of Office, Filling of Vacancies; Designating Time for Its Organization and Meetings, Prescribing Its Powers and Duties, and Fixing the Compensation.

Recommend that the same be introduced.

REP. BOULDEN, Chairman.

Rep. Blair moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Delayed Bills to whom was referred:

House Bill No. 248. A Bill for an Act Providing for the Recording of Discharge Papers from the National Guard, the Army, Navy, Marine Corps and Other Branches of the Military Forces, and Declaring an Emergency.

Recommend that the same be introduced.

REP. BOULDEN, Chairman.

Rep. Schwartz moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Delayed Bills to whom was referred:

House Bill No. 249. A Bill for an Act to Amend and Re-enact Sub-section (e) of Section 6 of Chapter 106 of the 1935 Session Laws, as Amended by Sub-section (e) of Section 3 of Chapter 112 of the 1937 Session Laws, as Amended and Re-enacted by Sub-section (e) of Section 1 of Chapter 116 of the 1941 Session Laws Relating to the Election of Directors of Cooperative Grazing Associations and Amending and Re-enacting Sub-section (j) of Section 10 of Chapter 106 of the Session Laws of 1935 Relating to Rules and Regulations Concerning Disease of Stock.

Recommend that the same be introduced.

REP. BOULDEN, Chairman.

Rep. Schwartz moved that the report be adopted, which motion prevailed and the report was adopted.

Rep. Haugen moved that the House recess for fifteen minutes, which motion prevailed, and the House stood recessed.

The House reconvened pursuant to recess taken.

#### SIGNING OF BILLS

The Chief Clerk announced that the Speaker was about to sign the following bill; immediately before signing the bill the title was publicly read:

Senate Bill No. 52.

And the Speaker signed the above bill in the presence of the House.

#### FIRST READING OF HOUSE BILLS AND CONCURRENT RESOLUTIONS

The Delayed Bills Committee introduced:

House Bill No. 245. A Bill for an Act Suspending the Operation of Section 1 of Chapter 196 of the Session Laws of North Dakota for 1933 During the Biennium Beginning July 1, 1943 and Ending June 30, 1945, and Limiting Salary Increases to 25% of the Existing Limitations.

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

Reps. Fleck, Gackle, Wolf of McIntosh and Sandness introduced:

House Concurrent Resolution "Y." Memorializing Congress of the United States to Ask the War Production Board to Lift Restrictions and Priorities on New Trucks and Pickups Used for and Necessary for Farmers and Residents in Rural Communities.

Was read the first time and referred to the Committee on Highways and Bridges.

Reps. Blair, Saumur, Bolmeier and Callahan introduced:

House Bill No. 246. A Bill for an Act to Exempt Judgments, Mortgages and Other Liens Held by the United States Government, or Any Agency Thereof, from the Operation of the Provisions of Chapter 315 of the Session Laws of North Dakota for 1931, Section 3 of Chapter 137 of the Session Laws of North Dakota for 1933, and Chapter 159 of the Session Laws of North Dakota for 1937, Declaring Such Mortgages and Liens to Be Prior and Superior to Certain Judgments Rendered and Hail Indemnity Taxes Levied Pursuant to Said Acts, Repealing Conflicting Acts and Declaring an Emergency.

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

The Delayed Bills Committee introduced:

House Bill No. 247. A Bill for an Act to Create a State Legislative Council; Providing for the Number of Its Members, Their Appointment and Qualifications, Their Term of Office, Filling of Vacancies; Designating Time for Its Organization and Meetings, Prescribing Its Powers and Duties, and Fixing the Compensation.

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

The Delayed Bills Committee introduced:

House Bill No. 248. A Bill for an Act Providing for the

Recording of Discharge Papers from the National Guard, the Army, Navy, Marine Corps and Other Branches of the Military Forces, and Declaring an Emergency.

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

The Delayed Bills Committee introduced:

House Bill No. 249. A Bill for an Act to Amend and Re-enact Sub-section (e) of Section 6 of Chapter 106 of the 1935 Session Laws, as Amended by Sub-section (e) of Section 3 of Chapter 112 of the 1937 Session Laws, as Amended and Re-enacted by Sub-section (e) of Section 1 of Chapter 116 of the 1941 Session Laws Relating to the Election of Directors of Cooperative Grazing Associations and Amending and Re-enacting Sub-section (j) of Section 10 of Chapter 106 of the Session Laws of 1935 Relating to Rules and Regulations Concerning Disease of Stock.

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

#### SECOND READING OF HOUSE BILLS

House Bill No. 208. A Bill for an Act to Amend and Re-enact Sub-sections (a), (b) and (f) of Section 18 of Chapter 139 of the Session Laws of North Dakota for 1937, as Amended and Re-enacted by Section 4 of Chapter 175 of the Session Laws of North Dakota for 1941, Relating to the Authority, Powers and Duties of the Members of Division of Highway Safety and Patrol.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 63; nays, 32; absent and not voting, 18.

Those voting in the affirmative were:

Aker	Gainor	Moe
Allen, Grand Forks	Graham	Mollet
Allen, Pierce	Haag	Morland
Bauer	Halcrow	Mortenson
Benno	Haugland	Olson, Barnes
Bergesen	Heckman	Olson, Bowman
Bjella	Hildre	Ohnstad
Blair	Hofstrand	Peterson, Ransom
Bolmeier	Hogoboom	Pyle
Boulden	Holm	Runck
Bureau	Hovey	Sailer
Bymers	Johnson, Cass	Sandness
Callahan	Johnson, Richland	Saumur
Collette	Johnson, Rolette	Schnell
Crockett	Langley	Severson
Dahlen	Larson, Wells	Sharpe
Dalzell	Leet	Stormon
Ekren	Lillehaugen	Wambheim
Forseth	Lunde	Williams, Sargent
Fuglestad	McInnes	Williams, Stutsm'n
Gackle	Manstrom	Mr. Speaker
Those voting in the negative were:		
Anderson	Haugen	Peterson, Bottin'au
Arndt	Jennings	Rettke
Bagge	Kolpin	Rohde
Belzer	Larson, Ward	Schwartz

Braun	Levin	Sellens
Bubel	Marks	Shure
Devlin	Mittag	Starck
Drovdal	Monson	Tuff
Falconer	Morrison	Williams, Richland
Fraser	Myers	Wolf, Morton
Halvorson	Nelson	

Absent and not voting:

Baumgartner	Iszler	Sticka
Carlson	Nystrom	Twichell
Coghlan	Ostgulen	Welder
Fitch	Rohrer	Welk
Fleck	Schmalenberger	Westby
Hegge	Stair	Wolf, McIntosh

So the bill passed and the title was agreed to.

Rep. Rohde: "I wish to explain my vote and have it recorded in the Journal. I am voting 'No' on this bill for the reason if we start adding more duties to the department we will soon have to build up that department bigger yet and therefore I vote 'No'."

Rep. Crockett: "I vote 'Aye' for the purpose of reconsideration."

• House Bill No. 234. A Bill for an Act Permitting the Creating of an "Emergency Public Construction Fund"; Fixing the Amount Which May Be Levied; Giving Honorably Discharged Service Men a Preference in Employment; and Providing for a Liability for Misuse of the Fund, and Declaring an Emergency.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 60; nays, 33; absent and not voting, 20.

Those voting in the affirmative were:

Aker	Forseth	Monson
Allen, Pierce	Fuglestad	Morland
Arndt	Gainor	Morrison
Bagge	Halcrow	Mortenson
Bauer	Halvorson	Olson, Barnes
Belzer	Haugland	Olson, Bowman
Benno	Hildre	Ohnstad
Bergesen	Hogoboom	Peterson, Ransom
Bjella	Holm	Pyle
Blair	Hovey	Sailer
Boulden	Johnson, Rolette	Sandness
Bymers	Langley	Sellens
Callahan	Larson, Ward	Severson
Collette	Larson, Wells	Sharpe
Crockett	Leet	Starck
Dahlen	Levin	Stormon
Dalzell	Lillehaugen	Wambheim
Ekren	Lunde	Williams, Sargent
Falconer	McInnes	Williams, Stutsm'n
Fleck	Moe	Mr. Speaker

Those voting in the negative were:

Allen, Grand Forks	Haugen	Myers
Anderson	Heckman	Nelson
Bolmeier	Hofstrand	Peterson, Bottin'au

Braun	Jennings	Rettke
Bubel	Johnson, Cass	Rohde
Burau	Johnson, Richland	Runck
Devlin	Kolpin	Schnell
Drovdal	Manstrom	Shure
Fraser	Marks	Tuff
Graham	Mittag	Williams, Richland
Haag	Mollet	Wolf, Morton
Absent and not voting:		
Baumgartner	Nystrom	Sticka
Carlson	Ostgulen	Twichell
Coghlan	Rohrer	Welder
Fitch	Saumur	Welk
Gackle	Schwartz	Westby
Hegge	Schmalenberger	Wolf, McIntosh
Iszler	Stair	

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

Rep. Halcrow moved that the vote by which House Bill No. 234 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Rep. Fleck requested that the House be on the seventh order of business, which request was granted.

Rep. Fleck moved that permission be granted to hold the memorial program at 2:00 o'clock p. m. Thursday instead of 2:00 o'clock p. m. Monday, which motion prevailed.

Rep. Morland moved that the vote by which House Bill No. 111 was lost be reconsidered, which motion was lost.

#### SECOND READING OF HOUSE BILLS

House Bill No. 218. A Bill for an Act Amending and Re-enacting Section 2122a of the 1925 Supplement to the 1913 Compiled Laws of North Dakota as Amended by the Initiated Measure Approved by the Voters of the State of North Dakota on June 29, 1932, Relating to the Basis of Assessment of Property for Taxation Purposes, Basing Such Basis on 50% to 75% of the Full and True Value Thereof and Repealing All Acts and Parts of Acts in Conflict Herewith.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 52; nays, 42; absent and not voting, 19.

Those voting in the affirmative were:

Aker	Haugland	Mortenson
Anderson	Heckman	Myers
Belzer	Hildre	Nelson
Braun	Hovey	Olson, Bowman
Burau	Jennings	Ohnstad
Bymers	Johnson, Rolette	Ostgulen
Crockett	Kolpin	Peterson, Bottin'au
Devlin	Larson, Ward	Rettke
Drovdal	Levin	Rohde
Falconer	Lillehaugen	Sandness
Forseth	McInnes	Schwartz
Fraser	Marks	Schnell
Fuglestad	Mittag	Starck
Gainor	Mollet	Tuff

Graham	Monson	Williams, Richland
Haag	Morland	Williams, Sargent
Halvorson	Morrison	Mr. Speaker
Haugen		
Those voting in the negative were:		
Allen, Grand Forks	Dalzell	Olson, Barnes
Allen, Pierce	Ekren	Peterson, Ransom
Bagge	Fleck	Pyle
Bauer	Gackle	Runk
Benno	Halcrow	Sailer
Bergesen	Hogoboom	Saumur
Bjella	Holm	Sellens
Blair	Johnson, Cass	Severson
Bolmeier	Johnson, Richland	Sharpe
Boulden	Langley	Shure
Bubel	Leet	Stormon
Callahan	Lunde	Wambheim
Collette	Manstrom	Williams, Stutsm'n
Dahlen	Moe	Wolf, Morton
Absent and not voting:		
Arndt	Iszler	Sticka
Baumgartner	Larson, Wells	Twichell
Carlson	Nystrom	Welder
Coghlan	Rohrer	Welk
Fitch	Schmalenberger	Westby
Hegge	Stair	Wolf, McIntosh
Hofstrand		

So the bill was declared lost.

Mr. Speaker: "I am making another protest vote of 'Aye' and one of the reasons is this; over in the Senate we have bills proposing that tax levies on school districts be increased from four to six mills; we have other bills proposing tax levy increases on park districts and cities and right today in our House we have bills proposing increases in tax levies, the need whereof they say is urgent. If it is necessary to increase the mill levy in order to function, it is apparent that our present system of taxation has something wrong with it."

Rep. Bergesen moved that action on House Bill No. 137 be deferred until Monday, which motion prevailed.

House Bill No. 216. A Bill for an Act to Amend and Re-enact Section 9689 of the Compiled Laws of North Dakota for 1913, Pertaining to Minors Visiting Places Selling Beer, Ale, Alcoholic or Intoxicating Liquor, Requiring Owners and Proprietors to Post Signs Barring Minors, and Requiring Them to Give a Bond of \$500.00 to the Local Municipality, and Providing Penalty for Violation Thereof.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 42; nays, 44; absent and not voting, 27.

Those voting in the affirmative were:

Aker	Fuglestad	Morland
Allen, Pierce	Graham	Morrison
Anderson	Halcrow	Mortenson
Bauer	Haugen	Myers
Benno	Heckman	Olson, Barnes



Bergesen	Holm	Ostgulen
Bjella	Kolpin	Peterson, Ransom
Bolmeier	Langley	Runck
Dahlen	Manstrom	Sandness
Drovdal	Marks	Shure
Ekren	Mittag	Williams, Richland
Falconer	Moe	Williams, Sargent
Forseth	Mollet	Williams, Stutsm'n
Fraser	Monson	Mr. Speaker
Those voting in the	negative were:	
Bagge	Haag	Ohnstad
Blair	Halvorson	Peterson, Bottin'au
Boulden	Hildre	Pyle
Braun	Hogoboom	Rettke
Bubel	Hovey	Rohde
Burau	Jennings	Saumur
Bymers	Johnson, Richland	Schwartz
Callahan	Larson, Ward	Schnell
Collette	Leet	Sellens
Crockett	Levin	Sharpe
Dalzell	Lillehaugen	Starck
Devlin	Lunde	Stormon
Fleck	McInnes	Wambheim
Gackle	Nelson	Wolf, Morton
Gainor	Olson, Bowman	
Absent and not voting:		
Allen, Grand Forks	Hofstrand	Severson
Arndt	Iszler	Stair
Baumgartner	Johnson, Cass	Sticka
Belzer	Johnson, Rolette	Twichell
Carlson	Larson, Wells	Tuff
Coghlan	Nystrom	Welder
Fitch	Rohrer	Welk
Haugland	Sailer	Westby
Hegge	Schmalenberger	Wolf, McIntosh

So the bill was declared lost.

Rep. Lillehaugen: "I vote 'No' for the purpose of reconsideration."

Rep. Nelson moved that action on House Bill No. 217 be deferred until Monday, which motion prevailed.

Rep. Morland asked unanimous consent to amend House Bill No. 138, which consent was granted.

Rep. Morland moved that House Bill No. 138 be amended as follows:

Section 1 line 2 strike out the figure "5" and insert the figure "1".

Section 2 line 75 after the word "by" insert the following: "Section 2 of".

Correction of Title: at the end of the second line of the title add the following: "Section 1 and 2 of".

Which motion prevailed.

Rep. Morland moved that the rules be suspended and that House Bill No. 138 be considered properly engrossed and placed on second reading and final passage, which motion prevailed.

House Bill No. 138. A Bill for an Act to Amend and Re-enact Sections 5 and 8 of Chapter 165 of the Session Laws of 1939, as Amended and Re-enacted by Sections 1 and 2 of Chapter 190 of the Session Laws of 1941 of the State of North

Dakota, 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 Providing that the Act Shall Not Be Applicable in Certain Cases Set Forth in This Act; and Repealing All Acts Inconsistent 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, 27; absent and not voting, 39.

Those voting in the affirmative were:

Anderson	Heckman	Ohnstad
Bauer	Jennings	Ostgulen
Belzer	Johnson, Richland	Pyle
Bergesen	Kolpin	Rettke
Bjella	Larson, Ward	Rohde
Braun	Levin	Runck
Bubel	Lillehaugen	Saumur
Burau	Marks	Schwartz
Dalzell	Mittag	Schnell
Drovdal	Mollet	Sharpe
Forseth	Monson	Starck
Fraser	Morland	Tuff
Fuglestad	Morrison	Williams, Sargent
Gainor	Myers	Wolf, Morton
Graham	Nelson	Mr. Speaker
Halvorson	Olson, Bowman	

Those voting in the negative were:

Allen, Grand Forks	Gackle	Moe
Allen, Pierce	Haugen	Olson, Barnes
Bagge	Hogoboom	Peterson, Bottin'au
Benno	Hovey	Peterson, Ransom
Blair	Johnson, Rolette	Sellens
Bolmeier	Langley	Shure
Boulden	Leet	Stormon
Dahlen	McInnes	Wambheim
Ekren	Manstrom	Williams, Stutsm'n

Absent and not voting:

Aker	Haag	Rohrer
Arndt	Halcrow	Sailer
Baumgartner	Haugland	Schmalenberger
Bymers	Hegge	Sandness
Callahan	Hildre	Severson
Carlson	Hofstrand	Stair
Coghlan	Holm	Sticka
Collette	Iszler	Twichell
Crockett	Johnson, Cass	Welder
Devlin	Larson, Wells	Welk
Falconer	Lunde	Westbr
Fitch	Mortenson	Williams, Richland
Fleck	Nystrom	Wolf, McIntosh

So the bill was declared lost.

Rep. Haugen: "I vote 'No' for the purpose of reconsideration.

Rep. Levin requested that the House be on the seventh order of business, which request was granted.

Rep. Levin moved that House Bill No. 92 be re-referred to the Committee on Agriculture, which motion prevailed.

#### GENERAL ORDERS

Rep. Blair moved that the House resolve itself into a committee of the whole for the consideration of general orders; which motion prevailed, and the House resolved itself into a committee of the whole.

The Speaker called Rep. Blair to the chair.

When the committee arose it submitted the following report:

Mr. Speaker: The committee of the whole have had under consideration:

House Bill No. 134.

In the title, line 4, correct the spelling of the word "bond" to "bonds", and following the word "paid" add the words "without the consent of the governing body of such municipality."

In line 9, after the word "paid", strike out the comma and insert the words "without the consent of the governing body of such municipality." Strike out all of the remaining part of line 9, and all lines following, through the word "relocated" in line 26.

Set up a new Section 2, titled "Penalty", and include in it the remaining part of line 26 and line 27, and renumber the lines. Renumber Section 2, in the original bill, and make it Section 3.

And when so amended recommend the same do pass.

House Bill No. 228.

In line 16, strike out the word "let" and insert "leased to a responsible party offering the most returns to the municipality" in place of line 16 and line 17 up to the comma.

In line 19, after the period, add a new sentence, "The governing body may reserve the right to reject any and all bids."

And when so amended recommend the same do pass.

House Bill No. 184.

After line 37 insert a new paragraph numbered 6 to read as follows:

"To the tax levied pursuant to the provisions of Chapter 253 of the Session Laws of North Dakota for 1941 and amendments thereto, for support and maintenance of county agricultural and training schools, up to a maximum of one and a half mills on the assessed value in the county for such purpose. Nothing herein contained shall be construed to prevent the appropriation of money from the county general fund for the support and maintenance of county agricultural and training schools."

And renumber the lines.

And recommend the following further amendments:

In lines 42, 45 and 51 strike out the words "General Reserve" and insert the word "Interim".

And when so amended recommend the same do pass.

House Bill No. 47.

Action was deferred until Monday.

House Bill No. 239.

Line 104 after the word "paid" strike out the period, insert a comma and insert the following "including the attorney's fees approved by the court".

And renumber the lines.

In section 5 page 6 line 97 of the bill have it read Section 21.

Line 102 add an "s" to the word "expense".

And when so amended recommend the same do pass.

House Bill No. 240.

Line 44 after the word "correcting" add the word "glasses".

And when so amended recommend the same do pass.

House Bill No. 243.

In line 9 correct the spelling of the word "WEREAS" to "WHEREAS".

And when so amended recommend the same do pass.

House Bill No. 50.

In line number 9 after the word "market" there shall be inserted "or from livestock markets".

In line 12 after the word "places" there shall be inserted "and between the farms and the livestock markets".

And when so amended recommend the same do pass.

House Bill No. 236.

Action deferred until Monday.

House Bill No. 211.

Action deferred until Monday.

House Bill No. 197.

In line 7 strike out the words "as here-".

Strike out lines 8 to 17 inclusive.

At line 8, insert the following words: "served or mailed at least forty-five (45) days prior to the time of the expiration of the lease or rental agreement. Nothing in the rental contract or lease shall avoid the necessity of such notice."

In line 20, before the word "default", insert the word "substantial".

And when so amended recommend the same do pass.

House Bill No. 88.

Strike out all prior amendments.

In the title of the Act, in Line 6, strike out all after "1939", and in lieu thereof insert the following:

"Providing for net operating loss carry-over and additional deductions in computing net income for income tax purposes; repealing all Acts or parts of Acts in conflict herewith, and declaring an emergency."

On Page 2 of the Bill, strike out all of Paragraphs 1 and 2 of Subsection 4 of Section 1, and in lieu thereof insert the following:

(4) (a) Losses sustained during the income year that are not compensated for by insurance or otherwise, if incurred in connection with the business or transaction, the gains from which, if any, would be includable in gross income; or if arising from fires not attributable to arson by the taxpayer,

or from storms, wrecks or theft. Losses from wagering or illegal acts shall not be allowed.

(b) Net Operating Loss Carry-over. If for any taxable year beginning after December 31, 1941, a taxpayer has a net operating loss from trade or business, such net operating loss may be carried forward by the taxpayer as a credit against the net income, both taxable and nontaxable, received in either of the two succeeding years, subject to the following limitations:

(1) No carry-over loss shall accrue from any taxpayer, except to the extent that the loss of such year shall exceed any income not taxable under this Act received in the same year;

(2) The carry-over loss from any prior year or years may be deducted from the taxable income of any tax year only to the extent that such carry-over loss shall exceed any nontaxable income received in such tax year.

(3) That the carry-over in the case of the second succeeding taxable year shall be the excess, if any, of the amount of such net operating loss over the net income (both taxable and nontaxable) for the intervening taxable year.

(c) Taxpayers, entitled to net loss carry-over privileges are:

- (1) Corporations.
- (2) Partnerships.
- (3) Individuals.
- (4) Estates and trusts if engaged in trade or business.

In Subsection 5 of Section 1 of the printed Bill, strike out the period and everything following the word "year" in Line 58, and strike out all in lines 59 to 66, inclusive, and insert in lieu thereof the following:

" , except that a worthless debt arising from unpaid wages, salary, rent or other similar item of taxable income is not an allowable deduction unless the income which such item represents has been included as income by the taxpayer in a return previously rendered under this Act."

On Page 5 of the printed Bill, Subsection 9 of Section 1, after the word "dependents" in Line 110, strike out period and add the following:

"and not compensated for by insurance or otherwise."

Strike out all of Section 2.

Add Section 2 as follows:

SECTION 2. REPEAL.) All Acts or parts of Acts in conflict herewith are hereby repealed.

Add Section 3 as follows:

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.

(RENUMBER THE LINES)

REP. BLAIR, Chairman.  
Committee of the Whole.

Rep. Morland moved that the report of the Committee of the Whole be adopted, which motion prevailed.

Rep. Bergesen moved that the House do now recess until 12:30 o'clock p. m., Monday, which motion prevailed.

W. M. SMART, Chief Clerk.

FORTY-SEVENTH DAY AFTER RECESS AND  
THE FORTY-NINTH DAY

Bismarck, February 22, 1943

The House convened at 12:30 o'clock p. m., pursuant to recess, Speaker Beede presiding.

The House was on the fifth order of business.

REPORTS OF STANDING COMMITTEES

**Mr. Speaker:** Your Committee on Appropriations to whom was referred Senate Bill No. 13, have had the same under consideration and recommend that the same do pass.

REP. JOHNSON OF CASS, Chairman.

Rep. Bjella moved that the report be adopted, which motion prevailed and the report was adopted.

**Mr. Speaker:** Your Committee on Appropriations to whom was referred Senate Bill No. 11, have had the same under consideration and recommend that the same do pass.

REP. JOHNSON OF CASS, Chairman.

Rep. Marks moved that the report be adopted, which motion prevailed and the report was adopted.

**Mr. Speaker:** Your Committee on Appropriations to whom was referred Senate Bill No. 79, have had the same under consideration and recommend that the same do pass.

REP. JOHNSON OF CASS, Chairman.

Rep. Stormon moved that the report be adopted, which motion prevailed and the report was adopted.

**Mr. Speaker:** Your Committee on Livestock to whom was referred House Bill No. 249, have had the same under consideration and recommend that the same do pass.

REP. HALVORSON, Chairman.

Rep. Drovdal moved that the report be adopted, which motion prevailed and the report was adopted.

**Mr. Speaker:** Your Committee on Election and Election Privileges to whom was referred House Bill No. 117, have had the same under consideration and recommend that the same be amended as follows:

In line 9 strike out the words "and fifty".

And when so amended recommend the same do pass.

REP. LEVIN, Chairman.

Rep. Rohde moved that the report be adopted, which motion prevailed and the report was adopted.

**Mr. Speaker:** Your Committee on Counties to whom was referred House Bill No. 203, have had the same under consideration and recommend that the same be amended as follows:

In line 9, change the word, five, and the figure (5¢) to, two and figure, (2¢).

On line 11, the word four and figure (\$4.00) to word five and figure (\$5.00).

And when so amended recommend the same do pass.

REP. ROHDE, Chairman.

Rep. Bagge moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Agriculture to whom was referred House Bill No. 142, have had the same under consideration and recommend that the same be indefinitely postponed.

REP. OLSON OF BOWMAN, Chairman.

Rep. Halvorson moved that the report be adopted, which motion prevailed and the report was adopted.

Rep. Rohde moved that the vote by which House Bill No. 142 was indefinitely postponed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Mr. Speaker: Your Committee on Cities and Municipal Corporations to whom was referred House Bill No. 215, have had the same under consideration and recommend that the same be indefinitely postponed.

REP. WOLF OF MORTON, Chairman.

Rep. Hovey moved that the report be adopted, which motion prevailed and the report was adopted.

Rep. Bauer moved that the vote by which House Bill No. 215 was indefinitely postponed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

#### MESSAGE FROM THE GOVERNOR

State of North Dakota

#### OFFICE OF THE GOVERNOR

Bismarck, February 19, 1943

To the House of Representatives of the State of North Dakota:

This is to notify you that I have today approved the following House Bill:

House Bill No. 32. 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 same has been filed with the Secretary of State.

JOHN MOSES, Governor.

#### PETITIONS AND COMMUNICATIONS

Communications urging appropriations for correspondence study were received from the following: Lena Fischer, Hague, N. Dak.; Raymond A. Macik, Alexander, N. Dak.; Mrs. Theresa Link Macik, Alexander, N. D.; F. B. Daniel, Williams County, and George J. Farmer, Williams County, and referred to the Committee on Appropriations.

A letter from the executive committee, North Dakota Federation of Labor, Fargo, North Dakota, protesting against House Bill No. 121, was read from the desk.

#### REPORTS OF STANDING COMMITTEES

Mr. Speaker: Your Committee on Agriculture to whom was referred House Bill No. 92, have had the same under con-

sideration and recommend that the same be amended as follows:

Strike out all after the words "A Bill", and insert in lieu thereof the following:

"An Act to establish a state program of Chemurgic Research; establishing a North Dakota Chemurgic Research Fund and providing for a tonnage tax upon coal for the establishment and maintenance of said Fund; providing for the administration of said Fund and the program of Chemurgic Research by a Chemurgic Research Commission; and providing that all patents, copyrights, and profits developed by such Research inure to the State of North Dakota for the benefit of said Fund.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF NORTH DAKOTA:

1 SECTION 1. PURPOSES AND FUNCTIONS.) For  
1a the

2 purpose of actively encouraging and promoting the  
3 welfare of agriculture and mining and the people of the  
4 State of North Dakota through scientific efforts and  
5 research to discover and develop industrial uses and  
6 commercial outlets for agricultural products and min-  
7 eral products of the State of North Dakota and is hereby  
8 created and established a Chemurgic Research Commis-  
8a sion  
9 of the State of North Dakota which Commission shall be  
10 composed of the Commissioner of Agriculture and Labor,  
11 and the heads of the departments of Chemistry of the  
12 University of North Dakota and the State Agricultural  
13 College at Fargo, and two additional members to be  
14 named by the Commission, one a farmer known for his  
15 interest in agricultural development of the state, and  
16 the other a person known for his interest in the min-  
17 eral resources of the State, who shall serve for a  
18 term of two years each.

19 SECTION 2. POWER OF COMMISSION.) The  
20 Chemurgic Research Commission shall have full author-  
20a ity

21 to provide necessary equipment and supplies, to employ  
22 such chemists and other assistants as may be necessary  
23 for the efficient conduct of any research program  
24 decided upon by said Commission, and to provide com-  
25 pensation to all persons engaged in the work of the  
26 program commensurate with their duties and responsi-  
27 bilities, and that all sums of money required for such  
28 program shall be disbursed from the Chemurgic Re-  
28a search

29 Fund established and maintained as provided by this act.  
30 The Chemurgic Research Commission may from time to  
30a time

31 set aside and allocate specific sums from said Fund for  
32 particular research projects and shall at all times  
33 arrange research projects to avoid duplication and  
34 secure the most efficient work.

35 SECTION 3. There is hereby levied an annual  
36 flat tonnage tax of three cents per ton upon every long  
37 ton of lignite coal mined in the State of North Dakota  
38 in excess of 25 tons in each quarter year. That every



39 owner, operator or managing agent of a coal mine in  
40 this state shall on or before the 1st day of October, 1943  
41 and quarterly thereafter in each year, report to the  
42 State Tax Commissioner upon forms to be provided by  
42a him,  
43 the number of long tons of lignite coal mined during  
44 the preceding quarter year in excess of 25 tons and  
45 shall at the time of making said report to the State  
46 Tax Commissioner, remit to the State Tax Commissioner  
47 a sum of money equal to three cents for each long ton  
48 of lignite coal shown by such report to have been mined  
49 during the preceding quarter year. There is hereby  
50 levied an annual flat tonnage tax of three cents per  
51 ton upon every long ton of coal of every kind and  
52 description mined outside of the State of North Dakota  
53 and imported into the State of North Dakota. Such tax  
54 shall be reported and paid quarterly in the same  
55 manner as provided in this section for the reporting  
56 and payment of the tax on lignite coal mined in North  
57 Dakota, provided that in reporting coal received in  
58 this state mined outside of this state and shall not  
59 be deducted any amount of coal and every ton so im-  
60 ported shall be reported and the tax paid thereon. It  
61 shall be the duty of the person, firm, or corporation  
62 importing or first receiving such coal within the  
63 State of North Dakota to report and pay the tax hereby  
64 levied. That the tax levied by this Act shall be  
65 separate and distinct from a sales tax upon the  
66 transaction whereby such coal is sold and shall be in  
67 addition to any such sale tax and shall not affect the  
68 collection of a sales tax upon any sale transaction  
69 concerning such coal. That such a tax shall for all  
70 purposes of collection and lien be governed by the  
71 statute applicable to income taxes levied by the State  
72 of North Dakota.

73 SECTION 4. DISPOSITION OF TAX.) That at the  
74 end of each calendar month the State Tax Commission  
75 shall pay over to the State Treasurer of North Dakota  
76 all moneys collected and received by him by virtue of  
77 tax levied as provided in this act and the State Treas-  
78 urer shall deposit all of such moneys into a North  
79 Dakota Chemurgic Research Fund which is hereby es-  
79a tablish-  
80 ed and created and shall be kept by him in such Fund  
81 as a separate trust fund to be used and disbursed as  
82 provided by this act and all the moneys collected  
83 under the tax provided by this act and all of the  
84 moneys from whatever source covered into the said  
85 North Dakota Chemurgic Research Fund, are hereby ap-  
86 propriated for the purpose of Chemurgic Research as  
87 provided by this act.

88 SECTION 5. PATENTS AND PROFITS.) Any and  
89 all patents for equipment, processes, methods, designs,  
90 formulas or developments based upon research conducted  
91 under this act shall inure and be taken out in the  
92 name of or assigned to the State of North Dakota, and  
93 any and all profits resulting therefrom shall inure  
94 to the benefit of the North Dakota Chemurgic Research  
95 Fund. The Chemurgic Research Commission is hereby

96 authorized and empowered to take out any patent or  
 97 copyright in the name and for the benefit of the State  
 98 of North Dakota, and to receive assignments of any  
 99 patent or copyright for the benefit of the State of  
 100 North Dakota and may with the concurrents of the  
 101 Industrial Commission of the State of North Dakota,  
 102 enter into any agreements for the Commission or  
 103 Industrial sale or use of any such patents or copyrights  
 104 on such a royalty basis as may seem proper but no such  
 105 agreement shall be binding upon the State of North  
 106 Dakota for a period of longer than five years.

107 SECTION 6. CONSTITUTIONALITY.) If any  
 108 section, subsection, clause, sentence, or phrase of  
 109 this act is for any reason held to be unconstitutional  
 110 and invalid, such decision shall not affect the  
 111 validity of the remaining portions of this act. The  
 112 Legislature hereby declares that it would have passed  
 113 this act and each section, subsection, sentence,  
 114 clause or phrase thereof, irrespective of the fact  
 115 that any one or more of the sections, subsections,  
 116 sentences, clauses or phrases be declared unconstitutional.

And when so amended recommend the same do pass.

REP. OLSON OF BOWMAN, Chairman.

Rep. Fuglestad moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Appropriations to whom was referred House Bill No. 87, have had the same under consideration and the majority recommend that the same be indefinitely postponed.

REP. ALLEN of Grand Forks  
 REP. BJELLA  
 REP. CARLSON  
 REP. COLLETTE  
 REP. GACKLE  
 REP. OLSON of Barnes  
 REP. SEVERSON  
 REP. STORMON

REP. JOHNSON OF CASS, Chairman.

Rep. Collette moved that the report be adopted.

Mr. Speaker: Your Committee on Appropriations to whom was referred House Bill No. 87, have had the same under consideration and the minority recommend that the same do pass.

REP. HAAG  
 REP. LILLEHAUGEN  
 REP. MARKS  
 REP. MITTAG  
 REP. STICKA  
 REP. WOLF of Morton

Rep. Lillehaugen offered as a substitute motion that the report of the minority be substituted for the report of the majority.

Rep. Nelson seconded the motion of Rep. Lillehaugen.

Rep. Shure moved the previous question.

The question was on the adoption of the minority report that House Bill No. 87 do pass.

Rep. Lillehaugen demanded a roll call, which was granted.

## ROLL CALL

The question being on the adoption of the minority report, the roll was called and there were ayes, 54; nays, 53; absent and not voting, 6.

Those voting in the affirmative were:

Anderson	Heckman	Olson, Bowman
Bauer	Hegge	Ohnstad
Baumgartner	Hofstrand	Ostgulen
Belzer	Jennings	Peterson, Bottin'au
Braun	Kolpin	Rettke
Bubel	Larson, Ward	Rohde
Burau	Larson, Wells	Schwartz
Bymers	Levin	Stair
Crockett	Lillehaugen	Starck
Devlin	Marks	Sticka
Drovdal	Mittag	Tuff
Falconer	Mollet	Welder
Forseth	Monson	Welk
Fraser	Morland	Williams, Richland
Graham	Morrison	Williams, Sargent
Haag	Mortenson	Wolf, McIntosh
Halvorson	Myers	Wolf, Morton
Haugen	Nelson	Mr. Speaker

Those voting in the negative were:

Aker	Fuglestad	Nystrom
Allen, Grand Forks	Gackle	Olson, Barnes
Allen, Pierce	Gainor	Peterson, Ransom
Arndt	Halcrow	Pyle
Bagge	Haugland	Runck
Bergesen	Hildre	Sailer
Blair	Hogboom	Sandness
Bolmeier	Holm	Saumur
Boulden	Hovey	Sellens
Callahan	Johnson, Cass	Severson
Carlson	Johnson, Richland	Sharpe
Coghlan	Johnson, Rolette	Shure
Collette	Langley	Stormon
Dahlen	Leet	Twichell
Dalzell	Lunde	Wambheim
Ekren	McInnes	Westby
Fitch	Manstrom	Williams, Stutsm'n
Fleck	Moe	

Absent and not voting:

Benno	Iszler	Schmalenberger
Bjella	Rohrer	Schnell

So the minority report was adopted.

Rep. Bauer: "I am going to explain my vote in a very few words. I am voting 'Aye' because I think there was a gentlemen's agreement and for God's sake I hope they are still gentlemen."

## MESSAGES TO THE SENATE

House of Representatives  
Bismarck, February 22, 1943

Mr. President: I have the honor to transmit:

House Bill No. 51. A Bill for an Act to Amend and Re-enact Sections 2, 4, 7 and 8 of Chapter 181, Session Laws of 1941, Relating to the Licensing and Regulation of Coin-Operated Amusement Devices, and Appropriating a Portion of the Revenue Derived Therefrom.

House Bill No. 90. A Bill for an Act to Amend and Re-enact Section 7 of Chapter 297 of the Session Laws of North Dakota for 1941, Relating to the Confidential Character of Birth Records, and Who May Inspect the Same and to Whom Information Concerning the Same May Be Given.

House Bill No. 151. A Bill for an Act Providing for the Retirement of Supreme and District Court Judges, Providing the Manner of Making Application, Compensation in Case of Retirement, Method of Filling Such Vacancy, and Declaring an Emergency.

House Bill No. 168. A Bill for an Act Requiring Owners of Dogs to Keep Them Under Control at Any and All Times when Such Dogs Are Away from the Premises of the Owner Outside the Limits of Cities or Villages; Defining Stray Dogs, and Premises, as Used in This Act; Declaring Stray Dogs a Predatory Animal and Allowing the Killing of Same, and Declaring an Emergency.

House Bill No. 165. A Bill for an Act to Amend and Re-enact Section 2486 of the 1925 Supplement Relating to Repairs of Existing Drains; and Providing for the Abandonment and Dissolution Thereof.

House Bill No. 169. A Bill for an Act Authorizing the Bank of North Dakota as Agent for the State Treasurer of North Dakota as Trustee for the State of North Dakota to Sell Lands Belonging to the State Treasurer of North Dakota as Trustee for the State of North Dakota to Bona Fide Farmers; Fixing the Manner and Terms of Sale, Interest Rate on Deferred and Delinquent Payments, Publication of Notice of Sale, Method of Cancellation of Contract, Taxation of Land Sold, Redemption Rights of Tax Certificate Holders, and Providing for Rules and Regulations of the Industrial Commission.

House Bill No. 214. A Bill for an Act to Amend and Re-enact Sections 8 and 9 of Chapter 135 of the Session Laws of 1935, as Amended and Re-enacted by Chapter 143 of the Session Laws of 1939 Relating to the Election of Delegates to State Party Conventions and Members of County Executive Committees, and Repealing All Acts or Parts of Acts in Conflict Herewith.

House Bill No. 235. A Bill for an Act Making it a Criminal Offense for a Parent or Other Person Legally Responsible for the Care or Support of a Child to Abandon Such Child; Providing for Penalty; Repealing All Acts in Conflict Herewith, and Declaring an Emergency.

House Concurrent Resolution "U." Memorializing, Petitioning and Urging Congress to Take Such Steps and Measures as Are Necessary for the Purpose of Setting Up a Fund to Provide for the Payment to Each Returned Soldier of an Amount Not Less Than \$100.00 Per Month for a Period of One Year After Duration of the War.

House Concurrent Resolution "V." Memorializing Congress and the President to Authorize the Indians to Elect Their Commissioner of Indian Affairs and Other Administrative Officials and That Treaty Rights and Claims be Promptly Adjudicated and Paid.

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

W. M. SMART, Chief Clerk.

House of Representatives  
Bismarck, February 22, 1943

Mr. President: I have the honor to transmit:

Joint Resolution "Z." Requesting the Legislature to Authorize Payment of Certain Employees in the Code Revision Commission.

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

W. M. SMART, Chief Clerk.  
House of Representatives  
Bismarck, February 22, 1943

Mr. President: I have the honor to transmit:

House Bill No. 85. A Bill for an Act Making an Appropriation to Pay for a Portion of the Current Operating Expenses of Our Public School System as Provided in the State Equalization Fund Law.

House Bill No. 233. A Bill for an Act to Amend and Re-enact Section 189c2 of the 1925 Supplement of the 1913 Compiled Laws of the State of North Dakota, as Amended and Re-Enacted by Section 2 of Chapter 153 of the 1935 Session Laws of the State of North Dakota, Relating to Fire and Tornado Insurance on Public Buildings, and Declaring an Emergency.

House Concurrent Resolution "X." A Concurrent Resolution Providing for the Amendment of Section 45 of the Constitution of North Dakota.

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

W. M. SMART, Chief Clerk.

Mr. Speaker: Your Committee on Delayed Bills to whom was referred:

House Bill No. 250. A Bill for an Act to Amend and Re-enact Section 3684a13 of the 1925 Supplement to the Compiled Laws Relative to the Disposition of Balances at the End of the Fiscal Year in City Appropriations.

And recommend that the same be introduced.

REP. BOULDEN, Chairman.

Rep. Saumur moved that the report be adopted, which motion prevailed and the report was adopted.

#### HOUSE COMMITTEE ON ENROLLMENT AND ENGROSSMENT

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

House Bill No. 50.  
House Bill No. 88.  
House Bill No. 134.  
House Bill No. 184.  
House Bill No. 197.  
House Bill No. 228.  
House Bill No. 239.  
House Bill No. 240.  
House Bill No. 243.

And find the same correctly Engrossed.

REP. MORLAND, Chairman.

Rep. Bubel moved that the report be adopted, which motion prevailed, and the report was adopted.

#### FIRST READING OF HOUSE BILLS

Reps. Olson of Barnes and Hovey introduced:

House Bill No. 250. A Bill for an Act to Amend and Re-enact Section 3684a13 of the 1925 Supplement to the Compiled Laws Relative to the Disposition of Balances at the End of the Fiscal Year in City Appropriations.

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

#### REPORTS OF STANDING COMMITTEES

Mr. Speaker: 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.

REP. TWICHELL, Chairman.

Rep. Crockett moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Cities and Municipal Corporations to whom was referred House Bill No. 250, have had the same under consideration and recommend that the same do pass.

REP. WOLF OF MORTON, Chairman.

Rep. Hovey moved that the report be adopted.

Rep. Shure offered as a substitute motion that House Bill No. 250 be re-referred to the Committee on Cities and Municipal Corporations, which motion prevailed.

Mr. Speaker: Your Committee on Ways and Means to whom was referred House Bill No. 146, have had the same under consideration and recommend that the same do pass.

REP. FITCH, Chairman.

Rep. Gackle moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Judiciary to whom was referred House Bill No. 212, have had the same under consideration and recommend that the same be amended as follows:

In line 6 of the title, change the period to a comma and add the following words: "and declaring an emergency."

In line 34 strike out the word "three" and insert in lieu thereof the word "two".

In line 72 strike out the word "that" and insert in lieu thereof the words "the date and place of birth of". In line 72 strike out the words "was born in the State of".

In line 73 strike out the words "North Dakota".

Add "Section 7. EMERGENCY.) WHEREAS, there is considerable confusion with reference to registration of birth certificates in this state, an emergency is declared to exist and this act shall take effect from and after its passage and approval." And re-number the lines.

And when so amended recommend the same do pass.

REP. OHNSTAD, Chairman.

Rep. Shure moved that the report be adopted, which motion prevailed and the report was adopted.

Rep. Bergesen moved that the Committee on Cities and Municipal Corporations be excused for the purpose of con-

sidering House Bill No. 250, which motion prevailed.

Mr. Speaker: Your Committee on Judiciary to whom was referred House Bill No. 195, have had the same under consideration and recommend that the same be amended as follows:

In the first line of the title strike out the figures "2112".

Strike out all of "Section 2". Re-number the Sections and lines.

And when so amended recommend the same do pass.

REP. OHNSTAD, Chairman.

Rep. Aker moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Ways and Means to whom was referred House Bill No. 202, 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 Sections 1, 3, 4 and 5 of Chapter 242 of the 1939 Session Laws of the State of North Dakota, as amended and re-enacted by Sections 1 and 2 of Chapter 290 of the 1941 Session Laws of the State of North Dakota, Relating to the Wholesale Liquor Transaction Tax, Providing the Method of Taxing the Same, and Providing for the Collection Thereof, Repealing Section 2 of Chapter 242 of the 1939 Session Laws, and all Acts or Parts of Acts in Conflict Therewith, and Declaring an Emergency.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF NORTH DAKOTA:

1 Section 1. AMENDMENT.) That Section 1 of Chapter  
2 242 of the 1939 Session Laws, as amended by Section 1  
3 of Chapter 290 of the 1941 Session Laws, of the State  
4 of North Dakota, is hereby amended and re-enacted to  
5 read as follows:

6 Section 1. A tax is hereby imposed upon all  
7 sales by licensed wholesale liquor dealers to licensed  
8 retail liquor dealers within the State of North  
9 Dakota, of alcohol and alcoholic beverages, excluding  
10 malt beverages, containing more than four per cent  
10a (4%)  
11 of alcohol by weight, according to the following  
12 schedule:

13 (a) On all sales of alcoholic beverages,  
14 excluding malt beverages, containing more than  
15 4% of alcohol by weight but not more than 24% of  
16 alcohol by weight, a tax equal to the sum of  
17 twenty cents (20c) per gallon.

18 (b) On all sales of alcoholic beverages  
19 containing not more than 50% but not less than  
20 24% of alcohol by weight, a tax equal to the sum  
21 of One Dollar and Ten Cents (\$1.10) per gallon.

22 (c) On all sales of alcohol and alcohol  
23 substitutes regardless of proof, a tax equal to  
24 the sum of Two Dollars and Sixty-five Cents  
25 (\$2.65) per gallon.

26 The authority is hereby vested in the State

27 Treasurer of the State of North Dakota to determine  
28 what constitutes alcohol substitutes.

29 Provided, that in computing the tax on any  
30 package of spirits a proportionate tax at a like  
31 rate on all fractional parts of a gallon shall  
32 be paid, except that all fractional parts of a  
33 gallon less than 1/16 shall be taxed at the same  
34 rate as shall be taxed for 1/16 of a gallon.

35 Thirty-six percent (36%) of the revenue from  
36 the tax provided for under subdivisions (a) and  
37 (b) of Section 1 shall be placed in a fund to be  
38 known as the Charitable Institutions Revolving  
39 Fund. The State Treasurer shall cover into said  
40 fund monthly said revenue as herein provided, for  
41 the benefit of the State Hospital for the Insane;  
42 the Grafton State School and the State Tuberculosis  
43 Sanatorium. There is hereby appropriated to the  
44 Board of Administration all of the moneys so  
45 collected and covered by the State Treasurer into  
46 the Charitable Institutions Revolving Fund during  
47 each biennium to pay the expenses of maintenance  
48 and operation of the State Hospital for the Insane,  
49 the Grafton State School and the Tuberculosis  
50 Sanatorium. The Board of Administration shall  
51 allocate from such fund and credit to each county  
52 the proportion that the total quarterly charges  
53 against said county for institutional care bears  
54 to the total quarterly charges against all counties  
55 for such institutional care; and shall allocate to  
56 each of said institutions its portion of the amounts  
57 so credited to all counties. The remainder of all  
58 funds collected by and paid to the State Treasurer  
59 under the terms of this Act shall be promptly  
60 credited to the general funds of the State of  
61 North Dakota.

62 Section 2. AMENDMENT.) That Section 3 of  
63 Chapter 242 of the 1939 Session Laws of the State  
64 of North Dakota, as amended by Section 2 of Chapter  
65 290 of the 1941 Session Laws is hereby amended and  
66 re-enacted to read as follows:

67 Section 3. Within thirty days, and thereafter  
68 annually, after the passage and approval of this  
69 Act, every liquor distiller and rectifier doing  
70 business in the State of North Dakota, must file  
71 with the State Treasurer a list of all their  
72 wholesale dealer accounts, together with a  
73 description, including the boundary lines, of their  
74 wholesale dealers' territories, which give the  
75 wholesale dealer sole right of sale of distilleries  
76 and rectifiers brands, consisting of spirituous  
77 liquors and wines containing more than four per cent  
78 (4%) of alcohol by weight, within said territories.

79 Section 3. AMENDMENT.) That Section 4 of Chap-  
79a ter  
80 242 of the 1939 Session Laws is hereby amended and  
81 re-enacted to read as follows:

82 Section 4. On the fifteenth day of each and  
83 every month from and after the approval and passage  
84 of this Act, all licensed wholesale liquor dealers



85 are required to transmit to the State Treasurer  
 86 copies of all invoices of liquor sold during the  
 87 preceding thirty day period, which invoices shall  
 88 show the name and address of the purchaser, the date  
 89 of sale, the sale price of the merchandise sold, the  
 90 kind of merchandise, the number and size of contain-  
 91 ers, and the tax computed on the number of gallons  
 92 sold, and the wholesaler is required to remit with  
 93 such invoices the amount of the tax thus charged  
 94 during the period covered by the transmitted  
 95 invoices.

96 Section 4. AMENDMENT.) That Section 5 of  
 97 Chapter 242 of the 1939 Session Laws of North  
 98 Dakota, is hereby amended and re-enacted to read  
 99 as follows:

100 Section 5. The tax herein imposed shall be  
 101 computed on the number of gallons, or fraction  
 102 thereof, sold and delivered by the wholesaler to  
 103 the retailer, as shown by the invoices filed under  
 104 the provisions of this Act. Such invoices filed  
 105 with the State Treasurer may be destroyed by the  
 106 State Treasurer at the expiration of three years  
 107 from such filing date.

108 Section 5. REPEAL.) Section 2 of Chapter 242  
 109 of the 1939 Session Laws of the State of North  
 110 Dakota is hereby repealed, and all Acts or parts of  
 111 Acts in conflict herewith are hereby repealed.

112 Section 6. EMERGENCY.) This Act is hereby  
 113 declared to be an emergency measure and shall be  
 114 in full force and effect from and after its passage  
 115 and approval."

And when so amended recommend the same do pass.

REP. FITCH, Chairman.

Rep. Benno moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Ways and Means to whom was referred House Bill No. 76, have had the same under consideration and recommend that the same be amended as follows:

Strike out all of Section 3, lines 5 to 43 inclusive, and insert in lieu thereof the following:

"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.

"Within thirty days after the passage and approval of this Act, every liquor distiller and rectifier doing business in the State of North Dakota, must file with the State Treasurer a list of all their wholesale dealer accounts, together with a description, including the boundary lines, of their wholesale dealer's territories, which give the wholesale dealer sole right

of sale of distilleries and rectifiers brands, consisting of spirituous liquors and wines containing more than four per cent (4%) of alcohol by weight, within said territories."

(Renumber the lines).

And when so amended recommend that the same do pass.

REP. FITCH, Chairman.

Rep. Benno moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Insurance to whom was referred House Bill No. 207, have had the same under consideration and recommend that the same be indefinitely postponed.

REP. PETERSON OF BOTTINEAU, Chairman.

Rep. Fitch moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Insurance to whom was referred House Bill No. 200, have had the same under consideration and recommend that the same be indefinitely postponed.

REP. PETERSON OF BOTTINEAU, Chairman.

Rep. Dahlen moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on State Affairs to whom was referred House Bill No. 247, have had the same under consideration and recommend that the same be indefinitely postponed.

REP. TWICHELL, Chairman.

Rep. Falconer moved that the report be adopted.

Rep. Bergesen offered as a substitute motion that House Bill No. 247 be placed on the calendar, which motion was lost.

The question was on the adoption of the Standing Committee report, which motion prevailed and House Bill No. 247 was indefinitely postponed.

Rep. Rohde moved that the vote by which House Bill No. 247 was indefinitely postponed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Mr. Speaker: Your Committee on Game and Fish to whom was referred House Concurrent Resolution "T," have had the same under consideration and recommend that the same do pass.

REP. BENNO, Chairman.

Rep. Starck moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Game and Fish to whom was referred House Bill No. 164, have had the same under consideration and recommend that the same be indefinitely postponed.

REP. BENNO, Chairman.

Rep. Severson moved that the report be adopted.

Rep. Rettke offered as a substitute motion that House Bill No. 164 be placed in General Orders, which motion was lost.

The question was on the adoption of the Standing Committee report, which motion prevailed.

Rep. Benno moved that the vote by which House Bill No. 164 was indefinitely postponed be reconsidered and the mo-

tion to reconsider be laid on the table, which motion prevailed.

Mr. Speaker: Your Committee on Cities and Municipal Corporations to whom was referred House Bill No. 250, have had the same under consideration and recommend that the same do pass.

REP. WOLF OF MORTON, Chairman.

Rep. Hovey moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Game and Fish to whom was referred House Bill No. 154, have had the same under consideration and recommend that the same be returned without recommendation.

REP. BENNO, Chairman.

Rep. Starck moved that the report be adopted.

Rep. Starck moved that House Bill No. 154 be re-referred to the Committee on Livestock, which motion was lost.

Rep. Benno moved that House Bill No. 154 be indefinitely postponed.

Rep. Falconer offered as a substitute motion that House Bill No. 154 be placed on the calendar, which motion prevailed.

Rep. Rohde moved that the absent members be excused, which motion prevailed.

Rep. Rohde moved that the House do now adjourn, which motion prevailed.

W. M. SMART, Chief Clerk.

#### FORTY-NINTH DAY

Bismarck, February 22, 1943

The House convened pursuant to adjournment, Speaker Beede presiding.

Prayer was offered by Rev. Laten E. Teare.

Roll call: All members were present except Reps. Schnell and Rohrer.

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

Mr. Speaker: Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the Forty-sixth Day After Recess and the Forty-seventh Day and finds the same correct.

And recommends that the same be approved.

REP. WELDER, Chairman.

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

Rep. Nelson informed the House that he had salvaged the lock from the front door of the old capitol building destroyed by fire in 1931. He having now donated the lock to the North Dakota State Historical Society, the same would be on display at the desk today.

Rep. Shure moved that House Rule No. 35 be suspended for the next two days for the purpose of messaging House Bills to the Senate, which motion prevailed.

Rep. Graham moved that the vote by which House Bill No. 138 was lost be reconsidered, which motion prevailed.

Rep. Graham moved that House Bill No. 138 be placed on the calendar, which motion prevailed.

Rep. Nelson moved that for the remainder of this session Rule No. 47 be changed to extend to uniformed members of the armed forces, the courtesies of the floor, which motion prevailed.

SECOND READING OF HOUSE BILLS

House Bill No. 137. A Bill for an Act to Amend and Re-enact Section 2839, Compiled Laws of 1913, Defining the Powers and Duties of the State Dairy Commissioner; Authorizing the Promulgation of Rules for the Regulation of the Manufacture of Dairy Products, and the Determination of the Minimum Butterfat Content of Same; 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, 75; nays, 26; absent and not voting, 12.

Those voting in the affirmative were:

Aker	Gainor	Myers
Allen, Grand Forks	Graham	Nystrom
Anderson	Haag	Olson, Barnes
Arndt	Halvorson	Olson, Bowman
Bagge	Haugen	Ohnstad
Bauer	Heckman	Ostgulen
Baumgartner	Hildre	Peterson, Bottin'au
Belzer	Hofstrand	Rohde
Bergesen	Holm	Sailer
Bymers	Johnson, Cass	Sandness
Carlson	Johnson, Richland	Saumur
Coghlan	Johnson, Rolette	Schwartz
Collette	Kolpin	Schmalenberger
Crockett	Larson, Ward	Severson
Dahlen	Larson, Wells	Sharpe
Dalzell	Lillehaugen	Shure
Devlin	McInnes	Stair
Drovdal	Manstrom	Sticka
Falconer	Marks	Twichell
Fitch	Mittag	Tuff
Fleck	Mollet	Wambheim
Forseth	Monson	Welk
Fraser	Morland	Williams, Sargent
Fuglestad	Morrison	Williams, Stutsm'n
Gackle	Mortenson	Mr. Speaker

Those voting in the negative were:

Allen, Pierce	Hovey	Rettke
Benno	Jennings	Runk
Blair	Langley	Starck
Bolmeier	Leet	Stormon
Braun	Lunde	Welder
Bureau	Moe	Westby
Callahan	Nelson	Wolf, McIntosh
Ekren	Peterson, Ransom	Wolf, Morton
Halcrow	Pyle	

Absent and not voting:

Bjella	Hegge	Rohrer
Boulden	Hogoboom	Schnell
Bubel	Iszler	Sellens

Haugland                      Levin                      Williams, Richland

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

Rep. Twichell moved that the vote by which House Bill No. 137 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

#### MESSAGE TO THE SENATE

House of Representatives

Bismarck, February 22, 1943

Mr. President: I have the honor to return:

Senate Bill No. 52. A Bill for an Act Amending and Re-enacting Section 396d3 of the 1925 Supplement as Amended and Re-enacted by Chapter 189, Session Laws of 1933 Relating to the Qualifications, Salary and Duties of the State Health Officer.

Which the Speaker has signed.

W. M. SMART, Chief Clerk.

#### SECOND READING OF HOUSE BILLS

House Bill No. 217. A Bill for an Act to Amend and Re-enact Section 2261 of the Supplement to the Compiled Laws, and Section 2262 of the Supplement to the Compiled Laws, as Amended by Chapter 154 of the 1927 Session Laws, Relating to the Levy of a Gopher Tax and Providing for the Payment of a Gopher Bounty, 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, 59; absent and not voting, 14.

Those voting in the affirmative were:

Aker	Forseth	Peterson, Ransom
Allen, Grand Forks	Gackle	Pyle
Anderson	Graham	Runc
Arndt	Haag	Sailer
Bauer	Haugen	Sandness
Baumgartner	Jennings	Schmalenberger
Belzer	Johnson, Richland	Sellens
Bolmeier	Larson, Wells	Starck
Bymers	Monson	Sticka
Dahlen	Morrison	Tuff
Devlin	Myers	Welder
Drovdal	Nelson	Welk
Ekren	Ohnstad	Wolf, Morton
Falconer		

Those voting in the negative were:

Allen, Pierce	Hildre	Olson, Barnes
Bagge	Hogoboom	Olson, Bowman
Benno	Hovey	Ostgulen
Bergesen	Johnson, Cass	Peterson, Bottin'au
Blair	Johnson, Rolette	Rettke
Braun	Kolpin	Rohde
Burau	Langley	Saumur
Callahan	Larson, Ward	Schwartz
Carlson	Leet	Severson
Coghlan	Lillehaugen	Sharpe
Collette	Lunde	Shure
Dalzell	McInnes	Stormon

Fleck	Manstrom	Twichell
Fraser	Marks	Wambheim
Fuglestad	Mittag	Westby
Gainor	Moe	Williams, Sargent
Halcrow	Mollet	Williams, Stutsman
Haugland	Morland	Wolf, McIntosh
Heckman	Mortenson	Mr. Speaker
Hegge	Nystrom	
Absent and not voting:		
Ejella	Halvorson	Rohrer
Boulden	Hofstrand	Schnell
Bubel	Holm	Stair
Crockett	Iszler	Williams, Richland
Fitch	Levin	

So the bill was declared lost.

Rep. Wolf of McIntosh: "I vote 'No' for the purpose of reconsideration."

House Bill No. 213. A Bill for an Act Amending and Re-enacting Section 6762 of the Compiled Laws of North Dakota for 1913, as Amended by Chapter 175 of the Session Laws of 1927, as Amended by Chapter 168 of the Session Laws of 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 and Making the Same an Emergency Measure.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 96; nays, 3; absent and not voting, 14.

Those voting in the affirmative were:

Aker	Halcrow	Olson, Bowman
Allen, Grand Forks	Halvorson	Ohnstad
Allen, Pierce	Haugen	Ostgulen
Anderson	Haugland	Peterson, Bottin'au
Arndt	Heckman	Peterson, Ransom
Bagge	Hegge	Pyle
Bauer	Hildre	Rettke
Baumgartner	Hofstrand	Runck
Belzer	Hogoboom	Sailer
Benno	Holm	Sandness
Bergesen	Hovey	Saumur
Blair	Jennings	Schwartz
Bolmeier	Johnson, Cass	Schmalenberger
Braun	Johnson, Richland	Sellens
Burau	Johnson, Rolette	Severson
Callahan	Kolpin	Sharpe
Carlson	Langley	Shure
Collette	Larson, Ward	Stair
Crockett	Larson, Wells	Starck
Dahlen	Leet	Sticka
Dalzell	Lillehaugen	Stormon
Devlin	Lunde	Twichell
Drovdal	Manstrom	Tuff
Ekren	Marks	Wambheim
Falconer	Mittag	Welder
Fitch	Moe	Welk

Fleck	Monson	Westby
Fraser	Morland	Williams, Sargent
Fuglestad	Morrison	Williams, Stutsm'n
Gainor	Mortenson	Wolf, McIntosh
Graham	Myers	Wolf, Morton
Haag	Nystrom	Mr. Speaker
Those voting in the negative were:		
Forseth	Mollet	Rohde
Absent and not voting:		
Bjella	Gackle	Olson, Barnes
Boulden	Iszler	Rohrer
Bubel	Levin	Schnell
Bymers	McInnes	Williams, Richland
Coghlan	Nelson	

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

Rep. Johnson of Richland moved that the vote by which House Bill No. 213 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 197. A Bill for an Act Relating to the Termination of Farm Leases, and Providing for a Notice for Termination.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 64; nays, 38; absent and not voting, 11.

Those voting in the affirmative were:

Aker	Haugland	Nystrom
Anderson	Hegge	Olson, Bowman
Bagge	Hofstrand	Ohnstad
Baumgartner	Jennings	Peterson, Bottin'au
Belzer	Johnson, Richland	Pyle
Benno	Kolvin	Rohde
Braun	Larson, Ward	Runk
Bubel	Larson, Wells	Schmalenberger
Bureau	Leet	Sellens
Bymers	Levin	Sharpe
Crockett	Lillehaugen	Stair
Dahlen	Lunde	Starck
Devlin	Marks	Sticka
Drovdal	Mittag	Stormon
Falconer	Mollet	Tuff
Forseth	Monson	Welder
Fraser	Morland	Welk
Fuglestad	Morrison	Williams, Sargent
Graham	Mortenson	Wolf, McIntosh
Haag	Myers	Wolf, Morton
Halvorson	Nelson	Mr. Speaker
Haugen		

Those voting in the negative were:

Allen, Grand Forks	Gainor	Ostgulen
Allen, Pierce	Halcrow	Peterson, Ransom
Arndt	Heckman	Rettke
Bergesen	Hildre	Sailer
Blair	Hogoboom	Saumur
Bolmeier	Holm	Schwartz
Boulden	Hovey	Severson

Callahan	Johnson, Cass	Shure
Carlson	Johnson, Rolette	Twichell
Collette	Langley	Wambheim
Dalzell	McInnes	Westby
Ekren	Manstrom	Williams, Stutsm'n
Fleck	Moe	
Absent and not voting:		
Bauer	Gackle	Sandness
Bjella	Iszler	Schnell
Coghlan	Olson, Barnes	Williams, Richland
Fitch	Rohrer	

So the bill passed as amended and the title was agreed to.

Rep. Crockett moved that the vote by which House Bill No. 197 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 204. A Bill for an Act to Amend and Re-enact Section 1 of Chapter 163 of the Session Laws of the State of North Dakota for the Year 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, 70; nays, 34; absent and not voting, 9.

Those voting in the affirmative were:

Aker	Gainor	Moe
Allen, Grand Forks	Graham	Monson
Allen, Pierce	Haag	Morland
Arndt	Halcrow	Myers
Bagge	Halvorson	Nystrom
Baumgartner	Heckman	Olson, Bowman
Belzer	Hegge	Ohnstad
Bergesen	Hildre	Ostgulen
Bolmeier	Hofstrand	Peterson, Ransom
Boulden	Hogoboom	Pyle
Bureau	Holm	Rettke
Bymers	Hovey	Runck
Callahan	Johnson, Cass	Saumur
Carlson	Johnson, Rolette	Sellens
Coghlan	Johnson, Richland	Severson
Collette	Langley	Shure
Crockett	Larson, Ward	Stair
Dalzell	Larson, Wells	Stormon
Devlin	Leet	Twichell
Drovdal	Lunde	Wambheim
Falconer	McInnes	Westby
Fitch	Manstrom	Williams, Sargent
Fleck	Mittag	Mr. Speaker
Fraser		

Those voting in the negative were:

Anderson	Kolpin	Schmalenberger
Benno	Levin	Sharpe
Blair	Lillehaugen	Starck
Braun	Marks	Sticka
Bubel	Mollet	Tuff
Dahlen	Morrison	Welder
Ekren	Mortenson	Welk
Forseth	Peterson, Bottin'au	Williams, Richland
Fuglestad	Rohde	Williams, Stutsm'n



Haugen	Sailer	Wolf, McIntosh
Haugland	Schwartz	Wolf, Morton
Jennings		
Absent and not voting:		
Bauer	Iszler	Rohrer
Bjella	Nelson	Sandness
Gackle	Olson, Barnes	Schnell

So the bill passed as amended and the title was agreed to.

Rep. Johnson of Richland moved that the vote by which House Bill No. 204 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 244. A Bill for an Act to Permit the Purchase by the State, County, Township and Other Municipalities of North Dakota of Tax Exempt Gasoline for the Construction, Reconstruction or Maintenance of Highways, Public Roads, Streets and Airports; and Declaring an Emergency.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 93; nays, 8; absent and not voting, 12.

Those voting in the affirmative were:		
Aker	Graham	Nelson
Allen, Grand Forks	Haag	Olson, Bowman
Allen, Pierce	Halcrow	Ostgulen
Bagge	Halvorson	Peterson, Bottin'au
Belzer	Haugen	Peterson, Ransom
Benno	Haugland	Pyle
Bergesen	Heckman	Rettke
Blair	Hegge	Rohde
Bolmeier	Hildre	Runck
Boulden	Hofstrand	Saumur
Braun	Hogoboom	Schwartz
Bubel	Holm	Schmalenberger
Bureau	Hovey	Sellens
Bymers	Jennings	Severson
Callahan	Johnson, Cass	Sharpe
Carlson	Johnson, Rolette	Shure
Coghlan	Kolpin	Stair
Collette	Langley	Starck
Crockett	Larson, Ward	Sticka
Dahlen	Larson, Wells	Stormon
Dalzell	Leet	Twichell
Devlin	Levin	Wambheim
Drovdal	Lillehaugen	Welder
Falconer	Lunde	Welk
Fitch	McInnes	Westby
Fleck	Manstrom	Williams, Richland
Forseth	Mollet	Williams, Sargent
Fraser	Monson	Williams, Stutsm'n
Fuglestad	Morland	Wolf, McIntosh
Gackle	Mortenson	Wolf, Morton
Gainor	Myers	Mr. Speaker
Those voting in the negative were:		
Anderson	Ekren	Morrison
Arndt	Marks	Tuff
Baumgartner	Mittag	
Absent and not voting:		
Bauer	Moe	Rohrer

Bjella	Nystrom	Sailer
Iszler	Olson, Barnes	Sandness
Johnson, Richland	Ohnstad	Schnell

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

Rep. Rohde moved that the vote by which House Bill No. 244 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Rep. Crockett moved that action on House Bill No. 210 be deferred one legislative day, which motion was lost.

#### MESSAGE FROM THE SENATE

Senate Chamber

Bismarck, February 22, 1943

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 169. A Bill for an Act to Authorize the Industrial Commission of the State of North Dakota to Establish and Set Up a Research and Processing Unit for Soy Beans and Flax Seed at the State Mill and Elevator, and Making an Appropriation Therefor.

Senate Bill No. 173. A Bill for an Act Authorizing and Relating to Contracts by Certain Cities and Villages for Obtaining a Supply of Water for Public and Domestic Uses.

Senate Bill No. 176. A Bill for an Act to Amend and Re-enact Sections, 1, 5, 7, 9, and 15 of Chapter 243 of the Session Laws of 1941 and Pertaining to Definitions, Eligibility for Assistance, Application for Assistance, Award of Assistance, and Disbursements of Aid to Dependent Children Fund.

Senate Bill No. 2. 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.

Senate Bill No. 57. A Bill for an Act Relating to Narcotic Drugs; Defining Terms Used Therein; Regulating the Possession, Sale, Handling and Use of Narcotic Drugs; Providing for the Granting and Revocation of Licenses, and Fixing the Qualifications of Licensees; Enumerating Who May Purchase, Procedure to Be Followed in Making Purchases and Sales, and Who May Lawfully Possess Narcotic Drugs Governing Sales by Apothecaries, and the Professional Use Thereof; Providing for the Return of Unused Drugs; Exempting Certain Preparations; Requiring Records to Be Kept by Physicians, Dentists, Veterinarians and Other Persons Authorized to Administer or Professionally Use Narcotic Drugs, Manufacturers, Wholesalers, Apothecaries, and Vendors of Exempted Preparations; Providing for the Form of Record to Be Kept, Fixing the Labeling Requirements; Stating Conditions Under Which Narcotic Drugs May Be Possessed by Individuals, and Exempting Certain Persons and Corporations; Defining What Shall Be a Common Nuisance; Providing for the Forfeiture and Disposition of Narcotic Drugs Not Lawfully Possessed; Requiring Courts to Report Convictions; Making Certain Records Confidential;

Defining Fraud or Deceit; Placing Burden of Proof on Defendant to Negative Any Exception, Excuse, Proviso, or Exemption in the Act; Providing by Whom the Act Shall Be Enforced; Fixing Penalties for Violation of the Act; Limiting Prosecutions; Containing a Savings Clause; Providing for the Seizure of Vehicles; Making the Theft of Narcotics a Felony; Interpreting the Act; Repealing Inconsistent Laws; and Naming the Act.

Senate Bill No. 80. A Bill for an Act to Amend and Re-enact Section 3173 of the Compiled Laws of North Dakota for 1913, Relating to Newspapers Qualified to Do Legal Printing, Prescribing Methods Whereby Newspapers Suspending Publication During the War May Become Eligible to Publish Legal Publications.

Senate Bill No. 164. A Bill for an Act Making It Unlawful for Any Person, Association or Corporation to Possess, or Keep for Sale, or Offer for Sale, or Gift or Barter Any Matches Not Approved by the National Board of Underwriters.

Senate Bill No. 185. A Bill for an Act Providing for the Disposition of Property Where There Is No Sufficient Evidence That Persons Having Died Otherwise Than Simultaneously, and to Make Uniform the Law With Reference Thereto.

Senate Bill No. 198. A Bill for an Act to Amend and Re-act Chapter 111 of the Session Laws of North Dakota for the Year 1927, Providing the Place, a Holding of Stockholders and Directors Meetings, and Repealing Acts in Conflict Herewith.

Senate Concurrent Resolution "W." A Concurrent Resolution Providing for the Amendment of Section 45 of the Constitution of the State of North Dakota.

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

W. J. TROUT, Secretary.

#### SECOND READING OF HOUSE BILLS

House Bill No. 210. A Bill for an Act Requiring License to Operate Store; Declaring Operation of Store Without License to Be Unlawful, Defining the Meaning of the Word "Store"; Fixing License Fees; Establishing Rules and Regulations; Conferring Certain Duties and Powers Upon the State Tax Commissioner; Making Appropriation for Payment of Expenses Incurred in Administering Said Act; and Providing Penalty for Violation.

Was read the second time.

Rep. Wambheim moved the previous question.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 35; nays, 71; absent and not voting, 5; passed, 2.

Those voting in the affirmative were:

Allen, Pierce	Graham	Ohnstad
Baumgartner	Haag	Rettke
Belzer	Haugen	Rohde
Bjella	Hildre	Stair
Bubel	Johnson, Richland	Starck
Burau	Larson, Wells	Welder

Bymers	Marks	Welk
Crockett	Mittag	Williams, Richland
Dahlen	Mollet	Williams, Sargent
Drovdal	Monson	Wolf, McIntosh
Forseth	Morrison	Mr. Speaker
Fraser	Myers	
Those voting in the negative were:		
Aker	Halcrow	Nelson
Allen, Grand Forks	Halvorson	Nystrom
Anderson	Haugland	Olson, Barnes
Arndt	Heckman	Olson, Bowman
Bagge	Hegge	Ostgulen
Bauer	Hofstrand	Peterson, Ransom
Benno	Hogoboom	Pyle
Bergesen	Holm	Runk
Blair	Hovey	Sailer
Boulden	Jennings	Sandness
Braun	Johnson, Cass	Saumur
Callahan	Johnson, Rolette	Schwartz
Carlson	Kolpin	Schmalenberger
Collette	Langley	Sellens
Coghlan	Larson, Ward	Severson
Dalzell	Leet	Sharpe
Devlin	Levin	Sticka
Ekren	Lillehaugen	Stormon
Falconer	Lunde	Twichell
Fitch	McInnes	Wambheim
Fleck	Manstrom	Westby
Fuglestad	Moe	Williams, Stutsm'n
Gainor	Morland	Wolf, Morton
Gackle	Mortenson	
Absent and not voting:		
Iszler	Rohrer	Tuff
Peterson, Bottin'au	Schnell	
Passed:		
Bolmeier	Shure	

So the bill was declared lost.

Rep. Crockett moved that the vote by which House Bill No. 210 was lost be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Rep. Haugen moved that Rep. Bolmeier be excused from voting, which motion prevailed.

Rep. Crockett moved that Rep. Shure be excused from voting, which motion prevailed.

Rep. Aker: "I voted for the bill yesterday but I didn't notice you had this appropriation in it for the old age pension."

Rep. Bauer: "I don't believe in persecution. I vote 'No'."

Rep. Crockett: "I want to explain my vote and have it recorded in the Journal. I vote 'Aye' Mr. Speaker, on this bill for a lot of reasons and I will give you a few of them. The first one is I believe in the local home-owner businessmen who have built up this country for the last sixty years and who give the people credit when they ask for it; goes out and takes care of us in many, many instances when we are in the hospital. Another reason is I like to raise and earmark some money for the old age assistance. Another reason is that I don't believe in grocery stores like the Red Owl

making their money in the flour business, then come up here and make it in the retail business and then make it in the freight business. Also, they are in competition with the railroads, with truck lines and with the freight business, they want to make money from that, too. Another reason is that a lot of these chain stores are sweat-shops. They ask their boys and girls to come back after hours and work them sixteen to eighteen hours a day. Now, Mr. Speaker, for a further reason that the leaders of the opposition always are shedding crocodile tears for the old people but I know now they are on record here that they do not mean what they say."

House Bill No. 134. A Bill for an Act Amending and Re-enacting Chapter 200 of the Session Laws of 1931 Making It Unlawful to Remove Buildings from Lots in Municipal Corporations Unless the Taxes and Special Assessments and Outstanding Bond Issued Thereon Are Paid, Fixing a Penalty 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, 42; nays, 53; absent and not voting, 18.

Those voting in the affirmative were:

Aker	Haugland	Ostgulen
Bagge	Hegge	Peterson, Bottin'au
Belzer	Hofstrand	Rohde
Braun	Hovey	Sandness
Bymers	Jennings	Schwartz
Devlin	Kolpin	Sellens
Drovdal	Larson, Ward	Shure
Falconer	Lillehaugen	Stair
Forseth	McInnes	Starck
Fraser	Marks	Wambheim
Fuglestad	Mittag	Welder
Gackle	Mollet	Williams, Richland
Graham	Morrison	Wolf, McIntosh
Haag	Nelson	Wolf, Morton

Those voting in the negative were:

Allen, Grand Forks	Gainor	Olson, Barnes
Allen, Pierce	Halcrow	Olson, Bowman
Arndt	Halvorson	Ohnstad
Bauer	Hogoboom	Pyle
Baumgartner	Holm	Rettke
Bergesen	Johnson, Cass	Runk
Blair	Johnson, Richland	Sailer
Bolmeier	Johnson, Rolette	Saumur
Boulder	Langley	Sharpe
Bubel	Larson, Wells	Sticka
Bureau	Leet	Stormon
Carlson	Levin	Tuff
Callahan	Lunde	Welk
Coghlan	Manstrom	Westby
Collette	Moe	Williams, Sargent
Dahlen	Morland	Williams, Stutsm'n
Dalzell	Myers	Mr. Speaker
Ekren	Nystrom	

Absent and not voting:

Anderson	Haugen	Peterson, Ransom
Benno	Heckman	Rohrer
Bjella	Hildre	Schmalenberger
Crockett	Iszler	Schnell
Fitch	Monson	Severson
Fleck	Mortenson	Twichell

So the bill was declared lost.

Rep. Nelson moved that the vote by which House Bill No. 134 was lost be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 228. A Bill for an Act Permitting Counties, Cities, Villages and Townships to Lease and Permit the Use of Public Buildings for Other Than Public Purposes, and Declaring an Emergency.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 69; nays, 26; absent and not voting, 18.

Those voting in the affirmative were:

Anderson	Hofstrand	Olson, Barnes
Arndt	Hogoboom	Olson, Bowman
Bagge	Hovey	Ohnstad
Bauer	Jennings	Ostgulen
Baumgartner	Johnson, Rolette	Peterson, Bottin'au
Belzer	Kolpin	Rohde
Benno	Langley	Schwartz
Braun	Larson, Ward	Sellens
Bubel	Larson, Wells	Shure
Burau	Leet	Stair
Carlson	Lunde	Starck
Devlin	McInnes	Sticka
Drovdal	Manstrom	Stormon
Ekren	Marks	Tuff
Falconer	Mittag	Welder
Fraser	Mollet	Welk
Gainor	Monson	Westby
Graham	Morland	Williams, Richland
Haag	Morrison	Williams, Sargent
Halvorson	Mortenson	Williams, Stutsm'n
Haugen	Myers	Wolf, McIntosh
Haugland	Nelson	Wolf, Morton
Hegge	Nystrom	Mr. Speaker

Those voting in the negative were:

Allen, Grand Forks	Dalzell	Rettke
Allen, Pierce	Fuglestad	Runck
Bergesen	Gackle	Sailer
Bolmeier	Halcrow	Sandness
Boulden	Holm	Saumur
Bymers	Johnson, Cass	Severson
Callahan	Johnson, Richland	Sharpe
Coghlan	Moe	Twichell
Dahlen	Pyle	

Absent and not voting:

Aker	Fleck	Lillehaugen
Bjella	Forseth	Peterson, Ransom
Blair	Heckman	Rohrer

Collette	Hildre	Schmalenberger
Crockett	Iszler	Schnell
Fitch	Levin	Wambheim

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

Rep. Belzer moved that the vote by which House Bill No. 228 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Rep. Shure asked unanimous consent to amend House Bill No. 184, which consent was not granted.

House Bill No. 184. A Bill for an Act to Amend and Re-enact Subdivisions (a), (b) and (c) of Section 4, and Section 10 of Chapter 235 of the Session Laws of North Dakota for the Year 1929, as Amended by Chapter 288 of the Session Laws of North Dakota for the Year 1941, Relating to Limitations Upon the Rate of Tax Levies for General and Specific Purposes; Providing for Exceptions to Such Levies, Authorizing the Levy of Taxes for Emergency Purposes and Limiting the Use 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, 89; nays, 13; absent and not voting, 11.

Those voting in the affirmative were:

Aker	Graham	Olson, Barnes
Allen, Pierce	Haag	Olson, Bowman
Anderson	Halcrow	Ohnstad
Arndt	Halvorson	Ostgulen
Bagge	Haugen	Peterson, Bottin'au
Baumgartner	Haugland	Peterson, Ransom
Belzer	Hegge	Pyle
Benno	Hildre	Rettke
Bergesen	Hofstrand	Rohde
Bolmeier	Hogoboom	Runk
Braun	Holm	Sailer
Bubel	Hovey	Sandness
Bureau	Jennings	Saumur
Bymers	Johnson, Rolette	Schwartz
Callahan	Kolpin	Schmalenberger
Carlson	Langley	Severson
Coghlan	Larson, Ward	Sharpe
Collette	Leet	Starck
Crockett	Levin	Sticka
Dahlen	Lillehaugen	Stormon
Dalzell	Lunde	Tuff
Devlin	McInnes	Wambheim
Drovdal	Manstrom	Welder
Falconer	Marks	Welk
Fitch	Mollet	Westby
Forseth	Monson	Williams, Sargent
Fraser	Morland	Williams, Stutsman
Fuglestad	Mortenson	Wolf, McIntosh
Gackle	Myers	Wolf, Morton
Gainor	Nystrom	

Those voting in the negative were:

Allen, Grand Forks	Mittag	Stair
Bauer	Moe	Twichell

Boulden	Morrison	Williams, Richland
Johnson, Cass	Shure	Mr. Speaker
Larson, Wells		

Absent and not voting:

Bjella	Heckman	Rohrer
Blair	Iszler	Schnell
Ekren	Johnson, Richland	Sellens
Fleck	Nelson	

So the bill passed as amended and the title was agreed to.

Rep. Bauer moved that the vote by which House Bill No. 184 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 239. A Bill for an Act to Amend and Re-enact Section 1 of Chapter 211 of the Session Laws of 1937; Section 2 of Chapter 211 of the Session Laws of 1937 as Amended by Chapter 195 of the Session Laws of 1939; Section 9 of Chapter 211 of the Session Laws of 1937; Section 12 of Chapter 211 of the Session Laws of 1937; Section 21 of Chapter 211 of the Session Laws of 1937 as Amended by Chapter 244 of the Session Laws of 1941, Pertaining to Definitions, Payment for Benefit of Recipients, Eligibility for Assistance to the Needy Aged, Old Age Assistance Fund, and Recovery from Estate and Repeal of Section 15 of Chapter 211 of the Session Laws of 1937, Aid Exclusive of Other Aid; Funeral Expenses and Declaring an Emergency.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 95; nays, 2; absent and not voting, 16.

Those voting in the affirmative were:

Aker	Graham	Olson, Barnes
Allen, Grand Forks	Haag	Olson, Bowman
Allen, Pierce	Halcrow	Ostgulen
Anderson	Halvorson	Peterson, Bottin'au
Arndt	Haugen	Peterson, Ransom
Bagge	Haugland	Pyle
Bauer	Hegge	Rettke
Baumgartner	Hildre	Rohde
Belzer	Hofstrand	Runck
Benno	Hogoboom	Sailer
Bergesen	Holm	Sandness
Bjella	Hovey	Schwartz
Bolmeier	Jennings	Schmalenberger
Boulden	Johnson, Cass	Sellens
Braun	Johnson, Rolette	Severson
Bubel	Kolpin	Shure
Bureau	Langley	Stair
Bymers	Larson, Ward	Starck
Callahan	Larson, Wells	Sticka
Coghlan	Leet	Twichell
Collette	Lillehaugen	Tuff
Dahlen	McInnes	Wambheim
Dalzell	Manstrom	Welder
Devlin	Marks	Welk
Drovdal	Mittag	Westby
Falconer	Mollet	Williams, Richland
Fitch	Monson	Williams, Sargent



Forseth	Morland	Williams, Stutsman
Fraser	Morrison	Wolf, McIntosh
Fuglestad	Mortenson	Wolf, Morton
Gackle	Myers	Mr. Speaker
Gainor	Nystrom	

Those voting in the negative were:

Crockett	Moe
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Absent and not voting:

Blair	Johnson, Richland	Rohrer
Carlson	Levin	Saumur
Ekren	Lunde	Schnell
Fleck	Nelson	Sharpe
Heckman	Ohnstad	Stormon
Iszler		

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

Rep. Mollet moved that the vote by which House Bill No. 239 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 240. A Bill for an Act to Amend and Re-enact Section 1 of Chapter 210 of the Session Laws of 1937 and Section 2 of the Session Laws of 1937 as Amended by Chapter 191 of the Session Laws of 1939 and Chapter 241 of the Session Laws of 1941 Pertaining to Definitions and Eligibility for Assistance to the Needy Blind and Repeal of Sections 15 and 19 of Chapter 210 of the 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, 95; nays, 2; absent and not voting, 16.

Those voting in the affirmative were:

Aker	Halcrow	Peterson, Bottin'au
Allen, Grand Forks	Haugen	Peterson, Ransom
Allen, Pierce	Haugland	Pyle
Anderson	Hegge	Rettke
Arndt	Hildre	Rohde
Bagge	Hofstrand	Runck
Bauer	Hogoboom	Sailer
Baumgartner	Holm	Sandness
Benno	Hovey	Saumur
Bergesen	Johnson, Cass	Schwartz
Bjella	Johnson, Rolette	Schmalenberger
Blair	Jennings	Sellens
Boulden	Kolpin	Severson
Braun	Langley	Sharpe
Bubel	Larson, Ward	Shure
Bymers	Larson, Wells	Stair
Callahan	Leet	Starck
Carlson	Lillehaugen	Sticka
Coghlan	McInnes	Stormon
Collette	Manstrom	Twichell
Dahlen	Marks	Tuff
Dalzell	Mittag	Wambheim
Devlin	Moe	Welder
Drovdal	Mollet	Welk
Falconer	Morland	Westby

Forseth	Morrison	Williams, Richland
Fraser	Mortenson	Williams, Sargent
Fuglestad	Myers	Williams, Stutsman
Gackle	Nystrom	Wolf, McIntosh
Gainor	Olson, Barnes	Wolf, Morton
Graham	Olson, Bowman	Mr. Speaker
Haag	Ostgulen	

Those voting in the negative were:

Halvorson                      Monson

Absent and not voting:

Belzer	Fleck	Lunde
Bolmeier	Heckman	Nelson
Bureau	Iszler	Ohnstad
Crockett	Johnson, Richland	Rohrer
Ekren	Levin	Schnell
Fitch		

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

Rep. Mollet moved that the vote by which House Bill No. 240 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Rep. Williams of Richland requested that the House be on the seventh order of business, which motion prevailed.

Rep. Williams of Richland moved that House Bill No. 205 be withdrawn, which motion prevailed.

SECOND READING OF HOUSE BILLS

House Bill No. 243. A Bill for an Act Appropriating the Balance Remaining in "The State Public Welfare Fund" Created by Section 25, Chapter 249, Session Laws of 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, 97; nays, 2; absent and not voting, 14.

Those voting in the affirmative were:

Aker	Haag	Olson, Bowman
Allen, Grand Forks	Halcrow	Ostgulen
Allen, Pierce	Halvorson	Peterson, Bottina'u
Anderson	Haugen	Peterson, Ransom
Arndt	Haugland	Pyle
Bagge	Hegge	Rettke
Bauer	Hildre	Rohde
Baumgartner	Hofstrand	Runk
Benno	Hogoboom	Sailer
Bergesen	Holm	Sandness
Bjella	Hovey	Saumur
Blair	Jennings	Schwartz
Bolmeier	Johnson, Cass	Schmalenberger
Boulden	Johnson, Rolette	Sellens
Braun	Kolpin	Severson
Bubel	Langley	Sharpe
Bureau	Larson, Ward	Shure
Bymers	Larson, Wells	Stair
Callahan	Leet	Starck
Carlson	Levin	Sticka
Coghlan	Lillehaugen	Stormon
Collette	McInnes	Twichell

Dahlen	Manstrom	Tuff
Dalzell	Marks	Wambheim
Devlin	Mittag	Welk
Drovdal	Moe	Westby
Falconer	Mollet	Williams, Richland
Fitch	Monson	Williams, Sargent
Forseth	Morland	Williams, Stutsman
Fraser	Morrison	Wolf, McIntosh
Fuglestad	Mortenson	Wolf, Morton
Gainor	Nystrom	Mr. Speaker
Graham		

Those voting in the negative were:

Myers	Welder
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Absent and not voting:

Belzer	Heckman	Olson, Barnes
Crockett	Iszler	Ohnstad
Ekren	Johnson, Richland	Rohrer
Fleck	Lunde	Schnell
Gackle	Nelson	

So the bill passed as amended and the title was agreed to.

Rep. Morland moved that the vote by which House Bill No. 243 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 50. A Bill for an Act to Amend and Re-enact Sub-section (e) (1) of Section Two of Chapter 194 of the Session Laws of North Dakota for the Year 1941, Said Sub-section (e) (1) of Section Two of Chapter 194 Being an Amendment to Sub-division (b) of Section 25 of Chapter 186 of the Session Laws of North Dakota for the Year 1931, as Amended by Chapter 161 of the Session Laws of North Dakota for the Year 1933, Providing for the Registration Fees for Trucks on a Gross Weight Basis, and Providing for the Classification of Special Auxiliary Equipment Used by Rural Mail Carriers in the Course of Their Duties, 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, 100; nays, 0; absent and not voting, 13.

Those voting in the affirmative were:

Aker	Halcrow	Ohnstad
Allen, Grand Forks	Halvorson	Ostgulen
Allen, Pierce	Haugen	Peterson, Bottina'u
Anderson	Haugland	Peterson, Ransom
Arndt	Hegge	Pyle
Bagge	Hildre	Rettke
Bauer	Hofstrand	Rohde
Baumgartner	Hogoboom	Runck
Benno	Holm	Sailer
Bergesen	Hovey	Sandness
Bjella	Jennings	Saumur
Blair	Johnson, Cass	Schwartz
Bolmeier	Johnson, Roletté	Schmalenberger
Braun	Kolpin	Sellens
Bubel	Langley	Severson
Burau	Larson, Ward	Sharpe

Bymers	Larson, Wells	Shure
Callahan	Leet	Stair
Carlson	Levin	Starck
Coghlan	Lillehaugen	Sticka
Collette	McInnes	Stormon
Dahlen	Manstrom	Twichell
Dalzell	Marks	Tuff
Devlin	Mittag	Wambheim
Drovdal	Moe	Welder
Falconer	Mollet	Welk
Fitch	Monson	Westby
Forseth	Morland	Williams, Richland
Fraser	Morrison	Williams, Sargent
Fuglestad	Mortenson	Williams, Stutsm'n
Gackle	Myers	Wolf, McIntosh
Gainor	Nystrom	Wolf, Morton
Graham	Olson, Bowman	Mr. Speaker
Haag		
Absent and not voting:		
Belzer	Heckman	Nelson
Boulden	Iszler	Olson, Barnes
Crockett	Johnson, Richland	Rohrer
Ekren	Lunde	Schnell
Fleck		

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

Rep. Severson moved that the vote by which House Bill No. 50 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 115. A Bill for an Act to Amend and Re-enact Section 4B of Chapter 286 of the Session Laws of 1935, Fixing the Length of Terms and Salaries of Commissioners of the Workmen's Compensation Bureau.

Was read the second time.

Rep. Johnson of Cass moved that House Bill No. 115 be indefinitely postponed, which motion prevailed.

Rep. Graham moved that the vote by which House Bill No. 115 was indefinitely postponed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 88. A Bill for an Act to Amend and Re-enact Section 2346a18 of the 1925 Supplement to the Compiled Laws of North Dakota, as Amended by Section 4 of Chapter 283, Session Laws of 1931, as Further Amended by Section 2 of Chapter 241, Session Laws of 1937, and as Further amended by Section 1 of Chapter 228, Session Laws of 1939; Providing for Net Operating Loss Carry-over and Additional Deductions in Computing Net Income for Income Tax Purposes; 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, 52; nays, 47; absent and not voting, 14.

Those voting in the affirmative were:

Aker	Gainor	Ohnstad
Allen, Grand Forks	Graham	Peterson, Bottina'u

Allen, Pierce	Halcrow	Pyle
Arndt	Hildre	Runck
Bagge	Hofstrand	Sailer
Baumgartner	Hogboom	Sandness
Benno	Holm	Saumur
Bergesen	Hovey	Sellens
Blair	Johnson, Cass	Severson
Bolmeier	Johnson, Rolette	Sharpe
Callahan	Langley	Shure
Carlson	Leet	Stair
Coghlan	McInnes	Stormon
Dahlen	Manstrom	Twichell
Dalzell	Morland	Wambheim
Fitch	Nystrom	Welk
Fuglestad	Olson, Barnes	Williams, Stutsm'n
Gackle		

Those voting in the negative were:

Anderson	Hegge	Ostgulen
Bauer	Jennings	Peterson, Ransom
Bjella	Kolpin	Rettke
Braun	Larson, Ward	Rohde
Bubel	Larson, Wells	Schwartz
Bymers	Levin	Schmalenberger
Crockett	Lillehaugen	Starck
Devlin	Marks	Sticka
Drovdal	Mittag	Tuff
Falconer	Moe	Westbv
Forseth	Mollet	Williams, Richland
Fraser	Monson	Williams, Sargent
Haag	Morrison	Wolf, McIntosh
Halvorson	Mortenson	Wolf, Morton
Haugen	Myers	Mr. Speaker
Haugland	Olson, Bowman	

Absent and not voting:

Belzer	Fleck	Nelson
Boulden	Heckman	Rohrer
Bureau	Iszler	Schnell
Collette	Johnson, Richland	Welder
Ekren	Lunde	

So the bill was declared lost.

Rep. Mollet moved that the vote by which House Bill No. 88 was lost be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Rep. Bymers: "I wish to say a word about my vote on this measure and have it recorded in the Journal. This bill has, there is no question in my mind, lots of merit but as long as we are imposing a sales tax upon all of the people in the state, I cannot conscientiously vote for, support or enact any further deduction in the income tax and for that reason I vote 'No'."

Rep. Marks: "I vote 'No' on this bill for the same reason that Rep. Bymers has stated. I want to go on record as such. I vote 'No'."

Rep. Graham moved that the House do now recess until 6:30 o'clock tonight, which motion prevailed.

The House reconvened at 6:30 o'clock p. m., pursuant to recess taken, Speaker Beede presiding.

The House was on the eighth order of business.

#### SIGNING OF BILLS

The Chief Clerk announced that the Speaker was about to sign the following bills; immediately before signing each bill the title was publicly read.

House Bill No. 5.

House Bill No. 82.

And the Speaker signed each of the above bills in the presence of the House.

Rep. Halvorson asked permission to have read from the desk House Concurrent Resolutions "1-A" and "1-B", which request was granted.

#### HOUSE CONCURRENT RESOLUTION "1-A"

Introduced by Committee on Livestock

A CONCURRENT RESOLUTION Memorializing the Congress of the United States; His Excellency, the President of the United States; the Vice President of the United States; the Honorable, the Secretary of Agriculture of the United States; the Bureau of Animal Industry of the Department of Agriculture of the United States, and the Office of Price Administration of the United States, to Oppose any modification of the Existing Sanitary Pacts Provided for Embargo Against the Importation of Fresh and Frozen Meats from Countries Known to be Infested with Foot and Mouth Disease.

#### HOUSE CONCURRENT RESOLUTION "1-B"

Introduced by Committee on Livestock

A CONCURRENT RESOLUTION Memorializing the Congress of the United States; His Excellency, the President of the United States; the Vice President of the United States; the Honorable, the Secretary of Agriculture of the United States; and the Honorable John R. Mohler, Chief of the Bureau of Animal Industry its Former Status of Duty and Authority with Respect to the Safe-Guarding of the Livestock Sanitary Welfare and the Livestock Industry of the Nation.

Rep. Falconer moved that the Committee on Military Affairs be excused, which motion prevailed.

Rep. Aker moved that the vote by which House Bill No. 234 was passed be reconsidered.

A division was asked for which disclosed 45 voting for and 15 voting against, so the motion prevailed.

Rep. Aker moved that House Bill No. 234 be placed in General Orders, which motion prevailed.

Rep. Halvorson moved that House Concurrent Resolution "1-A" be adopted, which motion prevailed and House Concurrent Resolution "1-A" was adopted.

Rep. Halvorson moved that House Concurrent Resolution "1-B" be adopted, which motion prevailed and House Concurrent Resolution "1-B" was adopted.

#### MESSAGE TO THE SENATE

House of Representatives

Bismarck, February 22, 1943

Mr. President: I have the honor to transmit:

House Bill No. 5. A Bill for an Act Making an Appro-

priation to Provide a State Contingency Fund to Be Placed at the Disposal of the State Emergency Commission to Be Used as Provided by Chapters 26 and 152, Session Laws of 1913, 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. 82. A Bill for an Act to Ratify and Approve the Compact Between the States of Montana, North Dakota and Wyoming, Providing for an Equitable Apportionment of the Waters in the Yellowstone River Basin Among Said States.

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

W. M. SMART, Chief Clerk.

#### GENERAL ORDERS

Rep. Rohde moved that the House resolve itself into a committee of the whole for the consideration of general orders; which motion prevailed, and the House resolved itself into a committee of the whole.

The Speaker called Rep. Rohde to the chair.

When the committee arose it submitted the following report:

Mr. Speaker: The committee of the whole have had under consideration:

House Bill No. 152.

And recommend the same be indefinitely postponed.

House Bill No. 173.

In the title, after the word herewith, strike out the period and insert a comma and the words "and making certain exceptions thereto."

Strike out all of Section 15.

In Section 23, after the period on line 269, insert the following:

"This act shall not apply to Building and Loan associations, mutual or cooperative associations or cooperative corporations."

Renumber the lines and Sections.

And when so amended recommend the same do pass.

House Bill No. 43.

In line 4 of the title, correct the spelling of the word "direction".

And when so amended recommend the same do pass.

House Bill No. 221.

And recommend the same be amended as follows:

Strike out everything after the words A Bill and insert the following:

For an Act relative to the use of North Dakota fuel in public buildings, and placing the enforcement under the Public Service Commission, and providing for reports.

**BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF NORTH DAKOTA:**

- 1 SECTION 1. REPORTS. ENFORCEMENT.) The
- 2 Public Service Commission of the State of North
- 3 Dakota shall have control and jurisdiction over all
- 4 persons, firms and corporations selling natural gas or
- 5 oil for fuel in public institutions, county buildings
- 6 and public school houses in this state, and shall en-

7 force the provisions of all acts relative to the use  
 8 thereof. The officers in charge of all public in-  
 9 stitutions, county buildings, and school houses using  
 10 natural gas or oil as fuel, and all persons, firms and  
 11 corporations selling gas or oil as fuel, shall keep a  
 12 permanent record showing the amount of such fuel con-  
 13 sumed over any given period at such public institutions,  
 14 county buildings and school houses, and shall furnish  
 15 reports to the Public Service Commission on such fuel  
 16 consumption and sales and the source of supply, when-  
 17 ever demanded. Delivery of North Dakota natural gas  
 18 into pipe lines for sale or consumption during any month,  
 19 in an amount equal to that consumed by public institu-  
 19a tions,  
 20 county buildings and schools during the same month,  
 21 shall be deemed a compliance with all laws relative to  
 22 the use of North Dakota fuel.

House Bill No. 9.

After the word coyotes in the title strike out the word "and" and insert a comma in lieu thereof and after the word magpies strike out the period and add the words "and foxes.", and to strike from line 3 the figures \$27,500.00 and insert the figures "\$45,000.00" in lieu of the figures stricken out, and to add after the words North Dakota in line 12 a comma and the following words: "and any bounty on foxes provided by law".

And when so amended recommend the same do pass.

House Bill No. 163.

In the title of the Bill strike out the period after the word "basis" and insert ", and declaring an emergency."

In line 67 strike out "\$20.00" and insert "\$13.50", and in line 68 strike out "\$25.00" and insert "\$16.50".

After line 83 insert the following lines and change the numbers of these and following lines accordingly:

36,000	180.00
38,000	210.00
40,000	245.00
42,000	280.00
44,000	320.00
46,000	360.00
48,000	405.00
50,000	450.00
52,000	500.00
54,000	550.00
56,000	605.00
58,000	660.00

Strike out lines 84, 85, and 86 altogether immediately after Schedule A.

After line 102 add the following sections.

"Sec. 4. EMERGENCY.) This Act is declared to be an emergency measure and shall be in full force and effect upon its passage and approval."

And when so amended recommend the same do pass.

House Bill No. 47.

Strike out lines 8 to 19, inclusive, and insert the following in lieu thereof: "That there shall be paid for each mature wolf and mature coyotes killed between the first day of April



and the first day of October of each year, the sum of Two Dollars and Fifty Cents (\$2.50); there shall be paid for each mature fox killed between the first day of April and the first day of October of each year, the sum of One Dollar and Fifty Cents (\$1.50), and One Dollar (\$1.00) for each wolf or coyote pup, and Fifty Cents (50c) for each fox pup killed between the first day of April and the first day of October of the year of the whelping of such wolf, coyote or fox pup, provided that no bounty shall be paid for wolves, coyotes or foxes killed between the first day of October and the first day of April of each year; provided further, that no bounty shall be paid on wolves, coyotes or foxes killed by the Extension Division of the North Dakota Agricultural College through the directors thereof cooperating with the Fish and Wildlife Service of the United States Department of the Interior." And when so amended, renumber the lines.

And when so amended, recommend the same do pass.

House Bill No. 236.

Strike out everything after the words "A Bill" and add the following:

"For an Act providing for the regulation of private trade schools, correspondence schools and solicitors therefor, and providing penalties for violation.

**BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF NORTH DAKOTA:**

- 1 SECTION 1. DEFINITIONS.) The following words,  
 1a terms  
 2 and phrases, when used in this act, shall have the mean-  
 2a ings  
 3 ascribed to them in this section:  
 4 (1) Private trade schools and correspondence schools  
 5 means schools maintained or classes conducted for the  
 5a purpose  
 6 of teaching any trade or industrial occupation or edu-  
 6a cational  
 7 subjects for profit or for a tuition charge but shall not  
 8 include private business schools, schools or colleges  
 9 regularly chartered and authorized by the laws of the  
 9a State  
 10 of North Dakota to grant degrees, endowed schools  
 10a which offer  
 11 approved courses without profit, schools exclusively  
 11a engaged  
 12 in training physically handicapped persons or schools  
 12a con-  
 13 ducted by any person for the education and training of  
 13a his  
 14 own employees.  
 15 (2) Board means the State Board for Vocational Edu-  
 15a cation.  
 16 (3) Commissioner means the Commissioner of the  
 16a Board  
 17 of Higher Education of the State of North Dakota, or  
 17a the  
 18 chief executive officer of the above mentioned board.  
 19 (4) Solicitor means a person who solicits business  
 20 for a private trade or correspondence school or who  
 20a offers

21 to sell or sells any such instruction or course of in-  
 21a struction.  
 22 Private trade schools or correspondence schools, as  
 22a used in  
 23 this paragraph, includes those within and without the  
 23a state  
 24 of North Dakota.  
 25 SECTION 2. LICENSE PROCURED, FROM  
 25a WHOM.) Every private  
 26 trade or correspondence school, before offering any in-  
 26a struc-  
 27 tion, shall first procure a license from the commissioner.  
 28 SECTION 3. LICENSING OF PRIVATE TRADE  
 28a AND CORRESPONDENCE  
 29 SCHOOLS: REQUIREMENTS FOR.)  
 30 Subdivision 1. The commissioner is empowered to  
 30a issue  
 31 a license upon compliance with the terms and provi-  
 31a sions  
 32 of this act.  
 33 Subdivision 2. Application for a license shall be made  
 34 to the commissioner upon a form prescribed and fur-  
 34a ished by  
 35 him and shall be accompanied by an application fee of  
 35a Twenty-  
 36 five Dollars (\$25.00).  
 37 Subdivision 3. A license shall not be issued until the  
 38 commissioner has approved the method and content of  
 38a the  
 39 advertising, the standards and methods of instruction,  
 39a the  
 40 equipment and housing provided, the qualifications of  
 40a the  
 41 teachers, the form and contents of the student enroll-  
 41a ment  
 42 agreement or contract, and the sufficiency of its re-  
 42a sources  
 43 and equipment for its license purpose.  
 44 Subdivision 4. If the license is granted it shall be  
 45 issued upon the payment of an additional fee of Twenty-  
 45a five  
 46 Dollars (\$25.00), and the filing with the commissioner  
 46a of a  
 47 surety bond to the State of North Dakota in the penal  
 47a sum  
 48 of One Thousand Dollars (\$1,000.00). Such bond shall be  
 49 conditioned for the faithful performance of all agreee-  
 49a ments  
 50 and contracts with students, as disclosed by the ap-  
 50a plication  
 51 for license, and the compliance with this act and all rules  
 52 and regulations prescribed hereunder Every license  
 52a shall  
 53 expire on the thirtieth day of June following the date of  
 54 issuance. Licenses may be renewed upon payment of  
 54a Twenty-  
 55 five Dollars (\$25.00).  
 56 SECTION 4. SOLICITORS REQUIRED TO PRO-  
 56a CURE PERMITS.)

57 Subdivision 1. Every solicitor, before engaging in  
57a such  
58 business, shall first procure a permit from the commis-  
58a sioner.

59 Subdivision 2 A permit shall only be issued upon  
60 written application to the commissioner. The applica-  
60a tion  
61 shall be upon a form prescribed and furnished by the  
61a commis-  
62 sioner and shall be accompanied by Ten Dollars (\$10.00),  
62a the  
63 fee for such permit. If the application is granted, the  
64 permit shall not be issued until the applicant has filed  
64a with  
65 the commissioner a continuing surety bond to the state of  
66 North Dakota in the penal sum of One-thousand Dollars  
67 (\$1,000.00), conditioned for the faithful performance of  
67a all

68 contracts and agreements with students by the solici-  
68a tor and  
69 the employing private trade or correspondence school,  
69a as dis-  
70 closed by the application for the permit, and for the com-  
70a pliance  
71 by the solicitor with this act and all rules and regulations  
72 prescribed hereunder. Every permit shall expire on the  
73 thirtieth day of June following the date of issuance.

74 SECTION 5. RULES AND REGULATIONS.) The  
74a board shall  
75 make rules and regulations prescribing standards for  
75a private  
76 trade and correspondence schools and regulating the  
76a conduct  
77 thereof and of solicitors. The rules and regulations shall  
78 be effective when filed in the office of the secretary of  
79 state and amendments thereof shall be effective twenty  
79a days  
80 after being so filed.

81 SECTION 6. REVOCATION OR SUSPENSION OF  
81a LICENSE OR  
82 PERMIT.)

83 Subdivision 1. A license or permit issued hereunder  
84 may be revoked by the board for cause upon notice and  
84a hearing.

85 Subdivision 2. Upon the filing with the board of  
85a charges  
86 against the holder of a license or permit issued here-  
86a under,  
87 the commissioner may suspend such license or permit  
87a pending  
88 determination thereof.

89 SECTION 7. PENALTY.) Any person, firm, asso-  
89a ciation,  
90 or corporation violating any of the provisions of this  
90a act,  
91 shall upon conviction, be subject to a fine not to exceed  
92 One Hundred dollars (\$100.00) or imprisonment in the  
92a county

93 jail, not to exceed ninety days, or by both such fine and  
94 imprisonment.

95 SECTION 8. REMEDY OF STUDENT DEFRAUD-  
95a ED BY MISREPRESEN-

96 TATION. TREBLE DAMAGES.) Any pupil of a cor-  
96a respondence  
97 school, or of a private trade school as defined in this  
98 act, who is defrauded by a misrepresentation made by an  
99 officer or agent of such school, or by any advertisement  
100 or circular issued by it, or by any person, firm, associa-  
100a tion

101 or corporation, who sells textbooks to the said school or  
102 to the pupils thereof, may recover from such school or  
102a person,  
103 firm, association or corporations, three times the amount  
103a paid.

104 SECTION 9. SEVERABILITY CLAUSE.) If any  
104a section, sub-

105 section, clause, sentence, or phrase of this act is for any  
106 reason held to be unconstitutional and invalid, such deci-  
106a sion

107 shall not effect the validity of the remaining portions of  
108 this act. The Legislature hereby declares that it would  
109 have passed this act, and each section, sub-section, clause,  
110 sentence or phrase hereof, irrespective of whether any  
110a one

111 or more of the sections, sub-sections, clauses, sentences,  
112 or phrases, be declared unconstitutional."

And when so amended recommend the same do pass.

House Bill No. 211.

And recommend further action be deferred until 11:00  
o'clock a. m., tomorrow.

House Bill No. 121.

And recommend further action be deferred until after  
11:00 o'clock a. m., tomorrow.

REP. ROHDE, Chairman.  
Committee of the Whole.

Rep. Graham requested that the report of the Committee  
of the Whole be divided as to House Bill No. 152. It was  
so ordered.

Rep. Bergesen moved that the report of the committee  
of the whole be adopted with the exception of action on  
House Bill No. 152, which motion prevailed.

Rep. Graham moved that the report of the committee of  
the whole be rejected as to House Bill No. 152.

Rep. Bergesen offered as a substitute motion that the  
report of the committee of the whole be adopted as to  
House Bill No. 152.

The chair was in doubt on a viva voce vote.

A rising vote disclosed 33 for and 31 against, so the motion  
prevailed.

The Speaker announced the House would be on the fifth  
order of business.

#### REPORT OF STANDING COMMITTEE

Mr. Speaker: Your Committee on Military Affairs to  
whom was referred House Bill No. 248, have had the same

under consideration and recommend that the same do pass.

REP. FALCONER, Chairman.

Rep. Welk moved that the report be adopted, which motion prevailed and the report was adopted.

Rep. Bergesen moved that any bills that have not been reported in by the respective committees by 11:00 o'clock a. m., tomorrow, be considered in General Orders, which motion prevailed.

Rep. Twichell moved that the House recess until 11:00 o'clock a. m., tomorrow, which motion prevailed.

W. M. SMART, Chief Clerk.

FORTY-NINTH DAY AFTER RECESS AND  
THE FIFTIETH DAY

Bismarck, February 23, 1943

The House convened at 11:00 o'clock a. m., pursuant to recess, Speaker Beede presiding.

The House was on the fifth order of business.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: The majority of your Committee on State Affairs to whom was referred House Bill No. 246, have had the same under consideration and recommend that the same be amended as follows:

In line two, strike out the word "or" after the word "taken" and insert in lieu thereof the following words "and thereafter".

In section two, line 30 after the figures 1937 strike out the "comma" and the following words "and all acts or parts of acts".

And when so amended recommend the same do pass.

REP. TWICHELL, Chairman.

Rep. Bolmeier moved that the report be adopted.

Mr. Speaker: A minority of your Committee on State Affairs to whom was referred House Bill No. 246, have had the same under consideration and recommend that the same be indefinitely postponed.

WM. B. FALCONER  
S. N. WELDER  
PALMER LEVIN  
BRYNHILD HAUGLAND  
DONNELL HAUGEN  
DUNCAN FRASER  
ANDREW HALVORSON  
RAY SCHNELL  
W. M. CROCKETT  
GEO. SCHWARTZ

Rep. Levin offered as a substitute motion that the report of the minority be substituted for the report of the majority.

On a viva voce vote the chair was in doubt.

A roll call was demanded and granted.

ROLL CALL

The question being on the substitute motion of Rep. Levin, the roll was called and there were ayes, 57; nays, 48; absent and not voting, 8.

Those voting in the affirmative were:

Anderson	Haugland	Ostgulen
Bauer	Heckman	Peterson, Bottina'u

Baumgartner	Hegge	Rettke
Belzer	Hofstrand	Rohde
Braun	Iszler	Sailer
Bubel	Jennings	Schwartz
Burau	Kolpin	Schmalenberger
Bymers	Larson, Ward	Schnell
Crockett	Larson, Wells	Stair
Devlin	Levin	Starck
Drovdal	Lillehaugen	Sticka
Ekren	Marks	Tuff
Falconer	Mollet	Welder
Forseth	Monson	Welk
Fraser	Morrison	Williams, Richland
Graham	Mortenson	Williams, Sargent
Haag	Myers	Wolf, McIntosh
Halvorson	Nelson	Wolf, Morton
Haugen	Olson, Bowman	Mr. Speaker

Those voting in the negative were:

Aker	Fleck	Morland
Allen, Grand Forks	Fuglestad	Nystrom
Allen, Pierce	Gainor	Olson, Barnes
Arndt	Halcrow	Peterson, Ransom
Bagge	Hildre	Pyle
Benno	Hogoboom	Runk
Bergesen	Holm	Saumur
Blair	Hovey	Sellens
Bolmeier	Johnson, Cass	Severson
Boulden	Johnson, Richland	Sharpe
Callahan	Johnson, Rolette	Shure
Carlson	Langley	Stormon
Collette	Leet	Twichell
Dahlen	Lunde	Wambheim
Dalzell	McInnes	Westby
Fitch	Moe	Williams, Stutsm'n
Absent and not voting:		
Bjella	Manstrom	Rohrer
Coghlan	Mittag	Sandness
Gackle	Ohnstad	

So the substitute motion prevailed and House Bill No. 246 was indefinitely postponed.

Rep. Williams of Richland moved that the vote by which House Bill No. 246 was indefinitely postponed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Mr. Speaker: Your Committee on Highways and Bridges to whom was referred House Concurrent resolution "Y," have had the same under consideration and recommend that the same do pass.

REP. CROCKETT, Chairman.

Rep. Sailer moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Highways and Bridges to whom was referred House Bill No. 158, have had the same under consideration and recommend that the same do pass.

REP. CROCKETT, Chairman.

Rep. Johnson moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Highways and Bridges

to whom was referred House Bill No. 160, have had the same under consideration and recommend that the same be amended as follows:

In line 14 strike out the words and figures of "one hundred eighty (180)" and insert in lieu thereof "one hundred twenty (120)".

And when so amended recommend the same do pass.

REP. CROCKETT, Chairman.

Rep. Johnson moved that the report be adopted, which motion prevailed and the report was adopted.

#### REPORTS OF STANDING COMMITTEES

The Committee on Enrollment and Engrossment respectfully reports that:

House Bill No. 3.  
House Bill No. 4.  
House Bill No. 12.  
House Bill No. 14.  
House Bill No. 15.  
House Bill No. 32.  
House Bill No. 36.  
House Bill No. 56.

Were delivered to the Governor for his approval at the hour of 11:05 o'clock a. m., Feb. 17, 1943.

REP. MORLAND, Chairman.

The Committee on Enrollment and Engrossment respectfully reports that:

House Bill No. 2.  
House Bill No. 6.  
House Bill No. 11.  
House Bill No. 17.  
House Bill No. 24.  
House Bill No. 29.  
House Bill No. 34.  
House Bill No. 45.  
House Bill No. 46.  
House Bill No. 69.

Were delivered to the Governor for his approval at the hour of 3:00 o'clock p. m., Feb. 22, 1943.

REP. MORLAND, Chairman.

The Committee on Enrollment and Engrossment respectfully reports that:

House Concurrent Resolution "I."  
House Concurrent Resolution "J."

Were delivered to the Secretary of State at the hour of 3:05 o'clock p. m., Feb. 22, 1943.

REP. MORLAND, Chairman.

#### HOUSE COMMITTEE ON ENROLLMENT AND ENGROSSMENT

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

House Bill No. 9.  
House Bill No. 43.  
House Bill No. 47.  
House Bill No. 163.  
House Bill No. 173.



House Bill No. 221.

House Bill No. 236.

And find the same correctly Engrossed.

REP. MORLAND, Chairman.

Rep. Johnson of Richland moved that the report be adopted, which motion prevailed, and the report was adopted.

#### REPORTS OF STANDING COMMITTEES

Mr. Speaker: Your Committee on Delayed Bills to whom was referred:

House Bill No. 251. A Bill for an Act Making an Appropriation for the Payment of Janitor Services of the House of Representatives of the 28th Legislative Assembly.

Recommend that same be introduced.

REP. BOULDEN, Chairman.

Rep. Blair moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Delayed Bills to whom was referred:

House Bill No. 252. A Bill for an Act Making an Appropriation for Expenses of the 28th Legislative Assembly.

Recommend that same be introduced.

REP. BOULDEN, Chairman.

Rep. Bubel moved that the report be adopted, which motion prevailed and the report was adopted.

Rep. Bergesen requested that the House be on the seventh order of business, which request was granted.

Rep. Bergesen moved that the rules be suspended and that the bills that have been reported by the Standing Committees for amendment including House Bill No. 238 and House Bill No. 120 be considered as in General Orders as of today, which motion prevailed.

#### FIRST READING OF HOUSE BILLS

The Delayed Bills Committee introduced:

House Bill No. 252. A Bill for an Act Making an Appropriation for Expenses of the 28th Legislative Assembly.

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

The Delayed Bills Committee introduced:

House Bill No. 251. A Bill for an Act Making an Appropriation for the Payment of Janitor Services of the House of Representatives of the 28th Legislative Assembly.

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

Rep. Moe moved that the house recess until 1:30 o'clock this afternoon, which motion prevailed.

The House reconvened at 1:30 o'clock p. m., pursuant to recess taken, Speaker Beede presiding.

The House was on the eighth order of business.

#### MESSAGE TO THE SENATE

House of Representatives

Bismarck, February 23, 1943

Mr. President: I have the honor to transmit:

House Bill No. 244. A Bill for an Act to Permit the Pur-

chase by the State, County, Township and Other Municipalities of North Dakota of Tax Exempt Gasoline for the Construction, Reconstruction or Maintenance of Highways, Public Roads, Streets and Airports; and Declaring an Emergency.

House Bill No. 243. A Bill for an Act Appropriating the Balance Remaining in "The State Public Welfare Fund" Created by Section 25, Chapter 249, Session Laws of 1937.

House Bill No. 240. A Bill for an Act to Amend and Re-enact Section 1 of Chapter 210 of the Session Laws of 1937 and Section 2 of the Session Laws of 1937 as Amended by Chapter 191 of the Session Laws of 1939 and Chapter 241 of the Session Laws of 1941 Pertaining to Definitions and Eligibility for Assistance to the Needy Blind and Repeal of Sections 15 and 19 of Chapter 210 of the Session Laws of 1937, and Declaring an Emergency.

House Bill No. 239. A Bill for an Act to Amend and Re-enact Section 1 of Chapter 211 of the Session Laws of 1937; Section 2 of Chapter 211 of the Session Laws of 1937 as Amended by Chapter 195 of the Session Laws of 1939; Section 9 of Chapter 211 of the Session Laws of 1937; Section 12 of Chapter 211 of the Session Laws of 1937; Section 21 of Chapter 211 of the Session Laws of 1937 as Amended by Chapter 244 of the Session Laws of 1941, Pertaining to Definitions, Payment for Benefit of Recipients, Eligibility for Assistance to the Needy Aged, Old Age Assistance Fund, and Recovery from Estate and Repeal of Section 15 of Chapter 211 of the Session Laws of 1937, Aid Exclusive of Other Aid; Funeral Expenses and Declaring an Emergency.

House Bill No. 228. A Bill for an Act Permitting Counties, Cities, Villages and Townships to Lease and Permit the Use of Public Buildings for Other Than Public Purposes, and Declaring an Emergency.

House Bill No. 213. A Bill for an Act Amending and Re-enacting Section 6762 of the Compiled Laws of North Dakota for 1913, as Amended by Chapter 175 of the Session Laws of 1927, as Amended by Chapter 168 of the Session Laws of 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 and Making the Same an Emergency Measure.

House Bill No. 208. A Bill for an Act to Amend and Re-enact Sub-sections (a), (b) and (f) of Section 18 of Chapter 139 of the Session Laws of North Dakota for 1937, as Amended and Re-enacted by Section 4 of Chapter 175 of the Session Laws of North Dakota for 1941, Relating to the Authority, Powers and Duties of the Members of Division of Highway Safety and Patrol.

House Bill No. 204. A Bill for an Act to Amend and Re-enact Section 1 of Chapter 163 of the Session Laws of the State of North Dakota for the Year 1939.

House Bill No. 197. A Bill for an Act Relating to the Termination of Farm Leases, and Providing for a Notice for Termination.

House Bill No. 184. A Bill for an Act to Amend and Re-enact Subdivisions (a), (b) and (c) of Section 4, and Section 10 of Chapter 235 of the Session Laws of North Dakota for the Year 1929, as Amended by Chapter 288 of the Session

Laws of North Dakota for the Year 1941, Relating to Limitations Upon the Rate of Tax Levies for General and Specific Purposes; Providing for Exceptions to Such Levies, Authorizing the Levy of Taxes for Emergency Purposes and Limiting the Use Thereof.

House Bill No. 137. A Bill for an Act to Amend and Re-enact Section 2839, Compiled Laws of 1913, Defining the Powers and Duties of the State Dairy Commissioner; Authorizing the Promulgation of Rules for the Regulation of the Manufacture of Dairy Products, and the Determination of the Minimum Butterfat Content of Same; Repealing All Acts or Parts of Acts in Conflict Herewith, and Declaring an Emergency.

House Bill No. 50. A Bill for an Act to Amend and Re-enact Sub-Section (e) (1) of Section Two of Chapter 194 of the Session Laws of North Dakota for the Year 1941, Said Sub-section (e) (1) of Section Two of Chapter 194 Being an Amendment to Sub-division (b) of Section 25 of Chapter 186 of the Session Laws of North Dakota for the Year 1931, as Amended by Chapter 161 of the Session Laws of North Dakota for the Year 1933, Providing for the Registration Fees for Trucks on a Gross Weight Basis, and Providing for the Classification of Special Auxiliary Equipment Used by Rural Mail Carriers in the Course of Their Duties, and Declaring an Emergency.

House Concurrent Resolution "S." To the Honorable William H. Jeffers, United States Rubber Administrator, War Production Board, Washington, D. C., Urging the Establishment of a Plant at Bismarck, or Jamestown, North Dakota, for the Production of Synthetic Rubber from Grain Alcohol, or a Plant at Dickinson or Minot, North Dakota, for Production of Synthetic Rubber and Coal By-products From Lignite Coal.

House Concurrent Resolution "1-B." Memorializing the Congress of the United States; His Excellency, the President of the United States; the Vice President of the United States; the Honorable, the Secretary of Agriculture of the United States; and the Honorable John R. Mohler, Chief of the Bureau of Animal Industry its Former Status of Duty and Authority with Respect to the Safe-Guarding of the Livestock Sanitary Welfare and the Livestock Industry of the Nation.

House Concurrent Resolution "1-A." Memorializing the Congress of the United States; His Excellency, the President of the United States; the Vice President of the United States; the Honorable, the Secretary of Agriculture of the United States; the Bureau of Animal Industry of the Department of Agriculture of the United States, and the Office of Price Administration of the United States, to Oppose any modification of the Existing Sanitary Pacts Provided for Embargo Against the Importation of Fresh and Frozen Meats from Countries Known to be Infested with Foot and Mouth Disease.

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

W. M. SMART, Chief Clerk.

HOUSE COMMITTEE ON ENROLLMENT AND  
ENGROSSMENT

Mr. Speaker: Your committee on Enrollment and En-

grossment respectfully report that they have examined the following bill:

House Bill No. 83.

And find the same correctly Enrolled.

REP. MORLAND, Chairman.

Rep. Johnson of Richland moved that the report be adopted, which motion prevailed, and the report was adopted.

#### SIGNING OF BILLS

The Chief Clerk announced that the Speaker was about to sign the following bill; immediately before signing the bill the title was publicly read.

House Bill No. 83.

And the Speaker signed the above bill in the presence of the House.

#### MESSAGE TO THE SENATE

House of Representatives

Bismarck, February 23, 1943

Mr. President: I have the honor to transmit:

House Bill No. 83. A Bill for an Act to Equalize Taxation and Replace in Part the Tax on Property; to Provide the Public Revenue to Be Used for Such Replacement by Imposing a Tax on the Gross Receipts from Retail Sales as Defined Herein; to Provide for the Collection of Such Tax, the Distribution and Use of the Revenue Derived Therefrom, and the Administration of Said Law; to Provide for Certain Deductions and Exemptions; Establishing a Lien for the Payment of Such Tax; to Fix Fines and Penalties for the Violation of the Provisions of This Act; to Repeal All Laws or Parts of Laws in Conflict Herewith, and Declaring an Emergency.

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

W. M. SMART, Chief Clerk.

#### REPORTS OF STANDING COMMITTEES

Mr. Speaker: Your Committee on Appropriations to whom was referred House Bill No. 251, have had the same under consideration and recommend that the same do pass.

REP. JOHNSON OF CASS, Chairman.

Rep. Allen of Grand Forks moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Appropriations to whom was referred House Bill No. 252, have had the same under consideration and recommend that the same do pass.

REP. JOHNSON OF CASS, Chairman.

Rep. Carlson moved that the report be adopted, which motion prevailed and the report was adopted.

#### GENERAL ORDERS

Rep. Wambheim moved that the House resolve itself into a committee of the whole for the consideration of general orders; which motion prevailed, and the House resolved itself into a committee of the whole.

The Speaker called Rep. Wambheim to the chair.

When the committee arose it submitted the following report:

Mr. Speaker: The committee of the whole have had under consideration:

House Bill No. 211.

And recommend that the same be indefinitely postponed.

House Bill No. 117.

In line 9 strike out the words "and fifty".

And when so amended recommend the same do pass.

House Bill No. 203.

In line 9, change the word, five, and the figure (5¢) to, two and figure, (2¢).

On line 11, the word four and figure (\$4.00) to word five and figure (\$5.00).

And when so amended recommend the same do pass.

House Bill No. 92.

And recommend that the same be indefinitely postponed.

House Bill No. 212.

In line 6 of the title, change the period to a comma and add the following words: "and declaring an emergency."

In line 34 strike out the word "three" and insert in lieu thereof the word "two".

In line 72 strike out the word "that" and insert in lieu thereof the words "the date and place of birth of". In line 72 strike out the words "was born in the State of".

In line 73 strike out the words "North Dakota".

Add "Section 7. EMERGENCY.) WHEREAS, there is considerable confusion with reference to registration of birth certificates in this state, an emergency is declared to exist and this act shall take effect from and after its passage and approval." And re-number the lines.

And when so amended recommend the same do pass.

House Bill No. 195.

And recommend that the same be indefinitely postponed.

House Bill No. 202.

Strike out everything after the words "A Bill" and insert in lieu thereof the following:

"For an Act to amend and re-enact Sections 1, 3, 4 and 5 of Chapter 242 of the 1939 Session Laws of the State of North Dakota, as amended and re-enacted by Sections 1 and 2 of Chapter 290 of the 1941 Session Laws of the State of North Dakota, Relating to the Wholesale Liquor Transaction Tax, Providing the Method of Taxing the Same, and Providing for the Collection Thereof, Repealing Section 2 of Chapter 242 of the 1939 Session Laws, and all Acts or Parts of Acts in Conflict Therewith, and Declaring an Emergency.

**BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF NORTH DAKOTA:**

1 Section 1. AMENDMENT.) That Section 1 of Chapter  
2 242 of the 1939 Session Laws, as amended by Section 1  
3 of Chapter 290 of the 1941 Session Laws, of the State  
4 of North Dakota, is hereby amended and re-enacted to  
5 read as follows:

6 Section 1. A tax is hereby imposed upon all  
7 sales by licensed wholesale liquor dealers to licensed  
8 retail liquor dealers within the State of North  
9 Dakota, of alcohol and alcoholic beverages, excluding

10 malt beverages, containing more than four per cent  
10a (4%)

11 of alcohol by weight, according to the following  
12 schedule:

13 (a) On all sales of alcoholic beverages,  
14 excluding malt beverages, containing more than  
15 4% of alcohol by weight but not more than 24% of  
16 alcohol by weight, a tax equal to the sum of  
17 twenty cents (20¢) per gallon.

18 (b) On all sales of alcoholic beverages  
19 containing not more than 50% but not less than  
20 24% of alcohol by weight, a tax equal to the sum  
21 of One Dollar and Ten Cents (\$1.10) per gallon.

22 (c) On all sales of alcohol and alcohol  
23 substitutes regardless of proof, a tax equal to  
24 the sum of Two Dollars and Sixty-five Cents  
25 (\$2.65) per gallon.

26 The authority is hereby vested in the State  
27 Treasurer of the State of North Dakota to determine  
28 what constitutes alcohol substitutes.

29 Provided, that in computing the tax on any  
30 package of spirits a proportionate tax at a like  
31 rate on all fractional parts of a gallon shall  
32 be paid, except that all fractional parts of a  
33 gallon less than 1/16 shall be taxed at the same  
34 rate as shall be taxed for 1/16 of a gallon.

35 Thirty-six percent (36%) of the revenue from  
36 the tax provided for under subdivisions (a) and  
37 (b) of Section 1 shall be placed in a fund to be  
38 known as the Charitable Institutions Revolving  
39 Fund. The State Treasurer shall cover into said  
40 fund monthly said revenue as herein provided, for  
41 the benefit of the State Hospital for the Insane;  
42 the Grafton State School and the State Tuberculosis  
43 Sanatorium. There is hereby appropriated to the  
44 Board of Administration all of the moneys so  
45 collected and covered by the State Treasurer into  
46 the Charitable Institutions Revolving Fund during  
47 each biennium to pay the expenses of maintenance  
48 and operation of the State Hospital for the Insane,  
49 the Grafton State School and the Tuberculosis  
50 Sanatorium. The Board of Administration shall  
51 allocate from such fund and credit to each county  
52 the proportion that the total quarterly charges  
53 against said county for institutional care bears  
54 to the total quarterly charges against all counties  
55 for such institutional care; and shall allocate to  
56 each of said institutions its portion of the amounts  
57 so credited to all counties. The remainder of all  
58 funds collected by and paid to the State Treasurer  
59 under the terms of this Act shall be promptly  
60 credited to the general funds of the State of  
61 North Dakota.

62 Section 2. AMENDMENT.) That Section 3 of  
63 Chapter 242 of the 1939 Session Laws of the State  
64 of North Dakota, as amended by Section 2 of Chapter  
65 290 of the 1941 Session Laws is hereby amended and  
66 re-enacted to read as follows:

67 Section 3. Within thirty days, and thereafter  
68 annually, after the passage and approval of this

69 Act, every liquor distiller and rectifier doing  
 70 business in the State of North Dakota, must file  
 71 with the State Treasurer a list of all their  
 72 wholesale dealer accounts, together with a  
 73 description, including the boundary lines, of their  
 74 wholesale dealers' territories, which give the  
 75 wholesale dealer sole right of sale of distilleries  
 76 and rectifiers brands, consisting of spirituous  
 77 liquors and wines containing more than four per cent  
 78 (4%) of alcohol by weight, within said territories.

79 Section 3. AMENDMENT.) That Section 4 of Chap-  
 79a ter

80 242 of the 1939 Session Laws is hereby amended and  
 81 re-enacted to read as follows:

82 Section 4. On the fifteenth day of each and  
 83 every month from and after the approval and passage  
 84 of this Act, all licensed wholesale liquor dealers  
 85 are required to transmit to the State Treasurer  
 86 copies of all invoices of liquor sold during the  
 87 preceding thirty day period, which invoices shall  
 88 show the name and address of the purchaser, the date  
 89 of sale, the sale price of the merchandise sold, the  
 90 kind of merchandise, the number and size of contain-  
 91 ers, and the tax computed on the number of gallons  
 92 sold, and the wholesaler is required to remit with  
 93 such invoices the amount of the tax thus charged  
 94 during the period covered by the transmitted  
 95 invoices.

96 Section 4. AMENDMENT.) That Section 5 of  
 97 Chapter 242 of the 1939 Session Laws of North  
 98 Dakota, is hereby amended and re-enacted to read  
 99 as follows:

100 Section 5. The tax herein imposed shall be  
 101 computed on the number of gallons, or fraction  
 102 thereof, sold and delivered by the wholesaler to  
 103 the retailer, as shown by the invoices filed unler  
 104 the provisions of this Act. Such invoices filed  
 105 with the State Treasurer may be destroyed by the  
 106 State Treasurer at the expiration of three years  
 107 from such filing date.

108 Section 5. REPEAL.) Section 2 of Chapter 242  
 109 of the 1939 Session Laws of the State of North  
 110 Dakota is hereby repealed, and all Acts or parts of  
 111 Acts in conflict herewith are hereby repealed.

112 Section 6. EMERGENCY.) This Act is hereby  
 113 declared to be an emergency measure and shall be  
 114 in full force and effect from and after its passage  
 115 and approval."

And when so amended recommend the same do pass.

House Bill No. 76.

And recommend the same for passage as originally in-  
 troduced.

House Bill No. 234.

And recommend that the same be indefinitely postponed.

House Bill No. 121.

And recommend that the same be amended by striking out  
 everything after the words "A Bill" and inserting the fol-  
 lowing:

"For an Act to regulate and fix the hours of the labor of fe-

males, during the existence of the present war; providing for overtime pay; defining terms used, providing a penalty and declaring an emergency.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF NORTH DAKOTA:

1 SECTION 1. DEFINITIONS.)

2 (1) The term 'executive, administrative or  
3 supervisory capacity', shall mean any female employee  
4 whose primary duty is the management of the establish-  
4a ment,  
5 or a recognized department thereof, in which she is  
6 employed, and who customarily and regularly directs the  
7 work of other employees therein, and who has the author-  
8 ity to hire and fire other employees or whose suggestions  
9 and recommendations as to the hiring and/or firing,  
10 advancement and/or promotion, or any other change of  
11 status of other employees will be given particular  
12 weight, and who does no substantial amount of work of  
12a the  
13 same nature as that performed by non-exempt employees  
13a of  
14 the employer.

15 (2) The term 'professional capacities' shall mean  
16 any female employee who is customarily and regularly  
17 engaged in work:

18 (a) predominantly intellectual and varied in  
19 character as opposed to routine menial, manual,  
20 mechanical or physical work, and

21 (b) requiring the consistent exercise of dis-  
22 cretion and judgment both as to manner and time of  
23 performance, as opposed to work subject to active  
24 and supervision, and

25 (c) of such a character that the output produced  
26 or the result accomplished cannot be standardized in  
27 relation to a given period of time, and

28 (d) based upon educational training in a  
29 specially organized body of knowledge as distinguished  
30 from a general academic education and from an appren-  
31 ticeship and from training in the performance of  
32 routine mental, manual, mechanical, or physical pro-  
32a cesses

33 in accordance with a previously indicated or standard-  
33a ized  
34 formula, plan or procedure, and

35 (e) who does no substantial amount of work of the  
36 same nature as that performed by non-exempt employees  
37 of the employer.

38 (3) The term 'Duration of the present war' shall  
39 mean the termination date as fixed by act of congress  
40 or executive proclamation.

41 SECTION 2. EMPLOYMENT OF FEMALES.) For  
41a the

42 duration of the present war no law applicable to the  
43 employment of females shall be applicable to women  
44 employed in an executive, administrative or supervisory  
45 capacity, or those employed in professional capacities.  
46 All other female employees may be employed not to ex-  
46a ceed



47 ten hours in any one day, and fifty-four hours in any  
48 one week for the duration of the war, provided that a  
48a forty-  
49 eight hour week shall be the basis for computing the  
49a weekly  
50 wage of any such employee, and if any employer shall  
50a employ  
51 any female employee for a work week longer than forty-  
51a eight  
52 hours, unless such employee is compensated for each  
52a hour in  
53 excess of forty-eight hours at a rate of one and a half  
53a times  
54 the wage paid per hour for a forty-eight hour week.  
55 Section 3. TO WHOM NOT APPLICABLE.) This  
55a section, how-  
56 ever, shall not apply to:  
57 1. Females working in any municipality having a  
57a popula-  
58 tion of less than five hundred inhabitants;  
59 2. Females working in rural telephone exchanges;  
60 3. Females working in small telephone exchanges or in  
61 telegraph offices where the commissioner has determined  
61a after  
62 a hearing that the condition of work is so light that it  
62a does  
63 not justify the application of the provisions of this  
63a section;  
64 4. Females who are required to work in cases of  
64a emergen-  
65 cy, and in cases arising under this subsection, females  
65a may  
66 be employed for ten hours in any one day and seven days  
66a in  
67 one week but shall not be employed for more than forty-  
67a eight  
68 hours in any one week. An emergency is deemed to exist  
68a under  
69 the provisions of this subsection:  
70 a. In the case of the sickness of more than one female  
71 employee in which case a doctor's certificate must be  
71a fur-  
72 nished showing that it will not be dangerous to human life  
72a to  
73 continue employment in the establishment involved;  
74 b. When such employment is required in connection  
74a with a  
75 banquet, convention, or celebration or because a session of  
76 the legislative assembly is in progress;  
77 c. In the case of the employment of a female as a  
78 reporter in any of the courts of this state.  
79 Section 4. PENALTY.) Any person who shall violate  
80 the provisions of this act shall be guilty of a misde-  
80a meanor  
81 and shall be punished by a fine of not less than twenty-  
81a five  
82 dollars (\$25.00) nor more than one hundred dollars  
82a (\$100.00),  
83 or by imprisonment in the county jail for not less than ten

84 (10) days, nor more than three (3) months, or by both  
84a such

85 fine and imprisonment.

86 Section 5. EMERGENCY.) An emergency is hereby

87 declared to exist, and this act is declared to be in full

88 force and effect from and after its passage and approval.

And when so amended recommend the same do pass.

House Bill No. 120.

And recommend that the same be indefinitely postponed.

House Bill No. 160.

And recommend that the same do pass as amended by the  
Standing Committee.

House Bill No. 238.

And recommend that the same be indefinitely postponed.

REP. WAMBHEIM, Chairman,  
Committee of the Whole.

Rep. Aker requested that the report of the Committee of the  
Whole be divided as to action on House Bill No. 234.

It was so ordered.

Rep. Raugen requested that the report of the Committee of  
the Whole be divided as to action on House Bill No. 211.

It was so ordered.

Rep. Bergesen moved that the report of the Committee of  
the Whole be adopted with the exception of action on House  
Bill No. 234 and House Bill No. 211, which motion prevailed.

Rep. Halcrow moved that the report of the committee of  
the whole as to House Bill No. 234 be rejected.

Rep. Shure offered as a substitute motion that the report  
of the committee of the whole as to House Bill No. 234 be  
adopted.

A division was asked and disclosed 56 for and 18 against  
so the report was adopted.

Rep. Haugen moved that the report of the committee of  
the whole as to House Bill No. 211 be rejected.

Rep. Bergesen offered as a substitute motion that the re-  
port of the committee of the whole as to House Bill No. 211  
be adopted.

Rep. Bergesen demanded a call of the house.

Only 35 seconding the motion, the call of the house was  
not granted.

Rep. Bergesen asked for a verification which revealed a  
sufficient number seconding the motion so a call of the house  
was granted.

The roll was called and revealed all members present ex-  
cept Rep. Bjella.

Rep. Johnson of Cass informed the House that Rep. Bjella  
was absent on account of illness.

Rep. Bergesen moved that the call of the House be dis-  
pensed with, which motion prevailed.

The question was on the substitute motion of Rep. Ber-  
gesen that the report of the Committee of the Whole as to  
House Bill No. 211 be adopted.

On a viva voce vote the chair was in doubt.

Rep. Haugen requested a roll call, which request was  
granted.

#### ROLL CALL

The question being on the substitute motion of Rep. Berge-

sen, the roll was called and there were ayes, 58; nays, 54; absent and not voting, 1.

Those voting in the affirmative were:

Aker	Fleck	Morland
Allen, Grand Forks	Fuglestad	Nystrom
Allen, Pierce	Gackle	Olson, Barnes
Arndt	Gainor	Olson, Bowman
Bagge	Halcrow	Peterson, Ransom
Bauer	Haugland	Pyle
Benno	Hogoboom	Rohde
Bergesen	Hovey	Runk
Blair	Johnson, Cass	Sailer
Bolmeier	Johnson, Richland	Sandness
Boulden	Johnson, Rolette	Saumur
Callahan	Langley	Sellens
Carlson	Leet	Severson
Coghlan	Levin	Sharpe
Collette	Lunde	Shure
Dahlen	McInnes	Stormon
Dalzell	Manstrom	Twichell
Devlin	Mittag	Wambheim
Falconer	Moe	Williams, Stutsm'n
Fitch		

Those voting in the negative were:

Anderson	Hildre	Peterson, Bottina'u
Baumgartner	Hofstrand	Rettke
Belzer	Holm	Rohrer
Braun	Iszler	Schwartz
Bubel	Jennings	Schmalenberger
Bureau	Kolpin	Schnell
Rymers	Larson, Ward	Stair
Crockett	Larson, Wells	Starck
Drovdal	Lillehaugen	Sticka
Ekren	Marks	Tuff
Forseth	Mollet	Welder
Fraser	Monson	Welk
Graham	Morrison	Westby
Haag	Mortenson	Williams, Richland
Halvorson	Myers	Williams, Sargent
Haugen	Nelson	Wolf, McIntosh
Heckman	Ohnstad	Wolf, Morton
Hegge	Ostgulen	Mr. Speaker
Absent and not voting:		
Bjella		

So the substitute motion was declared carried and House Bill No. 211 was indefinitely postponed.

Rep. Johnson of Richland moved that the vote by which House Bill No. 211 was indefinitely postponed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Rep. Crockett moved that the vote by which House Bill No. 208 was passed be reconsidered, which motion was lost.

#### MESSAGES FROM THE SENATE

Senate Chamber

Bismarck, February 23, 1943

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 8. A Bill for an Act Making an Appropriation for Relief to Destitute and Necessitous Persons for the Biennium Beginning July 1st, 1943, and Ending June 30th,

1945, Defining the Powers and Duties of the Public Welfare Board in Relation Thereto, and in Providing for Allocation of Funds to Counties for Relief Purposes and for Other Specified Relief Expenditures and Costs of Administration.

Senate Bill No. 9. A Bill for an Act Making an Appropriation for the Biennium Beginning July 1st, 1943, and Ending June 30th, 1945, to Be Expended by the Public Welfare Board in Providing Assistance to the Needy Aged and for Necessary Costs of Administration.

Senate Bill No. 37. A Bill for an Act Amending and Re-enacting the Workmen's Compensation Act by Amending and Re-enacting Paragraphs 3 and 7 of Section 2 of Chapter 162 of the Session Laws of 1919 and Acts Amendatory Thereof; Subsections A, C, E, F, G, G-e, G-f, G-l, and G-m of Section 3 of Chapter 162 of the Session Laws of 1919 and Acts Amendatory Thereof; Subsection I of Section 4 of Chapter 162 of the Session Laws of 1919 and Acts Amendatory Thereof; Paragraphs 5 and 9 of Section 7 of Chapter 162 of the Session Laws of 1919 and Acts Amendatory Thereof; Paragraph 6 of Section 8 of Chapter 162 of the Session Laws of 1919 and Acts Amendatory Thereof; Section 10 of Chapter 162 of the Session Laws of 1919 and Acts Amendatory Thereof; and Section 11 of Chapter 162 of the Session Laws of 1919 and Acts Amendatory Thereof, All Constituting Parts of the Workmen's Compensation Act of the State of North Dakota and Relating to the Definition of the Term "Employee"; the Term "Injury"; Providing for Rehabilitation of Injured Persons; Fixing Awards Which May Be Made; Removing the Limitation of Awards; Fixing the Amount of Interest to Be Computed and Charged in Lump Sum Settlements; Providing for Schedules of Fees for Legal, Medical and Hospital Services; Providing for the Manner in Which a Surplus May Be Created and Maintained; Providing for the Payments of Awards in Case of Aggravation; Providing for the Collection of Premiums in Default and the Settlement of the Same; Providing Coverage for Elected Peace Officers in Cities and Villages; and Providing for Relief to Injured Employees of Non-complying Employer.

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

W. J. TROUT, Secretary.

Senate Chamber  
Bismarck, February 23, 1943

Mr. Speaker: I have the honor to return:

House Bill No. 49. A Bill for an Act for the Adoption of the Revised Code of North Dakota for 1943, Consisting of Sixty-five Titles, as a Complete Body of Laws, and Repealing All Laws Not Specifically Excepted.

Which the Senate has passed unchanged.

W. J. TROUT, Secretary.

Rep. Crockett moved that the absent members be excused, which motion prevailed.

Rep. Crockett moved that the House do now adjourn, which motion prevailed.

W. M. SMART, Chief Clerk.

FIFTIETH DAY

Bismarck, February 23, 1943

The House convened pursuant to adjournment, Speaker Beede presiding.

Prayer was offered by Rev. C. L. Wallace.

Roll call: All members were present except Rep. Bjella.

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

Mr. Speaker: Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the forty-eighth day after recess and the forty-ninth day and finds the same correct.

And recommends that the same be approved.

REP. WELDER, Chairman.

Rep. Morrison 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 22, 1943

To the House of Representatives of the State of North Dakota:

This is to notify you that I have approved the following House bill:

House Bill No. 58. A Bill For an Act to Amend and Re-enact Chapter 156 of the Session Laws of 1941, Making It a Misdemeanor for Any Person to Hunt and Pursue Any Wild Life With the Aid of a Spot Light or Any Other Kind of Artificial Light, Except Under Certain Conditions.

And the same has been filed with the Secretary of State.

JOHN MOSES, Governor.

Rep. Twichell moved that rule No. 9 be suspended for the fiftieth day only to limit speaking on a bill for the first time to two minutes and for the second time to one minute, which motion prevailed by a unanimous vote.

Rep. Haugen moved that the House recess for twenty minutes, which motion was lost.

#### SECOND READING OF HOUSE BILLS

House Bill No. 249. A Bill for an Act to Amend and Re-enact Sub-section (e) of Section 6 of Chapter 106 of the 1935 Session Laws, as Amended by Sub-section (e) of Section 3 of Chapter 112 of the 1937 Session Laws, as Amended and Re-enacted by Sub-section (e) of Section 1 of Chapter 116 of the 1941 Session Laws Relating to the Election of Directors of Cooperative Grazing Associations and Amending and Re-enacting Sub-section (j) of Section 10 of Chapter 106 of the Session Laws of 1935 Relating to Rules and Regulations Concerning Disease of Stock.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 85; nays, 7; absent and not voting, 21.

Those voting in the affirmative were:

Allen, Pierce	Halvorson	Ostgulen
Anderson	Haugland	Peterson, Ransom
Arndt	Heckman	Rettke
Baumgartner	Hofstrand	Rohrer
Belzer	Holm	Runk
Benno	Iszler	Sailer

Bergesen	Jennings	Sandness
Blair	Johnson, Cass	Saumur
Bolmeier	Johnson, Rolette	Schwartz
Boulden	Kolpin	Schmalenberger
Bureau	Langley	Schnell
Callahan	Leet	Sellens
Carlson	Levin	Severson
Coghlan	Lillehaugen	Stair
Collette	Lunde	Starck
Crockett	McInnes	Sticka
Dahlen	Manstrom	Stormon
Dalzell	Marks	Twichell
Devlin	Mittag	Tuff
Drovdal	Mollet	Wambheim
Ekren	Monson	Welder
Fitch	Morrison	Westby
Forseth	Mortenson	Williams, Richland
Fraser	Myers	Williams, Sargent
Fuglestad	Nelson	Williams, Stutsm'n
Gackle	Nystrom	Wolf, McIntosh
Graham	Olson, Barnes	Wolf, Morton
Haag	Olson, Bowman	Mr. Speaker
Halcrow		

Those voting in the negative were:

Bauer	Johnson, Richland	Ohnstad
Hogoboom	Moe	Pyle

Absent and not voting:

Aker	Falconer	Larson, Wells
Allen, Grand Forks	Fleck	Morland
Bagge	Gainor	Peterson, Bottina'u
Bjella	Haugen	Rohde
Braun	Hegge	Sharpe
Bubel	Hildre	Shure
Bymers	Larson, Ward	Welk

So the bill passed and the title was agreed to.

Rep. Anderson moved that the vote by which House Bill No. 249 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 87. A Bill for an Act Making an Appropriation for the Purpose of Returning to the State Hail Insurance Fund the Balance of the Money, Amounting to \$900,000 (Nine Hundred Thousand Dollars) Diverted Therefrom by Chapter 155 of the Session Laws for 1935, With Interest Thereon, and Repealing All Acts or Parts of Acts in Conflict Herewith.

Was read the second time.

Rep. Wolf of McIntosh demanded a call of the House. A call of the House was granted.

The roll was called and disclosed all members present except Reps. Aker, Bjella, Devlin, Falconer, Fleck, Gainor, Hildre, Johnson of Richland, Peterson of Bottineau and Sharpe.

Rep. Wolf of McIntosh moved that the call of the House be dispensed with.

A rising vote disclosed 42 for and 36 against.

So the call of the House was dispensed with.

#### ROLL CALL

The question being on the final passage of the bill, the roll

was called and there were ayes, 58, nays, 52, absent and not voting, 3.

Those voting in the affirmative were:

Anderson	Hofstrand	Ostgulen
Bauer	Iszler	Peterson, Bottina'u
Baumgartner	Jennings	Rettkke
Belzer	Kolpin	Rohde
Braun	Larson, Ward	Rohrer
Bubel	Larson, Wells	Schwartz
Bureau	Levin	Schmalenberger
Bymers	Lillehaugen	Schnell
Crockett	Marks	Stair
Devlin	Mittag	Starck
Drovdal	Mollet	Sticka
Falconer	Monson	Tuff
Forseth	Morland	Welder
Fraser	Morrison	Welk
Graham	Mortenson	Williams, Richland
Haag	Myers	Williams, Sargent
Halvorson	Nelson	Wolf, McIntosh
Haugen	Olson, Bowman	Wolf, Morton
Heckman	Ohnstad	Mr. Speaker
Hegge		

Those voting in the negative were:

Aker	Fuglestad	Moe
Allen, Grand Forks	Gackle	Nystrom
Allen, Pierce	Gainor	Olson, Barnes
Arndt	Halcrow	Peterson, Ransom
Bagge	Haugland	Pyle
Benno	Hildre	Runck
Bergesen	Hogoboom	Sailer
Blair	Holm	Sandness
Bolmeier	Hovey	Saumur
Boulden	Johnson, Cass	Sellens
Callahan	Johnson, Richland	Severson
Carlson	Johnson, Rolette	Shure
Coghlan	Langley	Stormon
Collette	Leet	Twichell
Dahlen	Lunde	Wambheim
Dalzell	McInnes	Westby
Ekren	Manstrom	Williams, Stuts'm'n
Fitch		

Absent and not voting:

Bjella	Fleck	Sharpe
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So the bill passed and the title was agreed to.

Rep. Marks: "I want to explain my vote and I want it recorded. I want to be able to go back home and tell my people or at least prove to my people that I wanted this fund returned back to the Insurance Department as it was not a gift as Rep. Bergesen says it was. Therefore I vote 'aye'."

Rep. Twichell: "Having been one of those who was here at the time and helped figure out the method of getting this money for the educational institutions of the State and the small schools, I vote 'no'."

A verification was demanded and granted.

The verification revealed ayes, 58, nays, 52, absent and not voting, 3.

Rep. Graham moved that the vote by which House Bill

No. 87 was passed be reconsidered and the motion to reconsider be laid on the table.

A roll call was demanded on the motion of Rep. Graham.

A sufficient number having seconded the request a roll call was granted.

Rep. Fitch demanded a call of the House.

A sufficient number having seconded the request, the call of the House was granted.

The roll call revealed all members present except Reps. Bjella, Fleck and Sharpe.

Rep. Crockett moved that the Call of the House be dispensed with.

Rep. Fitch demanded a Roll Call on the motion of Rep. Crockett.

### ROLL CALL

The question being on the motion of Rep. Crockett, the roll was called and there were ayes, 58; nays, 53; absent and not voting, 2.

Those voting in the affirmative were:

Anderson	Hofstrand	Ostgulen
Bauer	Iszler	Peterson, Bottina'u
Baumgartner	Jennings	Rettke
Belzer	Kolpin	Rohde
Braun	Larson, Ward	Rohrer
Bubel	Larson, Wells	Schwartz
Bureau	Levin	Schmalenberger
Bymers	Lillehaugen	Schnell
Crockett	Marks	Stair
Devlin	Mittag	Starck
Drovdal	Mollet	Sticka
Falconer	Monson	Tuff
Forseth	Morland	Welder
Fraser	Morrison	Welk
Graham	Mortenson	Williams, Richland
Haag	Myers	Williams, Sargent
Halvorson	Nelson	Wolf, McIntosh
Haugen	Olson, Bowman	Wolf, Morton
Heckman	Ohnstad	Mr. Speaker
Hegge		

Those voting in the negative were:

Aker	Fuglestad	Nystrom
Allen, Grand Forks	Gackle	Olson, Barnes
Allen, Pierce	Gainor	Peterson, Ransom
Arndt	Halcrow	Pyle
Bagge	Haugland	Runck
Benno	Hildre	Sailer
Bergesen	Hogoboom	Sandness
Blair	Holm	Saumur
Bolmeier	Hovey	Sellens
Boulden	Johnson, Cass	Severson
Callahan	Johnson, Richland	Sharpe
Carlson	Johnson, Rolette	Shure
Coghlan	Langley	Stormon
Collette	Leet	Twichell
Dahlen	Lunde	Wambheim
Dalzell	McInnes	Westby
Ekren	Manstrom	Williams, Stutsm'n
Fitch	Moe	



Absent and not voting:

Bjella Fleck

So the motion prevailed and the call of the house was dispensed with.

Rep. Fitch moved that the House recess until 7:00 o'clock p. m., tonight, which motion was lost.

#### ROLL CALL

The question being on the motion of Rep. Graham, the roll was called and there were ayes, 58; nays, 53; absent and not voting, 2.

Those voting in the affirmative were:

Anderson	Hofstrand	Ostgulen
Bauer	Iszler	Peterson, Bottina'u
Baumgartner	Jennings	Rettke
Belzer	Kolpin	Rohde
Braun	Larson, Ward	Rohrer
Bubel	Larson, Wells	Schwartz
Burau	Levin	Schmalenberger
Bymers	Lillehaugen	Schnell
Crockett	Marks	Stair
Devlin	Mittag	Starck
Drovdal	Mollet	Sticka
Falconer	Monson	Tuff
Forseth	Morrison	Welder
Fraser	Mortenson	Welk
Graham	Myers	Williams, Richland
Haag	Morland	Williams, Sargent
Halvorson	Nelson	Wolf, McIntosh
Haugen	Olson, Bowman	Wolf, Morton
Heckman	Ohnstad	Mr. Speaker

Those voting in the negative were:

Aker	Fuglestad	Nystrom
Allen, Grand Forks	Gackle	Olson, Barnes
Allen, Pierce	Gainor	Peterson, Ransom
Arndt	Halcrow	Pyle
Bagge	Haugland	Runk
Benno	Hildre	Sailer
Bergesen	Hogoboom	Sandness
Blair	Holm	Saumur
Bolmeier	Hovey	Sellens
Boulden	Johnson, Cass	Severson
Callahan	Johnson, Richland	Sharpe
Carlson	Johnson, Rolette	Shure
Coghlan	Langley	Stormon
Collette	Leet	Twichell
Dahlen	Lunde	Wambheim
Dalzell	McInnes	Westby
Ekren	Manstrom	Williams, Stutsm'n
Fitch	Moe	

Absent and not voting:

Bjella Fleck

So the vote by which House Bill No. 87 was passed and the motion to reconsider was laid on the table.

Rep. Aker: "I have not explained my vote before but will do so now. I heard a member say that he would not want to go home if he did not vote for this bill. I would not want to go home and face my farmer constituents if I did not vote against this bill. The farmers in my county do not carry

1% of their hail insurance with the fund. I can't vote to take their money and pour it down a knot hole."

Rep. Allen of Grand Forks: "I have heard remarks around here that made me realize that a lot of people do not understand this bill. I hear that because of this million dollar transfer it has raised the premium on the hail insurance. I am sure a lot of people would like to look up and satisfy themselves that this is not so, because I think if they knew the facts they would reconsider."

Rep. Halcrow: "I will have to explain my vote. I am voting 'No' because I was here when this law was talked of in one of the sessions and I understood that when this fund we are talking about now, reached the amount of four million dollars there would be no more money put in the fund. I understand that it is beyond that amount now and I see no need for sending this \$900,000 back to it. I therefore vote 'No'."

Rep. Moe: "At the time we appropriated this money I understood the fund was somewhat over four million dollars and when we paid the two cent flat tax for the creation of that fund up to four million it was done by the farmers of our State. Now that they had that fund up to four million and since the farmers are still taxed until the fund is now four million again or better, I vote 'No' because there is no need of this additional money."

Rep. Fitch moved that House Bill No. 146 be made a special order of business at 9:00 o'clock tonight, which motion prevailed.

Rep. Graham moved that the House recess until 7:00 o'clock tonight, which motion prevailed.

The House reconvened at 7:00 o'clock p. m., pursuant to recess taken, Speaker Beede presiding.

The Speaker announced the House would be on the eleventh order of business.

#### SECOND READING OF HOUSE BILLS

House Bill No. 245. A Bill for an Act Suspending the Operation of Section 1 of Chapter 196 of the Session Laws of North Dakota for 1933 During the Biennium Beginning July 1, 1943 and Ending June 30, 1945, and Limiting Salary Increases to 25% of the Existing Limitations.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 89, nays, 16; absent and not voting, 8.

Those voting in the affirmative were:

Aker	Gackle	Olson, Barnes
Allen, Grand Forks	Gainor	Olson, Bowman
Allen, Pierce	Haag	Ohnstad
Anderson	Halcrow	Ostgulen
Arndt	Haugen	Peterson, Bottina'u
Bagge	Haugland	Peterson, Ransom
Bauer	Heckman	Pyle
Baumgartner	Hegge	Rettke
Benno	Hildre	Rohrer
Belzer	Hofstrand	Runck
Bergesen	Hogoboom	Sailer
Blair	Holm	Sandness

Bolmeier	Hovey	Saumur
Boulden	Iszler	Schwartz
Braun	Johnson, Richland	Sellens
Bubel	Johnson, Rolette	Severson
Bureau	Langley	Sharpe
Callahan	Larson, Ward	Shure
Carlson	Larson, Wells	Starck
Coghlan	Leet	Stormon
Collette	Lunde	Twichell
Dahlen	McInnes	Wambheim
Dalzell	Manstrom	Welder
Ekren	Marks	Welk
Falconer	Mollet	Westby
Fitch	Morland	Williams, Sargent
Fleck	Morrison	Williams, Stutsman
Forseth	Mortenson	Wolf, McIntosh
Fraser	Myers	Wolf, Morton
Fuglestad	Nystrom	
Those voting in the negative were:		
Bymers	Mittag	Stair
Crockett	Moe	Sticka
Drovdal	Monson	Tuff
Graham	Rohde	Williams, Richland
Halvorson	Schnell	Mr. Speaker
Kolpin		
Absent and not voting:		
Bjella	Johnson, Cass	Nelson
Devlin	Levin	Schmalenberger
Jennings	Lillehaugen	

So the bill passed and the title was agreed to.

House Concurrent Resolution "T." Memorializing the Congress of the United States to Abandon Further Acquisition of Land and the Extension of Game Refuges in the State of North Dakota; Urging Legislation to Provide for Making Payments in Lieu of Taxes Where Refuges Are Located, or Providing for Return of Such Lands to Private Ownership; and Payment of Claims of Landowners in Locality of Such Game Refuges, Whose Crops Have Been Destroyed by Game Birds and Predatory Animals Found on Such Reserves.

Was read the second time.

Rep. Rohde moved that House Concurrent Resolution "T" be adopted, which motion prevailed and the Resolution was adopted.

House Bill No. 250. A Bill for an Act to Amend and Re-enact Section 3684a13 of the 1925 Supplement to the Compiled Laws Relative to the Disposition of Balances at the End of the Fiscal Year in City Appropriations.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 102, nays, 4; absent and not voting, 7.

Those voting in the affirmative were:

Allen, Pierce	Halcrow	Ohnstad
Arndt	Halvorson	Ostgulen
Bagge	Haugen	Peterson, Bottina'u
Bauer	Haugland	Peterson, Ransom
Baumgartner	Heckman	Pyle
Belzer	Hegge	Rettko

Benno	Hildre	Rohde
Bergesen	Hofstrand	Rohrer
Blair	Hogboom	Runk
Bolmeier	Holm	Sailer
Boulden	Hovey	Sandness
Braun	Iszler	Schwartz
Bubel	Jennings	Schmalenberger
Burau	Johnson, Richland	Schnell
Bymers	Johnson, Rolette	Sellens
Callahan	Kolpin	Severson
Carlson	Langley	Sharpe
Coghlan	Larson, Ward	Shure
Collette	Larson, Wells	Stair
Crockett	Leet	Starck
Dahlen	Lunde	Sticka
Dalzell	McInnes	Stormon
Drovdal	Manstrom	Twichell
Ekren	Marks	Tuff
Falconer	Mittag	Wambheim
Fitch	Mollet	Welder
Fleck	Monson	Welk
Forseth	Morland	Westby
Fraser	Morrison	Williams, Richland
Fuglestad	Mortenson	Williams, Sargent
Gackle	Myers	Williams, Stutsm'n
Gainor	Nystrom	Wolf, McIntosh
Graham	Olson, Barnes	Wolf, Morton
Haag	Olson, Bowman	Mr. Speaker
Those voting in the negative were:		
Aker	Anderson	Moe
Allen, Grand Forks		
Absent and not voting:		
Bjella	Levin	Nelson
Devlin	Lillehaugen	Saumur
Johnson, Cass		

So the bill passed and the title was agreed to.

House Bill No. 154. A Bill for an Act Providing for the Control and Eradication of Harmful, Destructive and Poisonous Reptiles; the Appointment of a Warden to Accomplish This Purpose; Providing for His Compensation and Expenses and the Supplying of Necessary Equipment; Outlining the Duties of the Warden.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 59, nays, 47; absent and not voting, 7.

Those voting in the affirmative were:

Aker	Fuglestad	Mortenson
Allen, Pierce	Gackle	Myers
Anderson	Graham	Olson, Barnes
Bauer	Halcrow	Olson, Bowman
Baumgartner	Halvorson	Ohnstad
Bolmeier	Haugen	Rettke
Braun	Haugland	Rohde
Bubel	Heckman	Runk
Callahan	Hovey	Sandness
Coghlan	Iszler	Schnell
Crockett	Johnson, Richland	Sellens

Dahlen	Kolpin	Sharpe
Devlin	Larson, Ward	Starck
Drovdal	Larson, Wells	Sticka
Ekren	Lunde	Tuff
Falconer	McInnes	Welk
Fitch	Marks	Williams, Richland
Fleck	Mittag	Wolf, Morton
Forseth	Monson	Mr. Speaker
Fraser	Morland	
Those voting in the	negative were:	
Allen, Grand Forks	Hofstrand	Sailer
Arndt	Hogoboom	Saumur
Bagge	Holm	Schwartz
Benno	Johnson, Rolette	Schmalenberger
Bergesen	Langley	Severson
Blair	Leet	Shure
Boulden	Manstrom	Stair
Burau	Moe	Stormon
Bymers	Mollet	Twichell
Carlson	Morrison	Wambheim
Collette	Nystrom	Welder
Dalzell	Ostgulen	Westby
Gainor	Peterson, Bottina'u	Williams, Sargent
Haag	Peterson, Ransom	Williams, Stutsm'n
Hegge	Pyle	Wolf, McIntosh
Hildre	Rohrer	
Absent and not voting:		
Belzer	Johnson, Cass	Lillehaugen
Bjella	Levin	Nelson
Jennings		

So the bill passed and the title was agreed to.

Rep. Myers moved that the vote by which House Bill No. 154 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

House Bill No. 138. A Bill for an Act to Amend and Re-enact Sections 5 and 8 of Chapter 165 of the Session Laws of 1939, as Amended and Re-enacted by Sections 1 and 2 of Chapter 190 of the Session Laws of 1941 of the State of North Dakota, 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 Providing that the Act Shall Not Be Applicable in Certain Cases Set Forth in This Act; and Repealing All Acts Inconsistent 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, 59; nays, 50; absent and not voting, 4.

Those voting in the affirmative were:

Anderson	Heckman	Ostgulen
Bauer	Hegge	Peterson, Bottin'au

Baumgartner	Hofstrand	Rettke
Belzer	Iszler	Rohde
Braun	Kolpin	Rohrer
Bubel	Larson, Wells	Schwartz
Burau	Larson, Ward	Schmalenberger
Bymers	Levin	Schnell
Crockett	Lillehaugen	Stair
Devlin	Marks	Starck
Drovdal	Mittag	Sticka
Falconer	Mollet	Tuff
Fitch	Monson	Welder
Forseth	Morland	Welk
Gackle	Morrison	Williams, Richland
Graham	Mortenson	Williams, Sargent
Haag	Myers	Wolf, McIntosh
Halvorson	Nelson	Wolf, Morton
Haugen	Olson, Bowman	Mr. Speaker
Haugland	Ohnstad	
Those voting in the negative were:		
Allen, Grand Forks	Fraser	Nystrom
Allen, Pierce	Fuglestad	Olson, Barnes
Arndt	Gainor	Peterson, Ransom
Bagge	Halcrow	Pyle
Benno	Hildre	Runck
Bergesen	Hogoboom	Sailer
Blair	Holm	Sandness
Bolmeier	Hovey	Saumur
Boulden	Johnson, Cass	Sellens
Callahan	Johnson, Richland	Sharpe
Carlson	Johnson, Rolette	Shure
Coghlan	Langley	Stormon
Collette	Leet	Twichell
Dahlen	Lunde	Wambheim
Dalzell	McInnes	Westby
Ekren	Manstrom	Williams, Stutsm'n
Fleck	Moe	
Absent and not voting:		
Aker	Jennings	Severson
Bjella		

So the bill passed as amended and the title was agreed to.

Rep. Welder moved that the vote by which House Bill No. 138 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Rep. Bergesen: "I wish to explain my vote and have it recorded in the Journal. I have to vote 'No' on House Bill No. 138 because the conditions which created the moratorium or the necessity for the moratorium has passed. The Supreme Courts of Iowa and South Dakota have declared them unconstitutional."

House Bill No. 173. A Bill for an Act Regulating the Transfer of Shares of Stock in Corporations, Repealing All Acts or Parts of Acts in Conflict Herewith, and Making Certain Exceptions 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, 77; nays, 31; absent and not voting, 5.

Those voting in the affirmative were:

Allen, Pierce	Haag	Olson, Bowman
Anderson	Halerow	Ohnstad
Bagge	Haugen	Ostgulen
Bauer	Haugland	Peterson, Ransom
Baumgärtner	Heckman	Pyle
Belzer	Hildre	Rettke
Benno	Hofstrand	Rohde
Bergesen	Hogoboom	Rohrer
Bolmeier	Hovey	Sailer
Braun	Iszler	Saumur
Bubel	Johnson, Richland	Schwartz
Burau	Larson, Ward	Schmalenberger
Carlson	Larson, Wells	Schnell
Collette	Lillehaugen	Sellens
Crockett	Lunde	Shure
Dahlen	Marks	Starck
Dalzell	McInnes	Tuff
Devlin	Manstrom	Wambheim
Drovdal	Mittag	Welder
Ekren	Mollet	Welk
Falconer	Morland	Westby
Fitch	Mortenson	Williams, Sargent
Fleck	Myers	Wolf, McIntosh
Gackle	Nelson	Wolf, Morton
Gainor	Nystrom	Mr. Speaker
Graham	Olson, Barnes	

Those voting in the negative were:

Allen, Grand Forks	Hegge	Morrison
Arndt	Holm	Peterson, Bottin'au
Blair	Johnson, Cass	Runck
Boulden	Johnson, Rolette	Sharpe
Bymers	Kolpin	Stair
Callahan	Langley	Sticka
Coghlan	Leet	Stormon
Forseth	Levin	Twichell
Fraser	Moe	Williams, Richland
Fuglestad	Monson	Williams, Stutsman

Absent and not voting:

Aker	Jennings	Severson
Bjella	Sandness	

So the bill passed as amended and the title was agreed to.

Rep. Graham moved that the vote by which House Bill No. 173 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 Providing for a Transfer of Certain School Land Situated in Bowman County, North Dakota, to the Game and Fish Commission of the State of North Dakota, to Be Used and Maintained Under the Direction of the Game and Fish Commission as a Public Park for Recreation Purposes, 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.

Rep. Johnson of Cass moved that House Bill No. 43 be indefinitely postponed, which motion was lost.

#### ROLL CALL

The question being on the final passage of the bill, as

amended, the roll was called and there were ayes, 74; nays, 36; absent and not voting, 3.

Those voting in the affirmative were:

Aker	Haugland	Nystrom
Anderson	Heckman	Olson, Bowman
Bauer	Hegge	Ohnstad
Baumgartner	Hofstrand	Ostgulen
Belzer	Hogoboom	Peterson, Bottin'au
Braun	Hovey	Peterson, Ransom
Bubel	Iszler	Pyle
Burau	Johnson, Richland	Rohde
Bymers	Johnson, Rolette	Rohrer
Coghlan	Kolpin	Sandness
Crockett	Larson, Ward	Schwartz
Dahlen	Larson, Wells	Schmalenberger
Devlin	Leet	Schnell
Drovdal	Levin	Sellens
Ekren	Lillehaugen	Stair
Falconer	Lunde	Sticka
Fitch	Marks	Stormon
Forseth	Mittag	Tuff
Fraser	Mollet	Welder
Fuglestad	Monson	Williams, Richland
Gainor	Morland	Williams, Sargent
Graham	Morrison	Wolf, McIntosh
Haag	Mortenson	Wolf, Morton
Halvorson	Myers	Mr. Speaker
Haugen	Nelson	

Those voting in the negative were:

Allen, Grand Forks	Dalzell	Runk
Allen, Pierce	Fleck	Sailer
Arndt	Gackle	Saumur
Bagge	Halcrow	Severson
Benno	Hildre	Sharpe
Bergesen	Holm	Shure
Blair	Johnson, Cass	Starck
Bolmeier	Langley	Twichell
Boulden	McInnes	Wambheim
Callahan	Manstrom	Welk
Carlson	Moe	Westby
Collette	Rettke	Williams, Stutsm'n

Absent and not voting:

Bjella	Jennings	Olson, Barnes
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So the bill passed as amended and the title was agreed to, and the emergency clause was declared carried.

Rep. Rohde 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.

Rep. Bauer: "I am going to vote 'Aye' on this bill and want my remarks in the Journal. The reason I am voting 'Aye' on this is because it is a good bill. It is something that is needed out in that country. There may be some little irregularity as Brother Johnson has stated but if there is it can be amended in the Senate."

Rep. Rettke: "I think this is the wrong time to start anything like that on account of the shortage of wire. I vote 'No'."

House Bill No. 221. A Bill for an Act to Amend and Re-enact Section 1828 of the 1925 Supplement to the Compiled



Laws of North Dakota for 1913, as Amended by Chapter 241 Session Laws of 1933; Relating to the Use of North Dakota Fuel in Public Buildings, and Placing the Enforcement Under the Public Service Commission, and Providing a 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, 47; nays, 63; absent and not voting, 3.

Those voting in the affirmative were:

Aker	Hildre	Mortenson
Anderson	Hofstrand	Myers
Bagge	Hogoboom	Olson, Bowman
Bauer	Holm	Ostgulen
Baumgartner	Iszler	Peterson, Bottin'au
Braun	Larson, Ward	Rohde
Bymers	Larson, Wells	Rohrer
Callahan	Leet	Severson
Crockett	Levin	Stair
Dahlen	Lillehaugen	Starck
Drovdal	Lunde	Stormon
Forseth	Marks	Twichell
Fuglestad	Moe	Williams, Richland
Graham	Mollet	Williams, Sargent
Haugen	Morland	Wolf, Morton
Heckman	Morrison	

Those voting in the negative were:

Allen, Grand Forks	Gackle	Pyle
Allen, Pierce	Gainor	Rettke
Arndt	Haag	Runck
Benno	Halcrow	Sailer
Belzer	Halvorson	Sandness
Bergesen	Haugland	Saumur
Blair	Hegge	Schwartz
Bolmeier	Hovey	Schnell
Boulden	Johnson, Cass	Sellens
Bubel	Johnson, Richland	Sharpe
Bureau	Johnson, Rolette	Shure
Carlson	Kolpin	Schmalenberger
Coghlan	Langley	Sticka
Collette	McInnes	Tuff
Dalzell	Manstrom	Wambheim
Deylin	Mittag	Welder
Ekren	Monson	Welk
Falconer	Nelson	Westby
Fitch	Nystrom	Williams, Stutsm'n
Fleck	Ohnstad	Wolf, McIntosh
Fraser	Peterson, Ransom	Mr. Speaker

Absent and not voting:

Bjella	Jennings	Olson, Barnes
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So the bill was declared lost.

Rep. Westby moved that the vote by which House Bill No. 221 was lost be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 9. A Bill for an Act Making an Appropriation for the Purpose of Paying a Bounty on Wolves, Coyotes, Magpies and Foxes.

Was read the second time.

## ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 96; nays, 13; absent and not voting, 4.

Those voting in the affirmative were:

Allen, Grand Forks	Halcrow	Myers
Allen, Pierce	Halvorson	Nystrom
Anderson	Haugen	Nelson
Bagge	Haugland	Ohnstad
Bauer	Heckman	Olson, Bowman
Baumgartner	Hegge	Ostgulen
Belzer	Hildre	Peterson, Bottin'au
Benno	Hofstrand	Peterson, Ransom
Bergesen	Hogoboom	Rettke
Blair	Holm	Rohde
Braun	Hovey	Rohrer
Burau	Iszler	Saumur
Bymers	Johnson, Cass	Sailer
Callahan	Johnson, Richland	Schmalenberger
Carlson	Johnson, Rolette	Schnell
Coghlan	Kolpin	Schwartz
Collette	Langley	Sellens
Crockett	Larson, Ward	Severson
Dahlen	Larson, Wells	Sharpe
Dalzell	Leet	Stair
Devlin	Levin	Starck
Drovdal	Lillehaugen	Sticka
Falconer	Lunde	Stormon
Fitch	Manstrom	Tuff
Fleck	Marks	Twichell
Forseth	McInnes	Wambheim
Fraser	Mittag	Welder
Fuglestad	Mollet	Welk
Gackle	Monson	Williams, Richland
Gainor	Morland	Williams, Sargent
Graham	Morrison	Wolf, Morton
Haag	Mortenson	Mr. Speaker

Those voting in the negative were:

Aker	Ekren	Sandness
Arndt	Moe	Westby
Bolmeier	Pyle	Williams, Stutsm'n
Boulden	Runck	Wolf, McIntosh

Bubel

Absent and not voting:

Bjella	Olson, Barnes	Shure
Jennings		

So the bill passed as amended and the title was agreed to.

Rep. Bauer 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.

Rep. Wolf of McIntosh: "I am going to vote 'no' on this bill. I feel that if I can't get the State to pay the gopher bounty, I don't see why I should vote for this."

House Bill No. 163. A Bill for an Act to Amend and Re-enact Subsection (c) and (e), Section 36, Chapter 162 of the Session Laws of North Dakota for the Year 1927, as Amended by Chapter 190 of the Session Laws of North Dakota for the Year 1931, as Amended by Chapter 163 of the Session Laws of North Dakota for the Year 1933, as Amended by

Chapter 185 of the Session Laws of North Dakota for the Year 1935, as Amended by Chapter 194 of the Session Laws of North Dakota for the Year 1941, Prescribing and Relating to the Size of Motor Vehicles and Loads of Motor Vehicles Upon the Highway; and Amending and Re-enacting Subsection (b) of Section 25 of Chapter 179 of the Session Laws of North Dakota for the Year 1927, as Amended by Section 5 of Chapter 186 of the Session Laws of North Dakota for the Year 1931, as Amended by Subsection (b) of Section 1 of Chapter 161 of the Session Laws of North Dakota for the Year 1933, as Amended by Subsection (b) (1) of Section 2 of Chapter 194 of the Session Laws of North Dakota for the Year 1941, Providing for Registration Fees for Trucks on a Gross Weight Basis, 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, 56, nays, 54, absent and not voting, 3.

Those voting in the affirmative were:

Anderson	Heckman	Peterson, Bottin'au
Baumgartner	Hegge	Rohde
Benno	Hofstrand	Sandness
Bergesen	Hovey	Saumur
Braun	Iszler	Schwartz
Bubel	Kolpin	Schmalenberger
Crockett	Larson, Ward	Schnell
Drovdal	Larson, Wells	Sellens
Falconer	Levin	Shure
Fitch	Marks	Stair
Fleck	Mollet	Sticka
Forseth	Monson	Stormon
Fraser	Morland	Twichell
Graham	Morrison	Welder
Haag	Mortenson	Welk
Halcrow	Myers	Williams, Sargent
Halvorson	Ohnstad	Wolf, McIntosh
Haugen	Olson, Bowman	Mr. Speaker
Haugland	Ostgulen	

Those voting in the negative were:

Aker	Devlin	Moe
Allen, Grand Forks	Ekren	Nelson
Allen, Pierce	Fuglestad	Nystrom
Arndt	Gackle	Peterson, Ransom
Bagge	Gainor	Pyle
Bauer	Hildre	Rettke
Belzer	Hogoboom	Rohrer
Blair	Holm	Runk
Bolmeier	Johnson, Cass	Sailer
Boulden	Johnson, Richland	Severson
Bureau	Johnson, Rolette	Sharpe
Bymers	Langley	Starck
Callahan	Leet	Tuff
Carlson	Lillehaugen	Wambheim
Coghan	Lunde	Westby
Collette	McInnes	Williams, Richland
Dahlen	Manstrom	Williams, Stutsm'n
Dalzell	Mittag	Wolf, Morton

Absent and not voting:

Bjella Jennings Olson, Barnes

So the bill was declared lost.

Rep. Aker moved that the vote by which House Bill No. 163 was lost be reconsidered and the motion to reconsider be laid on the table.

On a viva voce vote the Chair was in doubt. A rising vote disclosed 45 voting for and 55 voting against, so the motion was declared lost.

Rep. Bauer: "I want to say a few words and have them recorded in the Journal. I will not vote for anything that is liable to put our railroads out of business. I will not vote for anything that is going to leave people in town starving to death and freezing to death the way I saw it happen in South Dakota. I will not vote for granting the privilege of private industry to go over our roads that our people built with our money and are maintained by our State and have them going over these roads and make them in such condition that they are dangerous for our people at times to drive across."

Rep. Braun: "I am going to vote 'aye' on this bill and the reason for that is that we have got the truckers and we cannot get rid of them any more. We need them as badly as we do the railroads. When we order our repairs we get them through the truckers from Minot or Bismarck and can get them the same day. I have nothing against the railroads but we need them both and that's why I vote 'aye' on this bill."

House Bill No. 47. A Bill for an Act to Amend and Re-enact Chapter 7 of the Session Laws of 1935, as Amended by Chapter 20 of the Session Laws of 1941, Relating to Wolf, Coyote and Fox Bounty and Declaring an Emergency.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 91, nays, 14, absent and not voting, 8.

Those voting in the affirmative were:

Allen, Grand Forks	Heckman	Nystrom
Allen, Pierce	Hegge	Olson, Bowman
Anderson	Hildre	Ohnstad
Arndt	Hofstrand	Ostgulen
Bagge	Hogboom	Peterson, Bottin'au
Bauer	Holm	Peterson, Ransom
Baumgartner	Hovey	Rettke
Belzer	Iszler	Rohde
Benno	Johnson, Cass	Rohrer
Bergesen	Johnson, Rolette	Runck
Braun	Kolpin	Sailer
Bubel	Langley	Saumur
Burau	Larson, Ward	Schwartz
Bymers	Larson, Wells	Schmalenberger
Callahan	Leet	Schnell
Carlson	Levin	Sellens
Coghlan	Lillehaugen	Severson
Dahlen	Lunde	Sharpe
Dalzell	McInnes	Shure
Drovdal	Manstrom	Stair

Falconer	Marks	Starck
Fitch	Mittag	Sticka
Forseth	Moe	Stormon
Fraser	Mollet	Tuff
Fuglestad	Monson	Wambheim
Gainor	Morland	Westby
Graham	Morrison	Williams, Richland
Haag	Mortenson	Williams, Stutsm'n
Halvorson	Myers	Wolf, Morton
Haugen	Nelson	Mr. Speaker
Haugland		
Those voting in the negative were:		
Blair	Devlin	Welder
Bolmeier	Ekren	Welk
Boulden	Halcrow	Williams, Sargent
Collette	Pyle	Wolf, McIntosh
Crockett	Sandness	
Absent and not voting:		
Aker	Gackle	Olson, Barnes
Bjella	Jennings	Twichell
Fleck	Johnson, Richland	

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

Rep. Bymers moved that the vote by which House Bill No. 47 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

House Bill No. 236. A Bill for an Act Providing for the Regulation of Private Trade Schools and Correspondence Schools, and Providing Penalties for Violation.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 94; nays, 11; absent and not voting, 8.

Those voting in the affirmative were:

Allen, Grand Forks	Halcrow	Peterson, Ransom
Allen, Pierce	Haugland	Pyle
Arndt	Hildre	Rettke
Bagge	Hofstrand	Rohde
Benno	Hogoboom	Rohrer
Belzer	Holm	Runk
Blair	Hovey	Sailer
Bolmeier	Iszler	Sandness
Boulden	Johnson, Cass	Schwartz
Bubel	Johnson, Richland	Schmalenberger
Burau	Johnson, Rolette	Schnell
Bymers	Kolpin	Sellens
Carlson	Larson, Ward	Severson
Coghlan	Langley	Sharpe
Collette	Leet	Shure
Crockett	McInnes	Stair
Dahlen	Lillehaugen	Starck
Dalzell	Lunde	Sticka
Devlin	Marks	Stormon
Ekren	Mittag	Twichell
Falconer	Moe	Tuff
Fitch	Mollet	Wambheim
Fleck	Monson	Welder

Forseth	Morland	Welk
Fraser	Morrison	Westby
Fuglestad	Mortenson	Williams, Richland
Gackle	Nystrom	Williams, Sargent
Gainor	Olson, Bowman	Williams, Stutsm'n
Graham	Ohnstad	Wolf, McIntosh
Haag	Ostgulen	Wolf, Morton
Halvorson	Peterson, Bottin'au	Mr. Speaker
Heckman		

Those voting in the negative were:

Anderson	Braun	Larson, Wells
Bauer	Callahan	Manstrom
Baumgartner	Drovdal	Myers
Bergesen	Haugen	
Absent and not voting:		
Aker	Jennings	Olson, Barnes
Bjella	Levin	Saumur
Hegge	Nelson	

So the bill passed, as amended, and the title was agreed to.

Rep. Moe moved that the vote by which House Bill No. 236 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

House Bill No. 248. A Bill for an Act Providing for the Recording of Discharge Papers from the National Guard, the Army, Navy, Marine Corps and Other Branches of the Military Forces, 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, 108, nays, 0, absent and not voting, 5.

Those voting in the affirmative were:

Aker	Halcrow	Olson, Bowman
Allen, Pierce	Halvorson	Ohnstad
Anderson	Haugen	Ostgulen
Arndt	Haugland	Peterson, Bottin'au
Bagge	Heckman	Peterson, Ransom
Bauer	Hegge	Pyle
Baumgartner	Hildre	Rettke
Belzer	Hofstrand	Rohde
Bergesen	Hogoboom	Rohrer
Blair	Holm	Runck
Bolmeier	Hovey	Sailer
Boulden	Iszler	Sandness
Braun	Johnson, Cass	Saumur
Bubel	Johnson, Richland	Schwartz
Burau	Johnson, Rolette	Schmalenberger
Bymers	Kolpin	Schnell
Callahan	Langley	Sellens
Carlson	Larson, Ward	Severson
Coghlan	Larson, Wells	Sharpe
Collette	Leet	Shure
Crockett	Levin	Stair
Dahlen	Lillehaugen	Starck
Dalzell	Lunde	Sticka
Devlin	McInnes	Stormon
Drovdal	Manstrom	Twichell

Ekren	Marks	Tuff
Falconer	Mittag	Wambheim
Fitch	Moe	Welder
Fleck	Mollet	Welk
Forseth	Monson	Westby
Fraser	Morland	Williams, Richland
Fuglestad	Morrison	Williams, Sargent
Gackle	Mortenson	Williams, Stutsm'n
Gainor	Myers	Wolf, McIntosh
Graham	Nelson	Wolf, Morton
Haag	Nystrom	Mr. Speaker
Absent and not voting:		
Allen, Grand Forks	Bjella	Olson, Barnes
Benno	Jennings	

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

House Concurrent Resolution "Y." Memorializing Congress of the United States to Ask the War Production Board to Lift Restrictions and Priorities on New Trucks and Pickups Used for and Necessary for Farmers and Residents in Rural Communities.

Was read the second time.

Rep. Rohde moved that House Concurrent Resolution "Y" be adopted; which motion prevailed and the resolution was adopted.

House Bill No. 158. A Bill for an Act to Amend and Re-enact Subsections 1a and 1b of Section 1 of Chapter 185 of the Session Laws of North Dakota for the Year 1935, Prescribing the Powers and Duties of Officers in Connection With the Enforcement of Laws Relating to the Size and Load Weights of Motor Vehicles 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, 73; nays, 34; absent and not voting, 6.

Those voting in the affirmative were:

Allen, Grand Forks	Halvorson	Olson, Bowman
Allen, Pierce	Haugen	Ohnstad
Arndt	Haugland	Ostgulen
Bagge	Heckman	Peterson, Ransom
Bauer	Hildre	Pyle
Benno	Hofstrand	Rettke
Bergesen	Hogoboom	Rohrer
Blair	Holm	Runk
Bolmeier	Hovey	Sailer
Boulden	Johnson, Cass	Sandness
Bureau	Johnson, Richland	Saumur
Bymers	Johnson, Rolette	Schmalenberger
Callahan	Kolpin	Schnell
Carlson	Langley	Sellens
Coghlan	Larson, Ward	Severson
Collette	Leet	Sharpe
Dahlen	Levin	Shure
Dalzell	Lillehaugen	Starck
Devlin	Lunde	Stormon
Ekren	McInnes	Twichell

Fleck	Manstrom	Wambheim
Fuglestad	Morland	Westby
Gackle	Mortenson	Williams, Stutsm'n
Gainor	Nystrom	Wolf, McIntosh
Graham		
Those voting in the negative were:		
Anderson	Iszler	Rohde
Baumgartner	Larson, Wells	Schwartz
Braun	Marks	Stair
Bubel	Mittag	Sticka
Drovdal	Moe	Tuff
Falconer	Mollet	Welder
Fitch	Monson	Welk
Forseth	Morrison	Williams, Richland
Fraser	Myers	Williams, Sargent
Haag	Nelson	Wolf, Morton
Halcrow	Peterson, Bottin'au	Mr. Speaker
Hegge		
Absent and not voting:		
Aker	Bjella	Jennings
Belzer	Crockett	Olson, Barnes

So the bill passed and the title was agreed to.

Rep. Westby 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.

Rep. Falconer: "I wish to explain my vote and have it recorded in the Journal. I don't believe a law like this is necessary if we are going to pass a bill such as the one introduced in the Senate giving power and control of things that I believe should be handled in the Legislature, into the hands of the Governor and Highway Commissioner so I vote 'No' on this bill."

Rep. Lillehaugen: "It seems to me when the Legislature makes laws and regulations for the size of the loads they should haul, they should also see that they are enforced. I vote 'Yes'."

Rep. Marks: "I cannot vote for this bill due to the fact that just a little while ago we killed House Bill No. 163 wherein there was an idea of increasing the load capacity. Due to the fact that bill was killed I do not see why we need any regulation because now they can't haul more than a vest pocket full."

Rep. Moe: "I feel this way that with such a heavy fine or imprisonment, that when one steps over a little bit there may be officers who would impose the penalty on some and let their friends go."

Rep. Ostgulen: "I have to vote 'Aye' on this bill because there is no use to have any laws unless we have a way to enforce them."

Rep. Wolf of McIntosh: "I am going to vote 'Aye' on this bill. I was in the committee this morning and we recommended it for passage unanimously. There were truckers there and they were not opposed to the bill and I believe that if we have laws in the State we should have them imposed."

Rep. Bauer: "I do not believe in persecution but I do believe in prosecution. If a man breaks the law he ought to



be prosecuted. I read the bill over four times while I have been sitting here and I think the right thing to do is to vote 'Aye'."

House Bill No. 251. A Bill for an Act Making an Appropriation for the Payment of Janitor Services of the House of Representatives of the 28th Legislative Assembly.

Was read the second time.

·ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 81; nays, 23; absent and not voting, 9.

Those voting in the affirmative were:

Allen, Grand Forks	Fraser	Morland
Allen, Pierce	Fuglestad	Mortenson
Arndt	Gackle	Myers
Bagge	Gainor	Nystrom
Bauer	Halcrow	Olson, Bowman
Baumgartner	Haugland	Ohnstad
Belzer	Heckman	Peterson, Bottin'au
Benno	Hildre	Peterson, Ransom
Bergesen	Hofstrand	Pyle
Blair	Hogoboom	Rettke
Bolmeier	Holm	Rohde
Boulden	Hovey	Rohrer
Burau	Iszler	Runk
Bymers	Johnson, Cass	Sailer
Callahan	Johnson, Richland	Sandness
Carlson	Johnson, Rolette	Saumur
Collette	Kolpin	Sellens
Crockett	Langley	Severson
Dahlen	Larson, Ward	Sharpe
Dalzell	Larson, Wells	Shure
Devlin	Leet	Stair
Drovdal	Lillehaugen	Sticka
Ekren	Lunde	Stormon
Falconer	McInnes	Twichell
Fitch	Manstrom	Wambheim
Fleck	Moe	Westby
Forseth	Mollet	Williams, Stutsm'n

Those voting in the negative were:

Anderson	Mittag	Welder
Bubel	Morrison	Welk
Graham	Nelson	Williams, Richland
Haag	Ostgulen	Williams, Sargent
Haugen	Schwartz	Wolf, McIntosh
Hegge	Schmalenberger	Wolf, Morton
Levin	Starck	Mr. Speaker
Marks	Tuff	

Absent and not voting:

Aker	Coghlan	Monson
Bjella	Halvorson	Olson, Barnes
Braun	Jennings	Schnell

So the bill passed and the title was agreed to.

Rep. Johnson of Cass moved that the vote by which House Bill No. 251 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Rep. Myers: "I am voting 'Aye' on this bill but I would like to call attention to some of the members of this House that this is the \$600.00 we were supposed to have saved."

House Bill No. 252. A Bill for an Act Making an Appropriation for Expenses of the 28th Legislative Assembly.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 93; nays, 16; absent and not voting, 4.

Those voting in the affirmative were:

Aker	Fraser	Myers
Allen, Grand Forks	Fuglestad	Nystrom
Allen, Pierce	Gackle	Olson, Bowman
Arndt	Gainor	Ohnstad
Bagge	Halcrow	Peterson, Bottin'au
Bauer	Haugen	Peterson, Ransom
Baumgartner	Haugland	Pyle
Belzer	Heckman	Rettke
Benno	Hegge	Rohde
Bergesen	Hildre	Rohrer
Blair	Hofstrand	Runck
Bolmeier	Hogboom	Sailer
Boulden	Holm	Sandness
Braun	Hovey	Saumur
Bubel	Iszler	Schwartz
Burau	Johnson, Cass	Schmalenberger
Bymers	Johnson, Richland	Schnell
Callahan	Johnson, Rolette	Sellens
Carlson	Kolpin	Severson
Coghlan	Langley	Sharpe
Collette	Larson, Ward	Shure
Crockett	Larson, Wells	Stair
Dahlen	Leet	Starck
Dalzell	Lunde	Sticka
Devlin	McInnes	Stormon
Drovdal	Manstrom	Twichell
Ekren	Moe	Wambheim
Falconer	Mollet	Westby
Fitch	Morland	Williams, Sargent
Fleck	Morrison	Williams, Stutsman
Forseth	Mortenson	Mr. Speaker
Those voting in the negative were:		
Anderson	Mittag	Welder
Graham	Monson	Welk
Haag	Nelson	Williams, Richland
Levin	Ostgulen	Wolf, McIntosh
Lillehaugen	Tuff	Wolf, Morton
Marks		
Absent and not voting:		
Bjella	Jennings	Olson, Barnes
Halvorson		

So the bill passed and the title was agreed to.

Rep. Bergesen moved that the vote by which House Bill No. 252 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

The Speaker announced the House would be on the fifth order of business.

#### HOUSE COMMITTEE ON ENROLLMENT AND ENGROSSMENT

Mr. Speaker: Your committee on Enrollment and En-

grossment respectfully report that they have examined the following bills:

House Bill No. 117.  
House Bill No. 121.  
House Bill No. 160.  
House Bill No. 202.  
House Bill No. 203.  
House Bill No. 212.

And find the same correctly Engrossed.

REP. MORLAND, Chairman.

Rep. Moe moved that the report be adopted, which motion prevailed, and the report was adopted.

#### SECOND READING OF HOUSE BILLS

House Bill No. 146. A Bill for an Act to Provide for the Regulation and Licensing of Horse Racing in the State of North Dakota; to Legalize and Permit the Pari-Mutuel or Certificate Method of Wagering on the Results of Horse Races at Licensed Racing Meeting in Said State, for the Purpose of Assisting in Raising Funds for the Promotion of the Agricultural, Livestock and Fair Expositions Conducted by the State and Counties of North Dakota, and Authorizing Such Fairs, and Expositions to Permit the Wagering Upon the Results of Horse Races Through the Pari-Mutuel or Certificate Method; and to Render Inapplicable Certain Acts in Conflict Hereof, and Declaring an Emergency.

Was read the second time.

Rep. Williams of Richland moved that further consideration of House Bill No. 146 be indefinitely postponed.

Rep. Fitch demanded a roll call. A roll call was granted.

#### ROLL CALL

The question being on the motion of Rep. Williams of Richland, the roll was called and there were ayes, 56; nays, 51; absent and not voting, 5; passed, 1.

Those voting in the affirmative were:

Arndt	Iszler	Rohde
Bagge	Langley	Sandness
Bergesen	Larson, Ward	Schwartz
Blair	Leet	Schmalenberger
Bolmeier	Lillehaugen	Sellens
Braun	Lunde	Severson
Carlson	McInnes	Shure
Dahlen	Manstrom	Starck
Dalzell	Marks	Stormon
Ekren	Mittag	Wambheim
Forseth	Moe	Welder
Fraser	Mollet	Welk
Graham	Monson	Westby
Haag	Morland	Williams, Richland
Halcrow	Morrison	Williams, Sargent
Haugen	Nystrom	Wolf, McIntosh
Haugland	Olson, Bowman	Wolf, Morton
Heckman	Ohnstad	Mr. Speaker
Hildre	Ostgulen	

Those voting in the negative were:

Aker	Drovdal	Levin
Allen, Grand Forks	Falconer	Mortenson
Allen, Pierce	Fitch	Nelson

Anderson	Fleck	Peterson, Bottin'au
Bauer	Fuglestad	Peterson, Ransom
Baumgartner	Gackle	Pyle
Belzer	Gainor	Rettke
Benno	Halvorson	Rohrer
Boulden	Hegge	Runk
Bubel	Hofstrand	Sailer
Burau	Hogoboom	Saumur
Bymers	Holm	Sharpe
Callahan	Hovey	Stair
Coghlan	Johnson, Cass	Sticka
Collette	Johnson, Richland	Twichell
Crockett	Kolpin	Tuff
Devlin	Larson, Wells	Williams, Stutsm'n
Absent and not voting:		
Bjella	Johnson, Rolette	Olson, Barnes
Jennings	Myers	
Passed:		
Schnell		

So the motion prevailed and House Bill No. 146 was indefinitely postponed.

Rep. Lillehaugen moved that the vote by which House Bill No. 146 was indefinitely postponed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Rep. Johnson of Cass moved that Rep. Schnell be excused from voting, which motion prevailed.

Rep. Halcrow: "I will have to explain my vote. I love horses and I like to see horse races but this bill isn't for that at all, it is to legalize gambling in North Dakota and that is one thing that has been outlawed in North Dakota for a number of years and I do not think we should bring it in now."

Rep. Haugen: "My sympathy is always with the under dog. In this case we have Mr. Fitch and Mr. Bauer and the horse against Mr. Williams. I vote 'aye' for Mr. Williams."

Rep. Nelson: "I am under the impression that this legalizes gambling in North Dakota but it is not compulsory so I vote 'no'."

House Bill No. 117. A Bill for an Act to Amend and Re-enact Section 964 of the Compiled Laws of North Dakota for 1913, Relating to Election Supplies, and Repealing That Portion of the Section Requiring the Posting of Sample Ballots.

Was read the second time.

Rep. Bolmeier moved that further consideration of House Bill No. 117 be indefinitely postponed, which motion was lost.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 67, nays, 38, absent and not voting,, 8.

Those voting in the affirmative were:

Allen, Pierce	Hofstrand	Rettke
Anderson	Hogoboom	Rohde
Bagge	Hovey	Rohrer
Baumgartner	Iszler	Sailer
Belzer	Kolpin	Schwartz
Bubel	Larson, Ward	Schmalenberger

Burau	Levin	Schnell
Collette	Lillehaugen	Sellens
Crockett	McInnes	Severson
Dahlen	Manstrom	Starck
Dalzell	Marks	Sticka
Devlin	Mittag	Tuff
Drovdal	Mollet	Wambheim
Falconer	Morrison	Welder
Fitch	Mortenson	Welk
Fleck	Myers	Westby
Forseth	Nelson	Williams, Richland
Fuglestad	Nystrom	Williams, Sargent
Haag	Olson, Bowman	Williams, Stutsm'n
Halcrow	Ostgulen	Wolf, McIntosh
Haugen	Peterson, Bottin'au	Wolf, Morton
Haugland	Peterson, Ransom	Mr. Sneaker
Heckman		
Those voting in the	negative were:	
Aker	Fraser	Moe
Allen, Grand Forks	Gackle	Monson
Arndt	Gainor	Morland
Bauer	Graham	Ohnstad
Benno	Halvorson	Pyle
Bergesen	Hildre	Runck
Blair	Holm	Sandness
Bolmeier	Johnson, Cass	Sharpe
Braun	Johnson, Richland	Shure
Callahan	Langley	Stair
Carlson	Larson, Wells	Stormon
Coghlan	Leet	Twichell
Ekren	Lunde	
Absent and not voting:		
Bjella	Hegge	Olson, Barnes
Boulden	Jennings	Saumur
Bymers	Johnson, Rolette	

So the bill passed as amended and the title was agreed to.

Mr. Rohde moved that the vote by which House Bill No. 117 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Rep. Bergesen moved that when announcements have been made the House recess until 10:00 o'clock a. m., tomorrow.

The Chair was in doubt. A rising vote disclosed 45 for and 55 against so the motion was lost.

House Bill No. 203. A Bill for an Act Authorizing County Officers to Attend Annual Conference and Meeting, and Providing for Payment of Mileage and Necessary Expense While Attending Such Meeting.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 68, nays, 40, absent and not voting, 5.

Those voting in the	affirmative were:	
Aker	Haugen	Peterson, Bottin'au
Allen, Pierce	Haugland	Peterson, Ransom
Anderson	Hegge	Pyle
Arndt	Hildre	Rohde

Bagge	Hofstrand	Rohrer
Baumgartner	Hovey	Runk
Belzer	Iszler	Sandness
Benno	Johnson, Rolette	Saumur
Bergesen	Kolpin	Schwartz
Bolmeier	Langley	Schmalenberger
Braun	Larson, Wells	Schnell
Bubel	Leet	Sellens
Callahan	Levin	Severson
Coghlan	Lunde	Sharpe
Collette	McInnes	Stair
Crockett	Mollet	Starck
Dahlen	Morland	Sticka
Drovdal	Mortenson	Stormon
Ekren	Myers	Tuff
Falconer	Nelson	Wambheim
Fitch	Nystrom	Westby
Forseth	Olson, Bowman	Wolf, Morton
Gackle	Ohnstad	
Those voting in the negative were:		
Allen, Grand Forks	Halvorson	Morrison
Bauer	Heckman	Ostgulen
Blair	Hogoboom	Rettke
Boulden	Holm	Sailer
Burau	Johnson, Cass	Shure
Carlson	Johnson, Richland	Twichell
Dalzell	Larson, Ward	Welder
Devlin	Lillehaugen	Welk
Fraser	Manstrom	Williams, Richland
Fuglestad	Marks	Williams, Sargent
Gainor	Mittag	Williams, Stutsm'n
Graham	Moe	Wolf, McIntosh
Haag	Monson	Mr. Speaker
Halcrow		
Absent and not voting:		
Bjella	Fleck	Olson, Barnes
Bymers	Jennings	

So the bill passed as amended and the title was agreed to.

Rep. Nelson moved that the vote by which House Bill No. 203 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Rep. Twichell: "I don't understand this bill. It has been amended. I have to vote against it for the reason it provides for every county official even the Justice of Peace, the County Coroner, County Register of Deeds, County Judges, County Sheriff, County Treasurer and County Auditor, each one of them to have a State Convention and attend the convention and charge it up to the people. It isn't a joke."

Rep. Graham moved that the House recess until 10:00 o'clock a. m., tomorrow, which motion was lost.

House Bill No. 212. A Bill for an Act Providing a Means by Which Any Citizen May Have His Date of Birth and Place of Birth Judicially Determined; Providing for the Notice to Be Given of a Hearing; Giving to the District Courts Jurisdiction Thereof; Providing for an Appeal and Designating the Fees to Be Paid to the Clerk of Court in Connection 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, 104, nays, 1, absent and not voting, 8.

Those voting in the affirmative were:

Allen, Grand Forks	Halvorson	Ostgulen
Allen, Pierce	Haugen	Peterson, Bottin'au
Anderson	Haugland	Peterson, Ransom
Arndt	Heckman	Pyle
Bagge	Hegge	Rettke
Bauer	Hildre	Rohde
Baumgartner	Hofstrand	Rohrer
Belzer	Hogoboom	Runk
Benno	Holm	Sailer
Bergesen	Hovey	Sandness
Blair	Iszler	Saumur
Bolmeier	Johnson, Cass	Schwartz
Boulden	Johnson, Richland	Schmalenberger
Braun	Johnson, Rolette	Schnell
Bubel	Kolpin	Sellens
Bureau	Langley	Severson
Callahan	Larson, Ward	Sharpe
Carlson	Larson, Wells	Shure
Coghlan	Leet	Stair
Collette	Levin	Starck
Crockett	Lillehaugen	Sticka
Dahlen	Lunde	Stormon
Dalzell	McInnes	Twichell
Devlin	Manstrom	Tuff
Drovdal	Mittag	Wambheim
Ekren	Moe	Welder
Falconer	Mollet	Welk
Fitch	Monson	Westby
Forseth	Morland	Williams, Richland
Fraser	Morrison	Williams, Sargent
Gackle	Mortenson	Williams, Stutsm'n
Gainor	Myers	Wolf, McIntosh
Graham	Nelson	Wolf, Morton
Haag	Nystrom	Mr. Speaker
Halcrow	Ohnstad	

Those voting in the negative were:

Marks

Absent and not voting:

Aker	Fleck	Olson, Barnes
Bjella	Fuglestad	Olson, Bowman
Bymers	Jennings	

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

Rep. Hogoboom moved that the vote by which House Bill No. 212 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Rep. Bauer moved that the House recess until 12:00 o'clock a. m., tomorrow, which motion was lost.

Rep. Graham requested the House to be on the seventh order of business, which request was granted.

Rep. Lillehaugen moved that the vote by which House Bill No. 163 was lost be reconsidered.

Rep. Crockett demanded a Call of the House.

Thirty-six having seconded the motion for a Call of the House, it was so ordered.

Rep. Fitch moved that proceedings under the Call of the House be dispensed with, which motion prevailed.

Rep. Crockett requested that House Bill No. 163 be made a special order of business at 12:00 o'clock noon tomorrow. ....

Rep. Bergesen moved that following announcements the House recess until 10:00 o'clock a. m., tomorrow with the understanding that House Bill No. 163 would be made a special order of business at 12:00 o'clock, which motion prevailed.

W. M. SMART, Chief Clerk.



FIFTIETH DAY AFTER RECESS AND  
THE FIFTY-FIRST DAY

Bismarck, February 24, 1943

The House convened at 10:00 o'clock a. m., pursuant to recesses, Speaker Beede presiding.

MESSAGE TO THE SENATE

House of Representatives

Bismarck, February 24, 1943

Mr. President: I have the honor to transmit:

House Bill No. 249. A Bill for an Act to Amend and Re-enact Sub-section (e) of Section 6 of Chapter 106 of the 1935 Session Laws, as Amended by Sub-section (e) of Section 3 of Chapter 112 of the 1937 Session Laws, as Amended and Re-enacted by Sub-section (e) of Section 1 of Chapter 116 of the 1941 Session Laws Relating to the Election of Directors of Cooperative Grazing Associations and Amending and Re-enacting Sub-section (j) of Section 10 of Chapter 106 of the Session Laws of 1935 Relating to Rules and Regulations Concerning Disease of Stock.

House Bill No. 87. A Bill for an Act Making an Appropriation for the Purpose of Returning to the State Hail Insurance Fund the Balance of the Money, Amounting to \$900,000 (Nine Hundred Thousand Dollars) Diverted Therefrom by Chapter 155 of the Session Laws for 1935, With Interest Thereon, and Repealing All Acts or Parts of Acts in Conflict Herewith.

House Bill No. 245. A Bill for an Act Suspending the Operation of Section 1 of Chapter 196 of the Session Laws of North Dakota for 1933 During the Biennium Beginning July 1, 1943 and Ending June 30, 1945, and Limiting Salary Increases to 25% of the Existing Limitations.

House Bill No. 250. A Bill for an Act to Amend and Re-enact Section 3684a13 of the 1925 Supplement to the Compiled Laws Relative to the Disposition of Balances at the End of the Fiscal Year in City Appropriations.

House Bill No. 154. A Bill for an Act Providing for the Control and Eradication of Harmful, Destructive and Poisonous Reptiles; the Appointment of a Warden to Accomplish This Purpose; Providing for His Compensation and Expenses and the Supplying of Necessary Equipment; Outlining the Duties of the Warden.

House Bill No. 138. A Bill for an Act to Amend and Re-enact Sections 5 and 8 of Chapter 165 of the Session Laws

of 1939, as Amended and Re-enacted by Sections 1 and 2 of Chapter 190 of the Session Laws of 1941 of the State of North Dakota, 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 Providing that the Act Shall Not Be Applicable in Certain Cases Set Forth in This Act; and Repealing All Acts Inconsistent Herewith.

House Bill No. 173. A Bill for an Act Regulating the Transfer of Shares of Stock in Corporations, Repealing All Acts or Parts of Acts in Conflict Herewith, and Making Certain Exceptions Thereto.

House Bill No. 43. A Bill for an Act Providing for a Transfer of Certain School Land Situated in Bowman County, North Dakota, to the Game and Fish Commission of the State of North Dakota, to Be Used and Maintained Under the Direction of the Game and Fish Commission as a Public Park for Recreation Purposes, 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 the Purpose of Paying a Bounty on Wolves, Coyotes, Magpies and Foxes.

House Bill No. 47. A Bill for an Act to Amend and Re-enact Chapter 7 of the Session Laws of 1935, as Amended by Chapter 20 of the Session Laws of 1941, Relating to Wolf, Coyote and Fox Bounty and Declaring an Emergency.

House Bill No. 236. A Bill for an Act Providing for the Regulation of Private Trade Schools and Correspondence Schools, and Providing Penalties for Violation.

House Bill No. 248. A Bill for an Act Providing for the Recording of Discharge Papers from the National Guard, the Army, Navy, Marine Corps and Other Branches of the Military Forces, and Declaring an Emergency.

House Bill No. 158. A Bill for an Act to Amend and Re-enact Subsections 1a and 1b of Section 1 of Chapter 185 of the Session Laws of North Dakota for the Year 1935, Prescribing the Powers and Duties of Officers in Connection With the Enforcement of Laws Relating to the Size and Load Weights of Motor Vehicles and Prescribing Penalties for the Violation Thereof.

House Bill No. 251. A Bill for an Act Making an Appropriation for the Payment of Janitor Services of the House of Representatives of the 28th Legislative Assembly.

House Bill No. 252. A Bill for an Act Making an Appropriation for Expenses of the 28th Legislative Assembly.

House Bill No. 117. A Bill for an Act to Amend and Re-enact Section 964 of the Compiled Laws of North Dakota for 1913, Relating to Election Supplies, and Repealing That Portion of the Section Requiring the Posting of Sample Ballots.

House Bill No. 203. A Bill for an Act Authorizing County

Officers to Attend Annual Conference and Meeting, and Providing for Payment of Mileage and Necessary Expense While Attending Such Meeting.

House Bill No. 212. A Bill for an Act Providing a Measure by Which Any Citizen May Have His Date of Birth and Place of Birth Judicially Determined; Providing for the Notice to Be Given of a Hearing; Giving to the District Courts Jurisdiction Thereof; Providing for an Appeal and Designating the Fees to Be Paid to the Clerk of Court in Connection Therewith.

House Concurrent Resolution "Y." Memorializing Congress of the United States to Ask the War Production Board to Lift Restrictions and Priorities on New Trucks and Pickups Used for and Necessary for Farmers and Residents in Rural Communities.

House Concurrent Resolution "I." A Concurrent Resolution Memorializing Congress to Revise Farm Prices to Permit Reasonable Profit.

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

W. M. SMART, Chief Clerk.

#### MESSAGE FROM THE SENATE

Senate Chamber

Bismarck, February 24, 1943

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 68. A Bill for an Act to Amend and Re-enact Sections 1, 2, 5, 6, 8 and 10 of That Certain Initiated Law Adopted by the Voters of the State of North Dakota, at the Primary Election Held June 29, 1932, Entitled as Follows: "An Act Reducing and Fixing the Salaries of the Following County Officials Hereafter Elected: Auditor, Treasurer, Sheriff, Superintendent of Schools, Register of Deeds, County Judge, State's Attorney, and Clerk of District Court, and Providing for the Appointment of Certain Deputies, Clerks and Assistants to Such Officials and Fixing Their Salaries, and for Payment of All Fees to the County, and Fixing the Per Diem and Mileage of County Commissioners and Repealing Section 3551a2, 1925 Supplement to the Compiled Laws of 1913, Chapters 114 and 115 of the Laws of 1927, Chapter 108 of the Laws of 1929, Chapter 117 of the Laws of 1931, and All Acts and Parts of Acts so Far as in Conflict Herewith," and Repealing Sections 3, 4 and 9 of Said Initiated Law and All Acts and Parts of Acts in Conflict Herewith, and Declaring an Emergency.

Senate Bill No. 77. A Bill for an Act Relating to the Public Health and the Control of Preventable Diseases; and to Authorize and Permit the Formation of District Health Units in the Several Counties of the State of North Dakota, Either Separately or in Conjunction and Cooperation With One or More Contiguous Counties, in Lieu of Local Health Units; to Establish and Maintain a District Board of Health to Operate in Cooperation With and Under the Direction of the State Department of Health; Providing for the Appointment of a District Board of Health, a Full Time District Health Officer and the Necessary Personnel of the District Health Unit; and, Providing for Their Compensation; and Authorizing a Levy for the Maintenance of the District Board of Health.

Senate Bill No. 105. A Bill for an Act to Provide Revenue for the Enforcement of the Paint and Varnish Laws of This State; to Prevent Fraud and Deception in the Sale of Paints and Varnishes; to Prevent Adulteration and Misbranding Thereof; to Provide Licensing, Payment and Disposition of License Fees; and Provide Penalties for Violations Thereof.

Senate Bill No. 119. A Bill for an Act to Amend and Re-enact Section 7 of Chapter 235 of the Session Laws of 1929 Fixing the Limits for the Levy of Taxes by School Districts.

Senate Bill No. 129. A Bill for an Act to Require All Insurance Company Examinations Conducted by the Commissioner of Insurance to Be Conducted by Qualified Regular Employees, and to Require the Payment of Compensation Received for Such Services Into the State Treasury.

Senate Bill No. 131. A Bill for an Act to Amend and Re-enact Section 27 of Chapter 148 of the Session Laws of North Dakota for 1931 Relating to County Auditors' Bonds, Reports and Fees and Repealing Chapter 160 of the Session Laws of North Dakota for 1941 and All Acts or Parts of Acts in Conflict Herewith.

Senate Bill No. 139. A Bill for an Act to Facilitate the Efficient Transportation of Persons and Property Needed for the Effective Prosecution of the War, to Authorize State Cooperation with the Officers and Agencies of the United States in Respect Thereof, Granting Certain Emergency Powers to the Governor in Relation Thereto, Creating a State Highway Advisory Committee to the War Department, Defining Its Powers and Duties, and Making an Appropriation Therefor, and Declaring an Emergency.

Senate Bill No. 140. A Bill for an Act to Create a State Post-War Planning Board, Prescribing Its Powers and Duties and Making an Appropriation Therefor.

Senate Bill No. 146. A Bill for an Act to Legalize the Operation of Bowling Alleys During Certain Hours on the First Day of the Week; Permitting Labor and Services to Be Performed in Connection Therewith; Permitting Municipalities by Ordinance to Prohibit Operation; Repealing All Acts or Parts of Acts in Conflict Herewith.

Senate Bill No. 161. A Bill for an Act to Amend and Re-enact Section 2 and Section 5 of Chapter 7 of the Session Laws of 1939; Relating to the Membership of the State Poultry Improvement Board.

Senate Bill No. 170. A Bill for an Act Regulating the Business of Receiving Monies as Agent for Another for the Purpose of Depositing the Same in a Bank, Requiring a License Therefor, and Providing Penalties for the Violation Thereof.

Senate Bill No. 178. A Bill for an Act to Amend and Re-enact Sub-division B of Section 25 of Chapter 186 Session Laws of North Dakota for 1931 as Amended by Chapter 161 Session Laws of North Dakota for 1933, as Amended by Sub-section (e) (1) of Section 2 of Chapter 194, Session Laws of 1941, Relating to the License Required by Certain Motor Vehicles, and Declaring an Emergency.

Senate Bill No. 184. A Bill for an Act to Amend and Re-enact Section 12 of Chapter 139 of the Session Laws of North Dakota for the Year 1937, as Amended and Re-enacted

by Section 3 of Chapter 175 of the Session Laws of North Dakota for 1941, Relating to Revocation of Suspension of Drivers' Licenses, and to Amend and Re-enact Section 13 of Chapter 139 of the Session Laws of North Dakota for 1937, Relating to Court Review of Action of the State Highway Commissioner, and to Amend and Re-enact Subsection (d) of Section 18 of Chapter 139 of the Session Laws of North Dakota for 1937 as Amended and Re-enacted by Section 4 of Chapter 175 of the Session Laws of North Dakota for the Year 1941, Relating to Salaries and Wages of Officers of the Division of Highway Safety and Patrol, and to Repeal Section 14 of Chapter 139 of the Session Laws of North Dakota for 1937.

Senate Bill No. 4. A Bill for an Act Making an Appropriation for the Purpose of Operating and Maintaining the State Fire and Tornado Fund.

Senate Bill No. 6. A Bill for an Act Making an Appropriation for the Operation and Maintenance of the State Hail Insurance Department.

Senate Bill No. 7. A Bill for an Act Making an Appropriation for the Purpose of Operating and Maintaining the State Bonding Fund.

Senate Bill No. 10. A Bill for an Act Making an Appropriation for the Biennium Beginning July 1st, 1943, and Ending June 30, 1945, for Disbursement by the Public Welfare Board in Providing Public Assistance to the Dependent Children and to Needy Blind and Providing Child Welfare Services and Services to Crippled Children and for Necessary Costs of Administration.

Senate Bill No. 12. A Bill for an Act Making an Appropriation for Administration and Expenses for the Liquor Control Act.

Senate Bill No. 56. A Bill for an Act to Appropriate Twenty Thousand (\$20,000.00) Dollars for the Biennium to Provide for the Control of Predatory Animals Such as Wolves, Coyotes, Bobcats and Other Predatory Animals Which Are Injurious to Livestock, Poultry and Game Animals and Birds; to Authorize Cooperation with the United States in the Control of Such Predatory Animals; and in Addition Thereto Appropriating for the Same Purpose the Net Proceeds of Furs, Skins or Specimens Sold, Making Such Proceeds Available in a Sum Not to Exceed Twenty Thousand (\$20,000.00) Dollars, and to Provide for Funds to Enable the Department of Agriculture and Labor to Carry Out the Provisions of This Act; Repealing All Acts or Parts of Acts in Conflict Herewith and Declaring an Emergency.

Senate Bill No. 95. A Bill for an Act Making an Appropriation for the Payment of Premiums at the State Penitentiary, the State Work Farm and the State Capitol.

Senate Bill No. 121. A Bill for an Act Making an Appropriation to the State Water Conservation Commission for the Preparation of Water Conservation and Irrigation Projects for Post-war Construction and Development; and Declaring an Emergency.

Senate Bill No. 143. A Bill for an Act to Amend and Re-enact Sections 6, 8, and 16 of Chapter 174 of the 1937 Session Laws, Relating to Pensions for Disabled and Retired

Policemen; Who Entitled to Pensions; Conditions and Disability How Contracted; and Repealing All Acts or Parts of Acts in Conflict Therewith.

Senate Bill No. 163. A Bill for an Act to Amend and Re-enact Section 17 of Chapter 148 of the Session Laws of 1931, as Amended by Chapter 159 of the Session Laws of 1941, Relative to Trespassing While Hunting.

Senate Bill No. 166. A Bill for an Act to Amend and Re-enact Chapter 265, Session Laws of 1941, Relating to Special Audits of State Offices, Departments and Commissions; Authorizing the Governor to Appoint Special Counsel to Prosecute Any Action of Proceeding Which May Be Deemed Warranted as a Result of Such Audits and Investigations; and Providing an Appropriation.

Senate Bill No. 171. A Bill for an Act to Amend and Re-enact Sections 2, 5, 6, 8, 9, 10, 13, 15, 16, and 22 of Chapter 71 of the Session Laws of North Dakota for the Year 1933, Relating to the State Banking Board, and Making an Appropriation for the Expense Incident Thereto and Repealing All Acts in Conflict Herewith.

Senate Bill No. 174. A Bill for an Act Providing for Direct Liability of the Insurer to Persons Entitled to Recover for Death, for Injuries to Persons, or Damages to Property, Caused by the Negligent Maintenance, Use or Operation of Motor Vehicles, Limiting the Amount of Liability; Imposing Duty to Disclose Existence of Insurance, Authorizing the Persons Entitled to Recover Such Damages to Join the Insurer in Single Action Against Owner or Operator of Motor Vehicle; Declaring Conditions and Covenants in Liability Contracts or Policies of Insurance, Limiting or Restricting Such Rights, or Which Are Violative of the Provisions of This Act as Against Public Policy and Void and Providing for Repeal of All Acts in Conflict Herewith.

Senate Bill No. 175. A Bill for an Act Amending and Re-enacting Section 17 of Chapter 14 of the Session Laws of 1941 Relating to the State Seed Department.

Senate Bill No. 181. A Bill for an Act to Make it the Duty of the Public Welfare Board of North Dakota to Eliminate Disparity in the Amount of Old Age Assistance Between the Counties of the State of North Dakota, Authorizing a Full or Part-time Deputy Executive Director, Directing Discharge of Executive Director or Deputy Executive Director, Requiring Liberal Construction of the Public Welfare Law and Declaring an Emergency.

Senate Bill No. 182. A Bill for an Act to Amend and Re-enact Section 7 of Chapter 211 of the Session Laws of North Dakota for the Year 1937, and to Define the Rights of Applicants for Old Age Assistance, and the Duties of the State Agency, the County Agency and the State's Attorney, and to Provide for the Removal of Any Member of the State Agency Violating the Public Welfare Law of North Dakota, and Declaring an Emergency.

Senate Bill No. 203. A Bill for an Act Relating to National and State Defense, Authorizing the Creation of State and Local Defense Agencies, Granting Emergency War Powers to Said Agencies and the Political Subdivisions of the State, and Making an Appropriation Therefor.

Senate Bill No. 204. A Bill for an Act to Amend and Re-

enact Section 59-0425 of the North Dakota Revised Code of 1943.

Senate Concurrent Resolution "1-E." A Concurrent Resolution Calling for the Appointment of a Committee from Both Houses of the North Dakota Legislature to Study and Examine the Work of the Interim Legislative Committee on Code Revision, to Prepare Necessary Contracts, and Present the Same to the Legislature for Its Ratification.

Senate Concurrent Resolution "1-F." A Concurrent Resolution Providing for a Committee Consisting of the Lieutenant Governor and the Speaker of the House of Representatives to Supervise the Completion of the Codes; Permitting Them to Employ Proof-readers, and Providing for Remuneration.

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

W. J. TROUT, Secretary.

#### CONSIDERATION OF MESSAGES FROM THE SENATE

Rep. Benno moved that the House do concur in the Senate amendments to House Bill No. 59, which motion prevailed.

Rep. Benno moved that the rules be suspended and that House Bill No. 59, as amended, be considered properly engrossed and placed on second reading and final passage, which motion prevailed.

#### SECOND READING OF HOUSE BILLS

House Bill No. 59. A Bill for an Act to Amend and Re-enact Subsection 4 of Section 32 of Chapter 148 of the Session Laws of 1931, Providing for an Open Season on Mink, Weasel, Raccoon and Fox.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 100; nays, 2; absent and not voting, 11.

Those voting in the affirmative were:

Allen, Grand Forks	Halcrow	Nystrom
Allen, Pierce	Haugen	Olson, Barnes
Anderson	Haugland	Olson, Bowman
Arndt	Heckman	Ohnstad
Bagge	Hegge	Ostgulen
Bauer	Hildre	Peterson, Bottin'au
Baumgartner	Hofstrand	Peterson, Ransom
Belzer	Hogoboom	Pyle
Benno	Holm	Rettke
Bergesen	Hovey	Rohde
Blair	Iszler	Runck
Bolmeier	Jennings	Sailer
Boulden	Johnson, Cass	Saumur
Braun	Johnson, Rolette	Schwartz
Bubel	Kolpin	Schmalenberger
Bymers	Langley	Schnell
Callahan	Larson, Ward	Sellens
Carlson	Larson, Wells	Severson
Coghlan	Leet	Sharpe
Collette	Levin	Shure
Crockett	Lillehaugen	Stair
Dahlen	Lunde	Starck
Dalzell	McInnes	Sticka

Devlin	Manstrom	Stormon
Drovdal	Marks	Twichell
Ekren	Mittag	Welder
Falconer	Moe	Wambheim
Fitch	Mollet	Welk
Fleck	Morland	Westby
Fraser	Morrison	Williams, Stutsm'n
Fuglestad	Mortenson	Wolf, McIntosh
Gainor	Myers	Wolf, Morton
Graham	Nelson	Mr. Speaker
Haag		

Those voting in the negative were:

Halvorson            Monson

Absent and not voting:

Aker	Gackle	Tuff
Ejella	Johnson, Richland	Williams, Richland
Burau	Rohrer	Williams, Sargent
Forseth	Sandness	

So the bill passed as amended and the title was agreed to.

Rep. Bergesen requested that the House be on the seventh order of business, which request was granted.

Rep. Bergesen moved that the vote by which House Bill No. 229 was indefinitely postponed be reconsidered.

Rep. Graham seconded the motion.

On a viva voce vote the chair was in doubt.

A rising vote disclosed 82 voting for and none voting against, so the motion prevailed.

Rep. Bergesen moved that House Bill No. 229 be placed on second reading and final passage at this time, which motion prevailed.

#### SECOND READING OF HOUSE BILLS

House Bill No. 229. A Bill for an Act Providing for the Organization and Regulation of Non-Profit Hospital Service Plan Corporations, 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, 91; nays, 15; absent and not voting, 7.

Those voting in the affirmative were:

Allen, Grand Forks	Haag	Mortenson
Allen, Pierce	Halcrow	Myers
Anderson	Halvorson	Nelson
Arndt	Haugen	Nystrom
Bagge	Haugland	Olson, Barnes
Bauer	Heckman	Olson, Bowman
Benno	Hegge	Ohnstad
Bergesen	Hildre	Ostgulen
Bolmeier	Hofstrand	Peterson, Bottin'au
Braun	Hogoboom	Peterson, Ransom
Bubel	Holm	Pyle
Bymers	Hovey	Rettke
Callahan	Iszler	Rohde
Carlson	Jennings	Runk
Collette	Johnson, Cass	Sailer
Coghlan	Johnson, Rolette	Sandness
Crockett	Kolpin	Schwartz



Dahlen	Langley	Schmalenberger
Dalzell	Larson, Ward	Schnell
Devlin	Larson, Wells	Sellens
Drovdal	Leet	Severson
Ekren	Lillehaugen	Sharpe
Falconer	Lunde	Stair
Fitch	McInnes	Starck
Fleck	Manstrom	Sticka
Forseth	Marks	Stormon
Fraser	Mittag	Wambheim
Fuglestad	Moe	Westby
Gackle	Mollet	Williams, Stutsm'n
Gainor	Morland	Wolf, Morton
Graham		
Those voting in the	negative were:	
Baumgartner	Monson	Welder
Belzer	Morrison	Welk
Blair	Saumur	Williams, Richland
Boulden	Shure	Wolf, McIntosh
Levin	Twichell	Mr. Speaker
Absent and not voting:		
Aker	Johnson, Richland	Tuff
Bjella	Rohrer	Williams, Sargent
Burau		

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

#### MESSAGE FROM THE SENATE

Senate Chamber

Bismarck, February 24, 1943

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 172. A Bill for an Act to Amend and Re-enact Section 17 of Chapter 96 of the Session Laws of North Dakota for the Year 1931 as Amended by Chapter 93 of the Session Laws of 1935, Also Sections 4, 25, 31, and 35 of Chapter 96 of the Session Laws of 1931, Also Section 30 of Chapter 96 of the Session Laws of 1931 as Amended by Chapter 96 of the Session Laws of North Dakota for the Year 1937 and Further Amended by Chapter 102 of the Session Laws of North Dakota for the Year 1941 and Repealing Section 57 of Chapter 96 of the Session Laws of North Dakota for the Year 1931; All Relating to the Regulation of the State Banking Associations.

Senate Bill No. 186. A Bill for an Act Relating to the Issuance of No Par Corporate Stock and to Amend and Re-enact Chapter 119, Session Laws of 1941.

Senate Bill No. 187. A Bill for an Act to Amend and Re-enact Paragraph (b) of Subdivision 5 of Section 7 and All of Section 23 of Chapter 94, Session Laws of 1931, Pertaining to Fully Paid Shares in Building and Loan Associations and Bonds of Directors, Officers, Agents and Employees, and Repealing All Acts in Conflict Herewith.

Senate Bill No. 200. A Bill for an Act Making an Appropriation of Funds to Purchase Paper and Binding Material and to Pay for Printing and Binding and Supervision, and Declaring an Emergency.

Senate Bill No. 202. A Bill for an Act to Amend and Re-enact Sections 15-4017 and 15-4018 of the North Dakota Revised Code of 1943.

Senate Bill No. 205. A Bill for an Act to Repeal Chapter 11 of the Title Judicial Procedure, Civil in North Dakota Revised Code for 1943.

Senate Bill No. 210. A Bill for an Act to Amend and Re-enact Sub-section (b) of Section 1 of the Initiated Measure Adopted June 30, 1926 Relating to the Definition of "Motor Vehicle Fuels."

Senate Bill No. 192. A Bill for an Act to Encourage the Investment of Moneys in the State of North Dakota, and to Encourage the Development of the Natural Resources of This State, and to Provide a Market for the Gas and Oil Deposits in the State, Including Those Owned by the State of North Dakota, and the Counties Thereof, and to Permit the Marketing of Such Natural Resources by Selling and Delivering to the State, County and School Districts of Gas and Oil, Upon Condition That the Seller or Carrier Purchase From Production or Produce in This State an Amount of Gas or Oil at Least Equivalent to the Amount It Delivers to Said State, County and School District Buildings and Requiring Such Sellers and Carriers to Make Reports of Its Sales and Purchases and Production, Under Oats, and Providing a Penalty for Violation Thereof; Repealing All Acts in Conflict, and Declaring an Emergency.

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

W. J. TROUT, Secretary.

SECOND READING OF HOUSE BILLS

House Bill No. 202. A Bill for an Act to Amend and Re-enact Chapter 242 of the 1939 Session Laws of the State of North Dakota, as Amended and Re-enacted by Chapter 290 of the 1941 Session Laws of the State of North Dakota Relating to a Tax Upon Sales of Certain Alcoholic Beverages by Licensed Wholesale Liquor Dealers, Providing the Method of Taxing the Same, and Collecting, Distributing and Expending the Revenue from Said Tax, Providing for the Filing of a List of Said Wholesalers, Repealing All Acts and Parts of Acts in Conflict Herewith, Providing Penalties for Violations of Said Act, Providing for a Saving Clause and Declaring an Emergency.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 90; nays, 16; absent and not voting, 7.

Those voting in the affirmative were:

Allen, Grand Forks	Haag	Nelson
Anderson	Halcrow	Olson, Barnes
Arndt	Halvorson	Olson, Bowman
Bagge	Haugen	Ohnstad
Bauer	Haugland	Ostgulen
Baumgartner	Heckman	Peterson, Bottin'au
Belzer	Hegge	Peterson, Ransom
Benno	Hildre	Pyle
Bergesen	Hofstrand	Rettke
Bolmeier	Hogoboom	Rohde
Boulden	Holm	Runck
Braun	Hovey	Sailer

Bubel	Iszler	Saumur
Bymers	Johnson, Cass	Schwartz
Callahan	Johnson, Richland	Schmalenberger
Carlson	Johnson, Rolette	Schnell
Coghlan	Kolpin	Sellens
Crockett	Langley	Sharpe
Dahlen	Larson, Ward	Shure
Dalzell	Larson, Wells	Stair
Devlin	Leet	Starck
Drovdal	Levin	Sticka
Ekren	Lunde	Twichell
Falconer	McInnes	Wambheim
Fitch	Manstrom	Welder
Fleck	Marks	Welk
Forseth	Mittag	Westby
Fraser	Mollet	Williams, Stutsm'n
Gackle	Monson	Wolf, McIntosh
Gainor	Morland	Wolf, Morton
Those voting in the negative were:		
Allen, Pierce	Moe	Severson
Blair	Morrison	Stormon
Collette	Mortenson	Williams, Richland
Fuglestad	Nystrom	Williams, Sargent
Jennings	Sandness	Mr. Speaker
Lillehaugen		
Absent and not voting:		
Aker	Graham	Rohrer
Bjella	Myers	Tuff
Burau		

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

Rep. Belzer moved that the vote by which House Bill No. 202 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Rep. Moe: I vote 'No' for the reason that I don't think we are going to get any more tax out of this. It is another bill giving the liquor dealers the benefit of the doubt."

Rep. Morland moved that House Bill No. 121 be placed at the head of the calendar, which motion prevailed.

Rep. Morland asked unanimous consent to amend House Bill No. 121, which request was granted.

Rep. Morland moved that House Bill No. 121 be amended as follows: In line 50 after the word "employee," strike out the words "and if any" and insert in lieu thereof the words "provided that no", which motion prevailed.

Rep. Morland moved that the rules be suspended and that House Bill No. 121 be considered properly engrossed and placed on second reading and final passage, which motion prevailed.

#### SECOND READING OF HOUSE BILLS

House Bill No. 121. 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, 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, 81; nays, 26; absent and not voting, 6.

Those voting in the affirmative were:

Allen, Grand Forks	Gackle	Nelson
Allen, Pierce	Gainor	Nystrom
Anderson	Graham	Olson, Barnes
Bagge	Haag	Ostgulen
Bauer	Halcrow	Peterson, Ransom
Baumgartner	Halvorson	Pyle
Belzer	Haugen	Rohde
Benno	Heckman	Runck
Bergesen	Hegge	Sailer
Blair	Hildre	Sandness
Bolmeier	Hofstrand	Saumur
Boulden	Hogboom	Schwartz
Braun	Holm	Schmalenberger
Bubel	Jennings	Schnell
Burau	Johnson, Cass	Sellens
Bymers	Johnson, Rolette	Severson
Callahan	Langley	Sharpe
Carlson	Larson, Wells	Shure
Coghlan	Leet	Stair
Collette	Levin	Sticka
Crockett	Lillehaugen	Stormon
Dahlen	Lunde	Twichell
Dalzell	McInnes	Wambheim
Drovdal	Manstrom	Welder
Fitch	Mollet	Welk
Fraser	Morland	Williams, Richland
Fuglestad	Morrison	Mr. Speaker

Those voting in the negative were:

Arndt	Kolpin	Peterson, Bottina'u
Devlin	Larson, Ward	Rettke
Ekren	Marks	Starck
Falconer	Mittag	Westby
Fleck	Moe	Williams, Sargent
Forseth	Monson	Williams, Stutsman
Haugland	Mortenson	Wolf, McIntosh
Hovey	Olson, Bowman	Wolf, Morton
Iszler	Ohnstad	

Absent and not voting:

Aker	Johnson, Richland	Rohrer
Bjella	Myers	Tuff

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

Rep. Boulden moved that the vote by which House Bill No. 121 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Rep. Bubel requested that the House return to the seventh order of business, which request was granted.

Rep. Bubel moved that the House request the Senate to return House Bill No. 203, which motion prevailed.

MESSAGE TO THE SENATE

House of Representatives  
Bismarck, February 24, 1943

Mr. President: I have the honor to request the return of: House Bill No. 203. A Bill for an Act Authorizing County

Officers to Attend Annual Conference and Meeting, and Providing for Payment of Mileage and Necessary Expense While Attending Such Meeting.

W. M. SMART, Chief Clerk.

### SECOND READING OF HOUSE BILLS

House Bill No. 160. A Bill for an Act to Amend and Re-enact Section 41 of Chapter 162 of the Session Laws of North Dakota for 1927 as Amended and Re-enacted by Chapter 141 of the Session Laws of North Dakota for 1929 as Amended and Re-enacted by Chapter 140 of the Session Laws of North Dakota for 1937, Authorizing the State Highway Commissioner and Local Authorities to Prohibit or Restrict the Use of Highways, 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, 102; nays, 5; absent and not voting, 6.

Those voting in the affirmative were:

Allen, Grand Forks	Halvorson	Nystrom
Allen, Pierce	Haugen	Olson, Barnes
Arndt	Haugland	Olson, Bowman
Bagge	Heckman	Ohnstad
Baumgartner	Hegge	Ostgulen
Benno	Hildre	Peterson, Bottina'u
Bergesen	Hofstrand	Peterson, Ransom
Bjella	Hogoboom	Pyle
Blair	Holm	Rettke
Bolmeier	Hovey	Rohde
Boulden	Iszler	Runck
Braun	Jennings	Sailer
Bubel	Johnson, Cass	Saumur
Bureau	Johnson, Richland	Schwartz
Bymers	Johnson, Rolette	Schmalenberger
Callahan	Kolpin	Schnell
Carlson	Langley	Sellens
Coghlan	Larson, Ward	Severson
Collette	Larson, Wells	Sharne
Crockett	Leet	Stair
Dahlen	Levin	Starck
Dalzell	Lillehaugen	Sticka
Drovdal	Lunde	Stormon
Ekren	McInnes	Twichell
Fitch	Manstrom	Wambheim
Fleck	Mittag	Welder
Forseth	Moe	Welk
Fraser	Mollet	Westby
Fuglestad	Monson	Williams, Richland
Gackle	Morland	Williams, Sargent
Gainor	Morrison	Williams, Stutsm'n
Graham	Mortenson	Wolf, McIntosh
Haag	Myers	Wolf, Morton
Halerow	Nelson	Mr. Speaker

Those voting in the negative were:

Anderson	Belzer	Marks
Bauer	Falconer	
Absent and not voting:		
Aker	Rohrer	Shure

Devlin                      Sandness                      Tuff

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

Rep. Moe 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. 76. A Bill for an Act to Amend and Re-enact Section 3 of Chapter 242 of the 1939 Session Laws for North Dakota, as Amended and Re-enacted by Section 2 of Chapter 290 of the 1941 Session Laws of North Dakota, Relating to the Filing of Quarterly Price Lists by the Wholesale Liquor Dealers, 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, 94; nays, 11; absent and not voting, 8.

Those voting in the affirmative were:

Allen, Grand Forks	Graham	Mortenson
Allen, Pierce	Haag	Myers
Anderson	Halcrow	Nelson
Arndt	Halvorsen	Nystrom
Bagge	Haugland	Olson, Barnes
Bauer	Heckman	Olson, Bowman
Baumgartner	Hegge	Ohnstad
Belzer	Hildre	Peterson, Bottin'au
Benno	Hofstrand	Peterson, Ransom
Bergesen	Hogoboom	Pyle
Bolmeier	Holm	Rettke
Boulden	Hovey	Rohde
Braun	Iszler	Runck
Bubel	Jennings	Sailer
Burau	Johnson, Cass	Schwartz
Bymers	Johnson, Richland	Schmalenberger
Callahan	Johnson, Rolette	Sellens
Carlson	Kolpin	Schnell
Coghlan	Langley	Sharpe
Collette	Larson, Ward	Starck
Crockett	Larson, Wells	Sticka
Dahlen	Leet	Stair
Dalzell	Levin	Stormon
Devlin	Lunde	Twichell
Falconer	McInnes	Wambheim
Fitch	Manstrom	Welder
Fleck	Marks	Welk
Fraser	Mollet	Westby
Forseth	Monson	Williams, Stutsm'n
Fuglestad	Morland	Wolf, McIntosh
Gackle	Morrison	Wolf, Morton
Gainor		

Those voting in the negative were:

Blair	Moe	Williams, Richland
Ekren	Ostgulen	Williams, Sargent
Lillehaugen	Severson	Mr. Speaker
Mittag	Shure	

Absent and not voting:

Aker	Haugen	Saumur
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Bjella                      Rohrer                      Tuff  
Drovdal                      Sandness

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

Rep. Mollet moved that the vote by which House Bill No. 76 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

#### REPORT OF STANDING COMMITTEE

Mr. Speaker: Your Committee on Ways and Means to whom was referred Senate Bill No. 106, have had the same under consideration and recommend that the same be indefinitely postponed.

REP. FITCH, Chairman.

Rep. Morland moved that the report be adopted.

Rep. Dalzell arose to a point of order and asked that Rule No. 47 be enforced.

The sergeant-at-arms was instructed to enforce Rule No. 47.

Rep. Haugen moved that action on the committee report on Senate Bill No. 106 be deferred one legislative day, which motion was lost.

The question was on the adoption of the report of the standing committee, which motion prevailed and the report was adopted.

Rep. Fitch moved that the vote by which Senate Bill No. 106 was indefinitely postponed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

#### MESSAGE FROM THE SENATE

Senate Chamber

Bismarck, February 24, 1943

Mr. Speaker: I have the honor to return:

House Bill No. 203. A Bill for an Act Authorizing County Officers to Attend Annual Conference and Meeting, and Providing for Payment of Mileage and Necessary Expense While Attending Such Meeting.

Which the House has requested.

W. J. TROUT, Secretary.

Rep. Bubel moved that the vote by which House Bill No. 203 was passed be reconsidered, which motion prevailed.

Rep. Bubel moved that further action on House Bill No. 203 be indefinitely postponed.

A roll call was demanded and granted.

#### ROLL CALL

The question being on the motion of Rep. Bubel, the roll was called and there were ayes, 76; nays, 33; absent and not voting, 4.

Those voting in the affirmative were:

Aker	Graham	Morrison
Allen, Grand Forks	Haag	Mortenson
Allen, Pierce	Halcrow	Nelson
Anderson	Halvorson	Olson, Bowman
Bauer	Heckman	Ohnstad
Baumgartner	Hegge	Ostgulen
Benno	Hildre	Peterson, Bottina'u
Blair	Hogoboom	Peterson, Ransom

Boulden	Holm	Rettke
Braun	Iszler	Rohde
Bubel	Johnson, Cass	Runck
Bymers	Johnson, Richland	Sailer
Callahan	Johnson, Rolette	Sandness
Carlson	Kolpin	Schwartz
Coghlan	Langley	Schnell
Crockett	Levin	Sellens
Dahlen	Lillehaugen	Shure
Dalzell	Lunde	Sticka
Devlin	Manstrom	Twichell
Drovdal	Marks	Welder
Falconer	Mittag	Welk
Fleck	Moe	Williams, Richland
Forseth	Mollet	Williams, Sargent
Fraser	Monson	Wolf, McIntosh
Gackle	Morland	Mr. Speaker
Gainor		

Those voting in the negative were:

Arndt	Haugland	Pyle
Bagge	Hofstrand	Saumur
Belzer	Hovey	Schmalenberger
Bergesen	Jennings	Severson
Bolmeier	Larson, Ward	Sharpe
Burau	Larson, Wells	Starck
Collette	Leet	Stormon
Ekren	McInnes	Wambheim
Fitch	Myers	Westby
Fuglestad	Nystrom	Williams, Stutsm'n
Haugen	Olson, Barnes	Wolf, Morton
Absent and not voting:		
Bjella	Stair	Tuff
Rohrer		

So the motion prevailed and House Bill No. 203 was indefinitely postponed.

Rep. Twichell moved that the vote by which House Bill No. 203 was indefinitely postponed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

#### MESSAGE TO THE SENATE

House of Representatives  
Bismarck, February 24, 1943

Mr. President: I have the honor to transmit:

House Bill No. 229. A Bill for an Act Providing for the Organization and Regulation of Non-Profit Hospital Service Plan Corporations, and Declaring an Emergency.

House Bill No. 202. A Bill for an Act to Amend and Re-enact Chapter 242 of the 1939 Session Laws of the State of North Dakota, as Amended and Re-enacted by Chapter 290 of the 1941 Session Laws of the State of North Dakota Relating to a Tax Upon Sales of Certain Alcoholic Beverages by Licensed Wholesale Liquor Dealers, Providing the Method of Taxing the Same, and Collecting, Distributing and Expending the Revenue from Said Tax, Providing for the Filing of a List of Said Wholesalers, Repealing All Acts and Parts of Acts in Conflict Herewith, Providing Penalties for Violations of Said Act, Providing for a Saving Clause and Declaring an Emergency.



**House Bill No. 160.** A Bill for an Act to Amend and Re-enact Section 41 of Chapter 162 of the Session Laws of North Dakota for 1927 as Amended and Re-enacted by Chapter 141 of the Session Laws of North Dakota for 1929 as Amended and Re-enacted by Chapter 140 of the Session Laws of North Dakota for 1937, Authorizing the State Highway Commissioner and Local Authorities to Prohibit or Restrict the Use of Highways, and Declaring an Emergency.

**House Bill No. 76.** A Bill for an Act to Amend and Re-enact Section 3 of Chapter 242 of the 1939 Session Laws for North Dakota, as Amended and Re-enacted by Section 2 of Chapter 290 of the 1941 Session Laws of North Dakota, Relating to the Filing of Quarterly Price Lists by the Wholesale Liquor Dealers, and Declaring an Emergency.

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

W. M. SMART, Chief Clerk.

Rep. Graham requested that the House be on the seventh order of business, which request was granted.

Rep. Graham moved that the House reconsider the action by which House Bill No. 163 was made a special order of business for 12:00 o'clock today and that it be considered before the House at this time, which motion prevailed by the necessary two-thirds majority.

So the question before the House was the previous motion of Rep. Lillehaugen that the House reconsider the vote by which House Bill No. 163 was indefinitely postponed.

Rep. Graham demanded a call of the house.

Forty-seven members seconded the request so a call of the house was ordered.

The roll call disclosed all members present except Rep. Bjella.

The sergeant-at-arms was instructed to bring the absent member to the chamber.

The House was informed that Rep. Bjella was absent on account of illness.

Rep. Graham moved that the call of the house be dispensed with, which motion prevailed.

The question was on the motion of Rep. Lillehaugen.

On a viva voce vote the chair was in doubt.

A rising vote disclosed 58 voting for and 35 voting against so the motion prevailed.

Rep. Graham moved that House Bill No. 163 be placed on the calendar, which motion prevailed.

#### SECOND READING OF HOUSE BILLS

**House Bill No. 163.** A Bill for an Act to Amend and Re-enact Subsection (c) and (e), Section 36, Chapter 162 of the Session Laws of North Dakota for the Year 1927, as Amended by Chapter 190 of the Session Laws of North Dakota for the Year 1931, as Amended by Chapter 163 of the Session Laws of North Dakota for the Year 1933, as Amended by Chapter 185 of the Session Laws of North Dakota for the Year 1935, as Amended by Chapter 194 of the Session Laws of North Dakota for the Year 1941, Prescribing and Relating to the Size of Motor Vehicles and Loads of Motor Vehicles Upon the Highway; and Amending and Re-enacting

Subsection (b) of Section 25 of Chapter 179 of the Session Laws of North Dakota for the Year 1927, as Amended by Section 5 of Chapter 186 of the Session Laws of North Dakota for the Year 1931, as Amended by Subsection (b) of Section 1 of Chapter 161 of the Session Laws of North Dakota for the Year 1933, as Amended by Subsection (b) (1) of Section 2 of Chapter 194 of the Session Laws of North Dakota for the Year 1941, Providing for Registration Fees for Trucks on a Gross Weight Basis, 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, 61; nays, 51; absent and not voting, 1.

Those voting in the affirmative were:

Anderson	Haugland	Ohnstad
Baumgartner	Heckman	Ostgulen
Benno	Hegge	Peterson, Bottina'u
Bergesen	Hofstrand	Rohde
Braun	Holm	Sandness
Bubel	Hovey	Schwartz
Collette	Iszler	Schmalenberger
Crockett	Jennings	Schnell
Devlin	Johnson, Cass	Sellens
Drovdal	Kolpin	Shure
Falconer	Larson, Ward	Stair
Fitch	Levin	Sticka
Fleck	Manstrom	Stormon
Forseth	Marks	Twichell
Fraser	Mollet	Welder
Fuglestad	Monson	Welk
Graham	Morland	Williams, Richland
Haag	Morrison	Williams, Sargent
Halcrow	Myers	Wolf, McIntosh
Halvorson	Olson, Bowman	Mr. Speaker
Haugen		

Those voting in the negative were:

Aker	Ekren	Nystrom
Allen, Grand Forks	Gackle	Olson, Barnes
Allen, Pierce	Gainor	Peterson, Ransom
Arndt	Hildre	Pyle
Bagge	Hogoboom	Rettke
Bauer	Johnson, Richland	Rohrer
Belzer	Johnson, Rolette	Runck
Blair	Langley	Sailer
Bolmeier	Larson, Wells	Saumur
Boulden	Leet	Severson
Burau	Lillehaugen	Sharpe
Bymers	Lunde	Starck
Callahan	McInnes	Tuff
Carlson	Mittag	Wambheim
Coghlan	Moe	Westby
Dahlen	Mortenson	Williams, Stutsm'n
Dalzell	Nelson	Wolf, Morton

Absent and not voting:

Bjella

So the bill passed as amended and the title was agreed to, and the emergency clause was declared lost.

Rep. Twichell 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.

Rep. Devlin: "I have continued to be against this truckers bill but after listening to Mr. Twichell, and he has told us he is not coming back here anymore, I admit he has changed my vote and I am going to vote 'Aye'."

Rep. Lillehaugen: "I want to have my vote recorded. Due to the amendment attached to this bill in General Orders, Lillehaugen votes 'No'."

Rep. Moe: "With the load of the trucks now carrying, twenty tons make a pretty good load, I don't think the majority of the truckers would want to carry any more anyhow under any circumstances therefore, I vote 'No'."

#### MESSAGE TO THE SENATE

House of Representatives

Bismarck, February 24, 1943

Mr. President: I have the honor to transmit:

House Bill No. 121. 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, and Declaring an Emergency.

House Bill No. 163. A Bill for an Act to Amend and Re-enact Subsection (c) and (e), Section 36, Chapter 162 of the Session Laws of North Dakota for the Year 1927, as Amended by Chapter 190 of the Session Laws of North Dakota for the Year 1931, as Amended by Chapter 163 of the Session Laws of North Dakota for the Year 1933, as Amended by Chapter 185 of the Session Laws of North Dakota for the Year 1935, as Amended by Chapter 194 of the Session Laws of North Dakota for the Year 1941, Prescribing and Relating to the Size of Motor Vehicles and Loads of Motor Vehicles Upon the Highway; and Amending and Re-enacting Subsection (b) of Section 25 of Chapter 179 of the Session Laws of North Dakota for the Year 1927, as Amended by Section 5 of Chapter 186 of the Session Laws of North Dakota for the Year 1931, as Amended by Subsection (b) of Section 1 of Chapter 161 of the Session Laws of North Dakota for the Year 1933, as Amended by Subsection (b) (1) of Section 2 of Chapter 194 of the Session Laws of North Dakota for the Year 1941, Providing for Registration Fees for Trucks on a Gross Weight Basis, and Declaring an Emergency.

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

W. M. SMART, Chief Clerk.

#### FIRST READING OF HOUSE CONCURRENT RESOLUTION

Introduced by Reps. Sellens, Fleck and Falconer:

House Concurrent Resolution "1-C." Regarding the Heavy Snow on the Missouri River and Requesting Cooperation of the Adjutant General's Department in Eliminating Hazards.

Rep. Sellens moved that House Concurrent Resolution "1-C" be adopted, which motion prevailed and the Resolution was adopted.

HOUSE COMMITTEE ON ENROLLMENT AND  
ENGROSSMENT

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

House Bill No. 59.  
House Bill No. 121.

And find the same correctly Engrossed.

REP. MORLAND, Chairman.

Rep. Burau moved that the report be adopted, which motion prevailed, and the report was adopted.

Rep. Bergesen moved that the House be on the eighth order of business until 1:45 o'clock p. m., which motion prevailed.

The House reconvened at 1:45 o'clock p. m., pursuant to recess taken, Speaker Beede presiding.

MESSAGE FROM THE SENATE

Senate Chamber

Bismarck, February 24, 1943

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 122. A Bill for an Act to Amend and Re-enact Section 189c1, 189c2, 189c3, 189c5, 189c6, and 189c11 of the 1925 Supplement to Compiled Laws of 1925, as Amended by Chapter 153, Laws of 1935, and to Provide for the Risks to Be Covered, the Method of Valuing the Same, the Types of Coverage, and the Limitations Upon the Amount of Insurance to Be Carried in the State Fire and Tornado Fund; to Provide for the Writing of Excess Insurance Upon the Basis of Competitive Bids, and to Regulate the Method of Doing Business by Said Fire and Tornado Fund and the Method of Paying Losses and Charging and Paying for Expense Incurred in Connection Therewith, and to Prohibit the Insurance Commissioner from Writing, Soliciting or Brokering Any Insurance Coverages, or from Covering Any Risks Not Specifically Authorized by Law, and Repealing All Acts or Parts of Acts in Conflict Herewith.

Senate Bill No. 156. A Bill for an Act Relating to the Juvenile Courts and the Protection, Control, and Custody of Children; and Amending and Re-enacting Chapter 23 of the Code of Criminal Procedure of Compiled Laws of North Dakota of 1913.

Senate Bill No. 180. A Bill for an Act to Amend and Re-enact Section 1, of Chapter 241, of the Session Laws of North Dakota for 1937, Providing for the Graduation of the Rate of Income Tax.

Senate Bill No. 199. A Bill for an Act to Amend and Re-enact Sub-section (c) of Section 3 of Chapter 255 of the Session Laws of North Dakota for 1941 Relating to the Distribution of the Basis of Need; and to Amend Section 5 of Chapter 255 of the Session Laws of North Dakota for 1941 Relating to the Distribution of Per Pupil Basis; and to Amend Section 7 of Chapter 255 of the Session Laws of North Dakota for 1941 Relating to Payment on Teacher-Unit Basis.

Senate Bill No. 206. A Bill for an Act to Amend and Re-enact Section 19 of the Session Laws of North Dakota for 1927 as Amended and Re-enacted by Chapter 150 of the Session Laws of North Dakota for 1939, Relating to the

Regulation of the Occupation of Hairdressers and Cosmetologists, and Repealing All Acts or Parts of Acts in Conflict Herewith.

Senate Bill No. 209. A Bill for an Act Authorizing the Code Revision Commission to Incorporate the Session Laws Adopted by the Twenty-Eighth Legislative Assembly in the North Dakota Revised Code of 1943; to Rearrange, Renumber, and Correct Typographical Errors in Such Code; and to Prepare the Same for Publication.

Senate Bill No. 211. A Bill for an Act Imposing a Motor Fuel Use Tax Upon Products Used for Propelling Motor Vehicles on the Highways and Streets of This State Other Than Gasoline; Providing for the Licensing and Bonding of Users and for the Administration, Report and Payment of Such Tax and the Repeal of All Acts or Parts of Acts in Conflict With the Provisions of This Act.

Senate Concurrent Resolution "1-D." A Concurrent Resolution Requesting the Bank of North Dakota With the Approval of the Industrial Commission to Make Loans to the Public Welfare Board of North Dakota to Meet Emergencies for funds to Match Federal Grants Under the Social Security Programs for General Relief Requirements.

Senate Bill No. 208. A Bill for an Act to Amend and Re-enact Section 15-0710 North Dakota Revised Code for 1943.

Senate Bill No. 127. A Bill for an Act to Permit the Commissioner of Insurance to Procure Catastrophe Insurance, and to Regulate the Type and Extent Thereof.

Senate Concurrent Resolution "1-G." Relating to Re-insurance in the State Bonding Fund.

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

W. J. TROUT, Secretary.

#### MESSAGE TO THE SENATE

House of Representatives  
Bismarck, February 24, 1943

Mr. President: I have the honor to transmit:

House Concurrent Resolution "1-C." Regarding the Heavy Snow on the Missouri River and Requesting Cooperation of the Adjutant General's Department in Eliminating Hazards.

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

W. M. SMART, Chief Clerk.

Rep. Saumur moved that the absent member be excused, which motion prevailed.

Rep. Saumur moved that the House do now adjourn, which motion prevailed.

W. M. SMART, Chief Clerk.

#### FIFTY-FIRST DAY

Bismarck, February 24, 1943

The House convened pursuant to adjournment, Speaker Beede presiding.

Prayer was offered by Rev. Laten E. Teare.

Roll call: All members were present except Rep. Bjella.

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

Mr. Speaker: Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the

forty-ninth day after recess and the fiftieth day and recommends that the same be corrected as follows:

Line 21 page 653 change the name "Bauer" to "Braun".

And when so corrected recommends that the same be approved.

REP. WELDER, Chairman.

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

#### PETITIONS AND COMMUNICATIONS

Communications urging passage of Senate Bill No. 119 were received from the following:

Hettinger P. T. A.

Ellen Kippen, Omeme, N. Dak.

Bismarck Chapter of N. D. E. A.,

Which communications were referred to the Committee on Tax and Tax Laws.

Rep. Crockett moved that the communication received by the Committee on Highways and Bridges from the Public Service Commission be read from the desk, which motion prevailed.

Rep. Crockett moved that the communication from the Public Service Commission be printed in the Journal, which motion prevailed.

#### PUBLIC SERVICE COMMISSION

State of North Dakota

Bismarck, February 23, 1943

To the Committee on Highways and Bridges:

In accordance with our conference with your committee relative to the interpretation of the exception contained in Subdivision (c) of Section 1 of Chapter 196, Session Laws of 1939, regulating Agricultural Carriers, you are informed that the Commission has determined to construe this exception liberally in the administration of said act during the duration of the war and, therefore, you are advised:

1. That the Commission will construe said exception so as to authorize the transportation of any and all property by one farmer for another between farms and the usual local trading or market places where such property may be bought or sold by the person for whom such transportation is performed.

2. That the Commission will construe the terms "local trading place or market" to mean not only the nearest trading place or market of the farmer for whom such transportation is performed, but such terms shall also include the trading places, sales rings or market within reasonable proximity where the farmer, for whom such property is transported, can sell the products of his farm or where he can buy any property that he may need or require in the operation thereof.

3. That the Commission will interpret and administer the Agricultural Carrier's Act in the light of the emergency conditions created by or arising out of the war in order to protect and serve the best interests of the farmers for whose benefit the exception in such act was intended.

Respectfully submitted,

S. S. McDONALD, President

BEN C. LARKIN, Commissioner

Rep. Bergesen moved that the House be on the thirteenth

order of business until 1:00 o'clock p. m., tomorrow with the understanding that no bills will be given first reading or referred to committees on which there is any conflict in the Reference Committee, which motion prevailed and the House was on the thirteenth order of business.

#### FIRST READING OF SENATE BILLS

Senate Bill No. 2. 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.

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

Senate Bill No. 4. A Bill for an Act Making an Appropriation for the Purpose of Operating and Maintaining the State Fire and Tornado Fund.

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

Senate Bill No. 6. A Bill for an Act Making an Appropriation for the Operation and Maintenance of the State Hail Insurance Department.

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

Senate Bill No. 7. A Bill for an Act Making an Appropriation for the Purpose of Operating and Maintaining the State Bonding Fund.

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

Senate Bill No. 8. A Bill for an Act Making an Appropriation for Relief to Destitute and Necessitous Persons for the Biennium Beginning July 1st, 1943, and Ending June 30th, 1945, Defining the Powers and Duties of the Public Welfare Board in Relation Thereto, and in Providing for Allocation of Funds to Counties for Relief Purposes and for Other Specified Relief Expenditures and Costs of Administration.

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

Senate Bill No. 9. A Bill for an Act Making an Appropriation for the Biennium Beginning July 1st, 1943, and Ending June 30th, 1945, to Be Expended by the Public Welfare Board in Providing Assistance to the Needy Aged and for Necessary Costs of Administration.

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

Senate Bill No. 10. A Bill for an Act Making an Appropriation for the Biennium Beginning July 1st, 1943, and Ending June 30, 1945, for Disbursement by the Public Welfare Board in Providing Public Assistance to the Dependent Children and to Needy Blind and Providing Child Welfare Services and Services to Crippled Children and for Necessary Costs of Administration.

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

Senate Bill No. 164. A Bill for an Act Making It Unlawful for Any Person, Association or Corporation to Possess, or Keep for Sale, or Offer for Sale, or Gift or Barter Any Matches Not Approved by the National Board of Underwriters.

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

Senate Bill No. 166. A Bill for an Act to Amend and Re-enact Chapter 265, Session Laws of 1941, Relating to Special Audits of State Offices, Departments and Commissions; Authorizing the Governor to Appoint Special Counsel to Prosecute Any Action of Proceeding Which May Be Deemed Warranted as a Result of Such Audits and Investigations; and Providing an Appropriation.

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

Senate Bill No. 169. A Bill for an Act to Authorize the Industrial Commission of the State of North Dakota to Establish and Set Up a Research and Processing Unit for Soy Beans and Flax Seed at the State Mill and Elevator, and Making an Appropriation Therefor.

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

Senate Bill No. 171. A Bill for an Act to Amend and Re-enact Sections 2, 5, 6, 8, 9, 10, 13, 15, 16, and 22 of Chapter 71 of the Session Laws of North Dakota for the Year 1933, Relating to the State Banking Board, and Making an Appropriation for the Expense Incident Thereto and Repealing All Acts in Conflict Herewith.

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

Senate Bill No. 202. A Bill for an Act to Amend and Re-enact Sections 15-4017 and 15-4018 of the North Dakota Revised Code of 1943.

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

Senate Bill No. 203. A Bill for an Act Relating to National and State Defense, Authorizing the Creation of State and Local Defense Agencies, Granting Emergency War Powers to Said Agencies and the Political Subdivisions of the State, and Making an Appropriation Therefor.

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

Senate Bill No. 124. A Bill for an Act to Amend and Re-enact Sections 3790 and 3802 of the Compiled Laws of North Dakota for the Year 1913, Relating to Salaries of Members of the Board of City Commissioners.

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

Senate Bill No. 131. A Bill for an Act to Amend and Re-enact Section 27 of Chapter 148 of the Session Laws of North Dakota for 1931 Relating to County Auditors' Bonds, Reports and Fees and Repealing Chapter 160 of the Session Laws of North Dakota for 1941 and All Acts or Parts of Acts in Conflict Herewith.

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



Senate Bill No. 132. A Bill for an Act to Amend and Re-enact Chapter 218 of the Session Laws of 1935 Giving Preference to North Dakota Bidders and Sellers; Defining Such North Dakota Bidders and Sellers, and Prescribing the Nature of Preference to Be Given.

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

Senate Bill No. 133. A Bill for an Act to Regulate and Control the Barber Shop Business of the State of North Dakota; Conferring Upon the State Board of Barber Examiners Powers and Jurisdiction with Relation Thereto, Defining Such Powers, Jurisdiction and Duties; Authorizing the Said Board to Approve Price Schedules and to Make Orders Fixing Minimum Prices for Barber Services; Providing for Judicial Review of Such Acts of Said Board; Providing Penalties for the Violation of This Act.

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

Senate Bill No. 134. A Bill for an Act to Amend and Re-enact Section 7, the Fourth Paragraph of Section 11, and Section 15 of Chapter 101 of the Session Laws of 1927, Chapter 79 of the Session Laws of 1933, the First Paragraph and Sub-section 2 of Section 18 (as Amended by Chapter 98 of the Session Laws of 1931) and the Second Paragraph of Section 21, of Chapter 101 of the Session Laws of 1927, Relating to the Barbers Examining Board of the State of North Dakota and the Regulation of the Business of Barbering.

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

Senate Bill No. 185. A Bill for an Act Providing for the Disposition of Property Where There Is No Sufficient Evidence That Persons Having Died Otherwise Than Simultaneously, and to Make Uniform the Law With Reference Thereto.

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

Senate Bill No. 186. A Bill for an Act Relating to the Issuance of No Par Corporate Stock and to Amend and Re-enact Chapter 119, Session Laws of 1941.

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

Senate Bill No. 187. A Bill for an Act to Amend and Re-enact Paragraph (b) of Subdivision 5 of Section 7 and All of Section 23 of Chapter 94, Session Laws of 1931, Pertaining to Fully Paid Shares in Building and Loan Associations and Bonds of Directors, Officers, Agents and Employees, and Repealing All Acts in Conflict Herewith.

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

Senate Bill No. 189. A Bill for an Act to Provide for Filling Vacancies on the State No-Party Ballots.

Was read the first time and referred to the Committee on Election and Election Privileges.

Senate Bill No. 192. A Bill for an Act to Encourage the Investment of Moneys in the State of North Dakota, and to Encourage the Development of the Natural Resources of

This State, and to Provide a Market for the Gas and Oil Deposits in the State, Including Those Owned by the State of North Dakota, and the Counties Thereof, and to Permit the Marketing of Such Natural Resources by Selling and Delivering to the State, County and School Districts of Gas and Oil, Upon Condition That the Seller or Carrier Purchase From Production or Produce in This State an Amount of Gas or Oil at Least Equivalent to the Amount It Delivers to Said State, County and School District Buildings and Requiring Such Sellers and Carriers to Make Reports of Its Sales and Purchases and Production, Under Oaths, and Providing a Penalty for Violation Thereof; Repealing All Acts in Conflict, and Declaring an Emergency.

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

Senate Bill No. 198. A Bill for an Act to Amend and Re-act Chapter 111 of the Session Laws of North Dakota for the Year 1927, Providing the Place, a Holding of Stockholders and Directors Meetings, and Repealing Acts in Conflict Herewith.

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

Senate Bill No. 200. A Bill for an Act Making an Appropriation of Funds to Purchase Paper and Binding Material and to Pay for Printing and Binding and Supervision, and Declaring an Emergency.

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

Senate Bill No. 173. A Bill for an Act Authorizing and Relating to Contracts by Certain Cities and Villages for Obtaining a Supply of Water for Public and Domestic Uses.

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

Senate Bill No. 174. A Bill for an Act Providing for Direct Liability of the Insurer to Persons Entitled to Recover for Death, for Injuries to Persons, or Damages to Property, Caused by the Negligent Maintenance, Use or Operation of Motor Vehicles, Limiting the Amount of Liability; Imposing Duty to Disclose Existence of Insurance, Authorizing the Persons Entitled to Recover Such Damages to Join the Insurer in Single Action Against Owner or Operator of Motor Vehicle; Declaring Conditions and Covenants in Liability Contracts or Policies of Insurance, Limiting or Restricting Such Rights, or Which Are Violative of the Provisions of This Act as Against Public Policy and Void and Providing for Repeal of All Acts in Conflict Herewith.

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

Senate Bill No. 175. A Bill for an Act Amending and Re-enacting Section 17 of Chapter 14 of the Session Laws of 1941 Relating to the State Seed Department.

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

Senate Bill No. 176. A Bill for an Act to Amend and Re-enact Sections, 1, 5, 7, 9, and 15 of Chapter 243 of the Session Laws of 1941 and Pertaining to Definitions, Eligibility for Assistance, Application for Assistance, Award of Assistance, and Disbursements of Aid to Dependent Children Fund.

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

Senate Bill No. 181. A Bill for an Act to Make it the Duty of the Public Welfare Board of North Dakota to Eliminate Disparity in the Amount of Old Age Assistance Between the Counties of the State of North Dakota, Authorizing a Full or Part-time Deputy Executive Director, Directing Discharge of Executive Director or Deputy Executive Director, Requiring Liberal Construction of the Public Welfare Law and Declaring an Emergency.

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

Senate Bill No. 182. A Bill for an Act to Amend and Re-enact Section 7 of Chapter 211 of the Session Laws of North Dakota for the Year 1937, and to Define the Rights of Applicants for Old Age Assistance, and the Duties of the State Agency, the County Agency and the State's Attorney, and to Provide for the Removal of Any Member of the State Agency Violating the Public Welfare Law of North Dakota, and Declaring an Emergency.

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

Senate Bill No. 184. A Bill for an Act to Amend and Re-enact Section 12 of Chapter 139 of the Session Laws of North Dakota for the Year 1937, as Amended and Re-enacted by Section 3 of Chapter 175 of the Session Laws of North Dakota for 1941, Relating to Revocation of Suspension of Drivers' Licenses, and to Amend and Re-enact Section 13 of Chapter 139 of the Session Laws of North Dakota for 1937, Relating to Court Review of Action of the State Highway Commissioner, and to Amend and Re-enact Subsection (d) of Section 18 of Chapter 139 of the Session Laws of North Dakota for 1937 as Amended and Re-enacted by Section 4 of Chapter 175 of the Session Laws of North Dakota for the Year 1941, Relating to Salaries and Wages of Officers of the Division of Highway Safety and Patrol, and to Repeal Section 14 of Chapter 139 of the Session Laws of North Dakota for 1937.

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

Senate Bill No. 170. A Bill for an Act Regulating the Business of Receiving Monies as Agent for Another for the Purpose of Depositing the Same in a Bank, Requiring a License Therefor, and Providing Penalties for the Violation Thereof.

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

Senate Bill No. 178. A Bill for an Act to Amend and Re-enact Sub-division B of Section 25 of Chapter 186 Session Laws of North Dakota for 1931 as Amended by Chapter 161 Session Laws of North Dakota for 1933, as Amended by Sub-section (e) (1) of Section 2 of Chapter 194, Session Laws of 1941, Relating to the License Required by Certain Motor Vehicles, and Declaring an Emergency.

Was read the first time and referred to the Committee on Highways and Bridges.

Senate Concurrent Resolution "W." A Concurrent Resolution Providing for the Amendment of Section 45 of the Constitution of the State of North Dakota.

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

Senate Concurrent Resolution "1-C." A Concurrent Resolution Memorializing the Congress of the United States and the Selective Service Authorities to Adopt a Distinctive Insignia to Be Worn by Men Deferred from Induction Into the Armed Forces by Reason of Being Engaged in an Essential Occupation Necessary to the War Effort.

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

Senate Concurrent Resolution "1-D." A Concurrent Resolution Requesting the Bank of North Dakota With the Approval of the Industrial Commission to Make Loans to the Public Welfare Board of North Dakota to Meet Emergencies for funds to Match Federal Grants Under the Social Security Programs for General Relief Requirements.

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

Senate Concurrent Resolution "1-F." A Concurrent Resolution Providing for a Committee Consisting of the Lieutenant Governor and the Speaker of the House of Representatives to Supervise the Completion of the Codes; Permitting Them to Employ Proof-readers, and Providing for Remuneration.

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

Senate Bill No. 172. A Bill for an Act to Amend and Re-enact Section 17 of Chapter 96 of the Session Laws of North Dakota for the Year 1931 as Amended by Chapter 93 of the Session Laws of 1935, Also Sections 4, 25, 31, and 35 of Chapter 96 of the Session Laws of 1931, Also Section 30 of Chapter 96 of the Session Laws of 1931 as Amended by Chapter 96 of the Session Laws of North Dakota for the Year 1937 and Further Amended by Chapter 102 of the Session Laws of North Dakota for the Year 1941 and Repealing Section 57 of Chapter 96 of the Session Laws of North Dakota for the Year 1931; All Relating to the Regulation of the State Banking Associations.

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

Senate Bill No. 156. A Bill for an Act Relating to the Juvenile Courts and the Protection, Control, and Custody of Children; and Amending and Re-enacting Chapter 23 of the Code of Criminal Procedure of Compiled Laws of North Dakota of 1913.

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

Senate Bill No. 180. A Bill for an Act to Amend and Re-enact Section 1, of Chapter 241, of the Session Laws of North Dakota for 1937, Providing for the Graduation of the Rate of Income Tax.

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

Senate Bill No. 199. A Bill for an Act to Amend and Re-enact Sub-section (c) of Section 3 of Chapter 255 of the Session Laws of North Dakota for 1941 Relating to the Distribution of the Basis of Need; and to Amend Section 5 of Chapter 255 of the Session Laws of North Dakota for 1941 Relating to the Distribution of Per Pupil Basis; and to Amend

Section 7 of Chapter 255 of the Session Laws of North Dakota for 1941 Relating to Payment on Teacher-Unit Basis.

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

Senate Bill No. 206. A Bill for an Act to Amend and Re-enact Section 19 of the Session Laws of North Dakota for 1927 as Amended and Re-enacted by Chapter 150 of the Session Laws of North Dakota for 1939, Relating to the Regulation of the Occupation of Hairdressers and Cosmetologists, and Repealing All Acts or Parts of Acts in Conflict Herewith.

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

Senate Bill No. 208. A Bill for an Act to Amend and Re-enact Section 15-0710 North Dakota Revised Code for 1943.

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

Senate Bill No. 209. A Bill for an Act Authorizing the Gode Revision Commission to Incorporate the Session Laws Adopted by the Twenty-Eighth Legislative Assembly in the North Dakota Revised Code of 1943; to Rearrange, Renumber, and Correct Typographical Errors in Such Code; and to Prepare the Same for Publication.

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

Senate Bill No. 211. A Bill for an Act Imposing a Motor Fuel Use Tax Upon Products Used for Propelling Motor Vehicles on the Highways and Streets of This State Other Than Gasoline; Providing for the Licensing and Bonding of Users and for the Administration, Report and Payment of Such Tax and the Repeal of All Acts or Parts of Acts in Conflict With the Provisions of This Act.

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

Senate Bill No. 95. A Bill for an Act Making an Appropriation for the Payment of Premiums at the State Penitentiary, the State Work Farm and the State Capitol.

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

Senate Bill No. 105. A Bill for an Act to Provide Revenue for the Enforcement of the Paint and Varnish Laws of This State; to Prevent Fraud and Deception in the Sale of Paints and Varnishes; to Prevent Adulteration, and Misbranding Thereof; to Provide Licensing, Payment and Disposition of License Fees; and Provide Penalties for Violations Thereof.

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

Senate Bill No. 119. A Bill for an Act to Amend and Re-enact Section 7 of Chapter 235 of the Session Laws of 1929 Fixing the Limits for the Levy of Taxes by School Districts.

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

Senate Bill No. 121. A Bill for an Act Making an Appropriation to the State Water Conservation Commission for the Preparation of Water Conservation and Irrigation Projects

for Post-war Construction and Development; and Declaring an Emergency.

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

Senate Bill No. 204. A Bill for an Act to Amend and Re-enact Section 59-0425 of the North Dakota Revised Code of 1943.

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

Senate Bill No. 205. A Bill for an Act to Repeal Chapter 11 of the Title Judicial Procedure, Civil in North Dakota Revised Code for 1943.

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

Senate Bill No. 210. A Bill for an Act to Amend and Re-enact Sub-section (b) of Section 1 of the Initiated Measure Adopted June 30, 1926 Relating to the Definition of "Motor Vehicle Fuels."

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

Senate Bill No. 12. A Bill for an Act Making an Appropriation for Administration and Expenses for the Liquor Control Act.

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

Senate Bill No. 37. A Bill for an Act Amending and Re-enacting the Workmen's Compensation Act by Amending and Re-enacting Paragraphs 3 and 7 of Section 2 of Chapter 162 of the Session Laws of 1919 and Acts Amendatory Thereof; Subsections A, C, E, F, G, G-e, G-f, G-l, and G-m of Section 3 of Chapter 162 of the Session Laws of 1919 and Acts Amendatory Thereof; Subsection 1 of Section 4 of Chapter 162 of the Session Laws of 1919 and Acts Amendatory Thereof; Paragraphs 5 and 9 of Section 7 of Chapter 162 of the Session Laws of 1919 and Acts Amendatory Thereof; Paragraph 6 of Section 8 of Chapter 162 of the Session Laws of 1919 and Acts Amendatory Thereof; Section 10 of Chapter 162 of the Session Laws of 1919 and Acts Amendatory Thereof; and Section 11 of Chapter 162 of the Session Laws of 1919 and Acts Amendatory Thereof, All Constituting Parts of the Workmen's Compensation Act of the State of North Dakota and Relating to the Definition of the Term "Employee"; the Term "Injury"; Providing for Rehabilitation of Injured Persons; Fixing Awards Which May Be Made; Removing the Limitation of Awards; Fixing the Amount of Interest to Be Computed and Charged in Lump Sum Settlements; Providing for Schedules of Fees for Legal, Medical and Hospital Services; Providing for the Manner in Which a Surplus May Be Created and Maintained; Providing for the Payments of Awards in Case of Aggravation; Providing for the Collection of Premiums in Default and the Settlement of the Same; Providing Coverage for Elected Peace Officers in Cities and Villages; and Providing for Relief to Injured Employees of Non-complying Employer.

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

Senate Bill No. 56. A Bill for an Act to Appropriate

Twenty Thousand (\$20,000.00) Dollars for the Biennium to Provide for the Control of Predatory Animals Such as Wolves, Coyotes, Bobcats and Other Predatory Animals Which Are Injurious to Livestock, Poultry and Game Animals and Birds; to Authorize Cooperation with the United States in the Control of Such Predatory Animals; and in Addition Thereto Appropriating for the Same Purpose the Net Proceeds of Furs, Skins or Specimens Sold, Making Such Proceeds Available in a Sum Not to Exceed Twenty Thousand (\$20,000.00) Dollars, and to Provide for Funds to Enable the Department of Agriculture and Labor to Carry Out the Provisions 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 Appropriations.

Senate Bill No. 57. A Bill for an Act Relating to Narcotic Drugs; Defining Terms Used Therein; Regulating the Possession, Sale, Handling and Use of Narcotic Drugs; Providing for the Granting and Revocation of Licenses, and Fixing the Qualifications of Licensees; Enumerating Who May Purchase, Procedure to Be Followed in Making Purchases and Sales, and Who May Lawfully Possess Narcotic Drugs; Governing Sales by Apothecaries, and the Professional Use Thereof; Providing for the Return of Unused Drugs; Exempting Certain Preparations; Requiring Records to Be Kept by Physicians, Dentists, Veterinarians and Other Persons Authorized to Administer or Professionally Use Narcotic Drugs, Manufacturers, Wholesalers, Apothecaries, and Vendors of Exempted Preparations; Providing for the Form of Record to Be Kept, Fixing the Labeling Requirements; Stating Conditions Under Which Narcotic Drugs May Be Possessed by Individuals, and Exempting Certain Persons and Corporations; Defining What Shall Be a Common Nuisance; Providing for the Forfeiture and Disposition of Narcotic Drugs Not Lawfully Possessed; Requiring Courts to Report Convictions; Making Certain Records Confidential; Defining Fraud or Deceit; Placing Burden of Proof on Defendant to Negative Any Exception, Excuse, Proviso, or Exemption in the Act; Providing by Whom the Act Shall Be Enforced; Fixing Penalties for Violation of the Act; Limiting Prosecutions; Containing a Savings Clause; Providing for the Seizure of Vehicles; Making the Theft of Narcotics a Felony; Interpreting the Act; Repealing Inconsistent Laws; and Naming the Act.

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

Senate Bill No. 68. A Bill for an Act to Amend and Re-enact Sections 1, 2, 5, 6, 8 and 10 of That Certain Initiated Law Adopted by the Voters of the State of North Dakota, at the Primary Election Held June 29, 1932, Entitled as Follows: "An Act Reducing and Fixing the Salaries of the Following County Officials Hereafter Elected: Auditor, Treasurer, Sheriff, Superintendent of Schools, Register of Deeds, County Judge, State's Attorney, and Clerk of District Court, and Providing for the Appointment of Certain Deputies, Clerks and Assistants to Such Officials and Fixing Their Salaries, and for Payment of All Fees to the County, and Fixing the Per Diem and Mileage of County Commissioners and Repealing Section 3551a2, 1925 Supplement to the Compiled

Laws of 1913, Chapters 114 and 115 of the Laws of 1927, Chapter 108 of the Laws of 1929, Chapter 117 of the Laws of 1931, and All Acts and Parts of Acts so Far as in Conflict Herewith," and Repealing Sections 3, 4 and 9 of Said Initiated Law 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.

Senate Bill No. 77. A Bill for an Act Relating to the Public Health and the Control of Preventable Diseases; and to Authorize and Permit the Formation of District Health Units in the Several Counties of the State of North Dakota, Either Separately or in Conjunction and Cooperation With One or More Contiguous Counties, in Lieu of Local Health Units; to Establish and Maintain a District Board of Health to Operate in Cooperation With and Under the Direction of the State Department of Health; Providing for the Appointment of a District Board of Health, a Full Time District Health Officer and the Necessary Personnel of the District Health Unit; and, Providing for Their Compensation; and Authorizing a Levy for the Maintenance of the District Board of Health.

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

Senate Bill No. 80. A Bill for an Act to Amend and Re-enact Section 3173 of the Compiled Laws of North Dakota for 1913, Relating to Newspapers Qualified to Do Legal Printing, Prescribing Methods Whereby Newspapers Suspending Publication During the War May Become Eligible to Publish Legal Publications.

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

Senate Bill No. 139. A Bill for an Act to Facilitate the Efficient Transportation of Persons and Property Needed for the Effective Prosecution of the War, to Authorize State Cooperation with the Officers and Agencies of the United States in Respect Thereof, Granting Certain Emergency Powers to the Governor in Relation Thereto, Creating a State Highway Advisory Committee to the War Department, Defining Its Powers and Duties, and Making an Appropriation Therefor, and Declaring an Emergency.

Was read the first time and referred to the Committee on Federal Relations.

Senate Bill No. 140. A Bill for an Act to Create a State Post-War Planning Board, Prescribing Its Powers and Duties and Making an Appropriation Therefor.

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

Senate Bill No. 143. A Bill for an Act to Amend and Re-enact Sections 6, 8, and 16 of Chapter 174 of the 1937 Session Laws, Relating to Pensions for Disabled and Retired Policemen; Who Entitled to Pensions; Conditions and Disability How Contracted; and Repealing All Acts or Parts of Acts in Conflict Therewith.

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

Senate Bill No. 145. A Bill for an Act to Amend and Re-



enact Section 200b4 of the 1925 Supplement to the Compiled Laws of North Dakota for 1913, Providing for the Payment of Premiums on Bonds of Public Employees; and Providing for the Transfer of Such Bonds, and Declaring an Emergency.

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

Senate Bill No. 146. A Bill for an Act to Legalize the Operation of Bowling Alleys During Certain Hours on the First Day of the Week; Permitting Labor and Services to Be Performed in Connection Therewith; Permitting Municipalities by Ordinance to Prohibit Operation; Repealing All Acts or Parts of Acts in Conflict Herewith.

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

Senate Bill No. 161. A Bill for an Act to Amend and Re-enact Section 2 and Section 5 of Chapter 7 of the Session Laws of 1939; Relating to the Membership of the State Poultry Improvement Board.

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

Senate Bill No. 163. A Bill for an Act to Amend and Re-enact Section 17 of Chapter 148 of the Session Laws of 1931, as Amended by Chapter 159 of the Session Laws of 1941, Relative to Trespassing While Hunting.

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

W. M. SMART, Chief Clerk.

CONTINUATION OF THE FIFTY-FIRST DAY,  
FIFTY-FIRST DAY AFTER RECESS  
AND THE FIFTY-SECOND DAY

Bismarck, February 25, 1943

The Speaker announced the House was still on the thirteenth order of business.

FIRST READING OF SENATE BILLS

Senate Bill No. 122. A Bill for an Act to Amend and Re-enact Sections 189c1 to 189c14 Inclusive of the 1925 Supplement to the Compiled Laws of 1925, as Amended by Chapter 153, Laws of 1935 and Chapter 149, Laws of 1937, Being Chapter 26 of the Title, Insurance in North Dakota, Revised Code for 1943, and to Provide for the Risks to Be Covered, the Method of Valuing the Same, the Types of Coverage, and the Conduct of the Business of the State Fire and Tornado Fund, and to Provide the Method of Paying Losses and Expense of Operation, to Prohibit the Insurance Commissioner from Writing, Soliciting or Brokering Any Insurance Coverages Other Than Those Specifically Authorized by Law, and Providing for the Cancellation of Re-insurance, and Repealing All Acts or Parts of Acts in Conflict Herewith.

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

Senate Bill No. 127. A Bill for an Act to Require the Commissioner of Insurance to Procure Catastrophe Insurance, and to Regulate the Type and Extent Thereof.

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

Senate Bill No. 129. A Bill for an Act to Require All Insurance Company Examinations Conducted by the Commissioner of Insurance to Be Conducted by Qualified Regular Employees, and to Require the Payment of Compensation Received for Such Services Into the State Treasury.

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

Senate Concurrent Resolution "1-G." Relating to Re-insurance in the State Bonding Fund.

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

REPORTS OF STANDING COMMITTEES

Mr. Speaker: Your Committee on Judiciary to whom was referred Senate Concurrent Resolution "1-F," have had the same under consideration and recommend that the same do pass.

REP. OHNSTAD, Chairman.

Rep. Shure moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Judiciary to whom was referred Senate Concurrent Resolution "1-E," have had the same under consideration and recommend that the same do pass.

REP. OHNSTAD, Chairman.

Rep. Kolpin moved that the report be adopted, which motion prevailed and the report was adopted.

Rep. Johnson of Richland moved that the vote by which Senate Bill No. 106 was indefinitely postponed be reconsidered.

A rising vote disclosed 21 voting for and 51 against, so the motion was lost.

Rep. Graham moved that the rules be suspended and Senate Concurrent Resolution "1-E" be placed on second reading and final passage at this time, which motion prevailed.

Senate Concurrent Resolution "1-E." A Concurrent Resolution Calling for the Appointment of a Committee from Both Houses of the North Dakota Legislature to Study and Examine the Work of the Interim Legislative Committee on Code Revision, to Prepare Necessary Contracts, and Present the Same to the Legislature for Its Ratification.

Was read the second time.

Rep. Graham moved that Senate Concurrent Resolution "1-E" be adopted, which motion prevailed and the Resolution was adopted.

Pursuant to the Resolution and subject to the approval of the House, the Speaker appointed Reps. Twichell, Shure, Ohnstad, Graham, Johnson of Richland and Aker.

Rep. Crockett moved that the House approve the appointment by the Speaker of Reps. Twichell, Shure, Ohnstad, Graham, Johnson of Richland and Aker, which motion prevailed and the appointments were approved.

#### REPORTS OF STANDING COMMITTEES

Mr. Speaker: Your Committee on State Affairs to whom was referred Senate Bill No. 152, have had the same under consideration and recommend that the same be amended as follows:

Strike out the word "March" in Line 22 and insert in lieu thereof the word "April".

On any payment of renewal license fee for 1943 made prior to the taking effect of this Act, refund shall be made to the licensee of the difference in such license as hereby reduced, upon proper voucher approved by the Secretary of State and presented to the State Auditor, such refund to be made from the miscellaneous refund account or in event the same is depleted from the General Fund of the State.

And when so amended recommend the same do pass.

REP. TWICHELL, Chairman.

Rep. Crockett moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on State Affairs 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 14 after the word "case" insert the word "of".

And when so amended recommend the same do pass.

REP. TWICHELL, Chairman.

Rep. Crockett moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on State Affairs to whom was referred Senate Concurrent Resolution "S," have had the same under consideration and recommend that the same be amended as follows:

In line 10 after the word "Governor" insert a "comma" at the beginning of line 11 strike out the word "and".

In line 11 after the word "Senate" insert a "comma" and the following language: "the Speaker of the House" "comma" "the Chief Clerk of the House".

And when so amended recommend the same do pass.

REP. TWICHELL, Chairman.

Rep. Saumur moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on State Affairs to whom was referred Senate Concurrent Resolution "Q," have had the same under consideration and recommend that the same be amended as follows:

In line 11 after the word "Governor" strike out the word "and" and insert in lieu thereof a "comma".

In line 12 after the word "Senate" insert a "comma" and the following language "the Speaker of the House" "comma" "the Chief Clerk of the House".

And when so amended recommend the same do pass.

REP. TWICHELL, Chairman.

Rep. Saumur moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on State Affairs to whom was referred Senate Concurrent Resolution "R," have had the same under consideration and recommend that the same be amended as follows:

In line 12 after the word "Governor" strike out the word "and" and insert in lieu thereof a "comma".

In line 12 after the word "Senate" insert a "comma" and the following language "the Speaker of the House" "comma" "the Chief Clerk of the House".

And when so amended recommend the same do pass.

REP. TWICHELL, Chairman.

Rep. Crockett moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on State Affairs to whom was referred Senate Bill No. 61, have had the same under consideration and recommend that the same do pass.

REP. TWICHELL, Chairman.

Rep. Crockett moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on State Affairs to whom was referred Senate Concurrent Resolution "1-B," have had the same under consideration and recommend that the same do pass.

REP. TWICHELL, Chairman.

Rep. Crockett moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: 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.

REP. TWICHELL, Chairman.

Rep. Westby moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Judiciary to whom was referred Senate Bill No. 197, have had the same under consideration and recommend that the same do pass.

REP. OHNSTAD, Chairman.

Rep. Shure moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Judiciary to whom was referred Senate Bill No. 150, have had the same under consideration and recommend that the same be re-referred to the Committee on Livestock.

REP. OHNSTAD, Chairman.

Rep. Leet moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Judiciary to whom was referred Senate Bill No. 157, have had the same under consideration and recommend that the same do pass.

REP. OHNSTAD, Chairman.

Rep. Mollet moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Judiciary to whom was referred Senate Bill No. 137, have had the same under consideration and recommend that the same do pass.

REP. OHNSTAD, Chairman.

Rep. Leet moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Game and Fish to whom was referred Senate Bill No. 53, have had the same under consideration and recommend that the same do pass.

REP. BENNO, Chairman.

Rep. Bymers moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Judiciary to whom was referred Senate Bill No. 81, have had the same under consideration and recommend that the same be indefinitely postponed.

REP. OHNSTAD, Chairman.

Rep. Welder moved that the report be adopted, which motion prevailed and the report was adopted.

Rep. Mollet moved that the vote by which Senate Bill No. 81 was indefinitely postponed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Mr. Speaker: Your Committee on Appropriations to whom was referred Senate Bill No. 14, have had the same under consideration and recommend that the same do pass.

REP. JOHNSON OF CASS, Chairman.

Rep. Marks moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Appropriations to whom was referred Senate Bill No. 46, have had the same under consideration and recommend that the same do pass.

REP. JOHNSON OF CASS, Chairman.

Rep. Carlson moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Appropriations to whom was referred Senate Bill No. 147, have had the same under consideration and recommend that the same do pass.

REP. JOHNSON OF CASS, Chairman.

Rep. Gackle moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Appropriations to whom was referred Senate Bill No. 69, have had the same under consideration and recommend that the same do pass.

REP. JOHNSON OF CASS, Chairman.

Rep. Mittag moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Appropriations to whom was referred Senate Bill No. 39, have had the same under consideration and recommend that the same do pass.

REP. JOHNSON OF CASS, Chairman.

Rep. Lillehaugen moved that the report be adopted, which motion prevailed and the report was adopted.

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

REP. JOHNSON OF CASS, Chairman.

Rep. Mittag moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Tax and Tax Laws to whom was referred Senate Bill No. 54, have had the same under consideration and recommend that the same do pass.

REP. McINNES, Chairman.

Rep. Wolf of McIntosh moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Tax and Tax Laws to whom was referred Senate Bill No. 62, have had the same under consideration and recommend that the same do pass.

REP. McINNES, Chairman.

Rep. Arndt moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Tax and Tax Laws to whom was referred Senate Bill No. 47, have had the same under consideration and recommend that the same do pass.

REP. McINNES, Chairman.

Rep. Mollet moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Tax and Tax Laws to whom was referred Senate Bill No. 1, have had the same under consideration and recommend that the same be amended as follows:

In Line 22 strike out the word "of" and insert the word "or".

And when so amended recommend the same do pass.

REP. McINNES, Chairman.

Rep. Wolf of McIntosh moved that the report be adopted, which motion prevailed and the report was adopted.

Rep. Fleck moved that the House do now recess to go into Joint Session with the Senate, which motion prevailed.

The House reconvened and received the Senate in Joint Assembly for the Joint Memorial Session.

The Joint Memorial Session was called to order by Lt. Gov. Holt, President of the Senate.

Senator Young moved that a Committee of two be appointed to escort the Honorable John Moses, Governor of the State of North Dakota to the rostrum, which motion prevailed and Senator Young and Rep. Graham were appointed and escorted Governor Moses to the rostrum who briefly addressed the Joint Assembly.

#### TWENTY-EIGHTH LEGISLATIVE ASSEMBLY MEMORIAL SERVICE

1:30 P. M. Thursday, February 25th

High School Band played from 1:30 to 2:00 in Memorial Hall.

A Prayer for the deceased Members by Rev. Laten E. Teare, Church of Nazarene, Bismarck, North Dakota.

The Star Spangled Banner was sung by all the Members of the House and Senate.

The Bismarck Quartet sang two numbers in memory of the deceased Members.

Senator Flatt read the names of all the deceased Members of the Senate and moved that the Resolution be adopted.

Representative Aker read the names of all the deceased Members of the House and moved that the Resolution be adopted.

Rev. Stewart of Mandan gave a ten minute Memorial Address.

Senator Flatt moved that the Resolution as read be adopted and the Resolution was unanimously adopted by a rising vote.

Rep. Aker moved that the Resolution as read be adopted and the Resolution was unanimously adopted by a rising vote.

Rep. Fleck moved that the Joint Memorial Session be dissolved, which motion prevailed and the Joint Memorial Session was dissolved.

The House was called to order, Speaker Beede presiding.

Rep. Aker moved that the Memorial Resolution as to the deceased House members be printed in the Journal, which motion prevailed.

#### MEMORIAL RESOLUTION

For the Deceased Members of the House of Representatives of the State of North Dakota.

WHEREAS, We as members of the 28th Legislative Assembly of the State of North Dakota mourn today the passing to their Eternal Rest of former members of the House of Representatives, whose names, with their respective years of service, follow:

Charles Hope Morgan, Richland Co., served 1929-35 inclu., died 11-3-42.

Nels R. Qualey, Griggs Co., served 1931, died Sept. 1942.  
 Mathew Lynch, Richland Co., served 1899, died 6-14-41.  
 C. E. Knox, Dickey Co., served 1909-11-13-15-17, died 10-18-42.  
 Martin Hoghaug, Ramsey Co., served 1915-17, died 9-19-38.  
 O. A. Arneson, Nelson Co., served 1939-41, died 12-11-42.  
 P. H. Kelley, Ramsey Co., served 1917-19, died 4-23-41.  
 W. A. Hausman, Ramsey Co., served 1929-31, died 6-27-41.  
 N. Morrison, Ramsey Co., served 1905-11-13-15, died 9-21-41.  
 H. A. Nicholson, Ramsey Co., served 1901-05, died 2-26-40.  
 Ben L. Nelson, Dickey Co., served 1933, died 1-30-43.  
 Edgar B. Thomson, Eddy Co., served 1899-1900, died 1-26-43.  
 Hugh Peoples, Eddy Co., served 1897-98, died 10-31-42.  
 John E. Hanawalt, Walsh Co., served 1907-09, died 7-27-41.  
 Herbert Elmer Jury, Dickey Co., served 1937, died 9-15-41.  
 John E. Skoglund, Dickey Co., served 1925, died 9-4-40.  
 Frank Fitzharris, Rolette Co., served 1941, died 8-23-41.  
 George E. Ingebretson, Benson Co., Territorial Legislature, died 1-9-43.

Val P. Wolf, Emmons Co., served 1931-33-35-37, died 4-1-41.

A. J. Loudenbeck, McLean Co., served 1923-25, died 1-23-43.

WHEREAS, These public servants contributed a great deal to the welfare of their respective communities and State; born, some in this country and some abroad, they all gave their utmost in a common cause for the betterment and preservation of the American way of life;

NOW, THEREFORE BE IT RESOLVED by the House of Representatives of the Twenty-eighth Legislative Assembly of the State of North Dakota, That in this time of toil and tribulation, we pause in our deliberations to pay tribute to their revered memory, and in behalf of the people of North Dakota to show our deep gratitude for their devoted service in this State; as they consecrated themselves to a great service, let us carry on the task which they have begun;

BE IT FURTHER RESOLVED, That for the perpetuation of record, this token of respect and sympathy by their successors in trust be printed in the Journal of the House; and let duly enrolled copies be presented to the surviving families of these deceased representatives.

Rep. Holm asked permission to read a Memorial Resolution in respect to the late Dr. A. O. Arneson. Permission was granted and Rep. Holm read the Resolution.

Rep. Holm moved that the Resolution be adopted, which motion prevailed and the Resolution was adopted.

#### MEMORIAL RESOLUTION

Presented by Representative P. K. Holm

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE TWENTY-EIGHTH LEGISLATIVE ASSEMBLY OF THE STATE OF NORTH DAKOTA:

WHEREAS, God in His Wisdom saw fit to summon to his eternal rest, His servant and our former colleague, the late, Dr. A. O. Arneson, on December 11, 1942; and

WHEREAS, Dr. A. O. Arneson came to North Dakota



in 1904. He associated himself with Dr. O. T. Peterson in his medical profession. In the month of December the same year, he came to Aneta, where he practiced medicine until the spring of 1906. The same year he came to McVille and remained there until the time of his death; and

WHEREAS, During the thirty-eight years he spent as a physician and surgeon in Nelson County, he gained for himself a host of friends and admirers, who will never forget his untiring and self-sacrificing efforts in behalf of the sick and suffering. Dr. Arneson was more than an ordinary country doctor. He performed some wonderful operations and restored to health and happiness hundreds who otherwise would have found an early grave. Dr. Arneson was a God-fearing man and of a wonderfully kind and pleasant disposition. His very presence in a sick room seemed to make a patient feel better. He was mild mannered and a friend to everybody, yet he was firm in his convictions and steadfast and true to the principles in which he believed; and

WHEREAS, Dr. Arneson was a member of this body in the 1939 and 1941 sessions and re-elected in 1942 for the third consecutive term in addition to all local trusts of responsibilities; and

WHEREAS, His passing is a severe loss to the State of North Dakota and a cause for personal grief to Nelson County and his home community:

NOW, THEREFORE BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE TWENTY-EIGHTH LEGISLATIVE ASSEMBLY OF THE STATE OF NORTH DAKOTA, That we express our sincere appreciation of the loyal and devoted service of this distinguished citizen and we further express our sorrow; and

BE IT FURTHER RESOLVED, That this resolution be printed in the House Journal, and that the Chief Clerk be instructed to send properly executed and engrossed copies of this resolution to his wife, Mrs. A. O. Arneson, of Oklahoma City, Oklahoma, and his daughter, Mrs. Robert W. McShane, of Evanston, Illinois, and his sons, Patrick E. Arneson, of Oklahoma City, Oklahoma and Ward E. Arneson, with the United States Army in India.

Rep. Fitch moved that a committee of one consisting of Rep. Bauer be appointed to attend the Indian Tribal Council Meeting in Sioux County to be held next Monday, and that the Highway Patrol be instructed to take Mr. Bauer to the meeting and return.

Rep. Haugen offered an amendment to the motion of Rep. Fitch to have the committee consist of two members to include also Rep. Rettke who has long been interested in Indian affairs.

Rep. Fitch accepted the amendment to his motion, which motion as amended, prevailed and Reps. Bauer and Rettke were appointed to attend the Indian Tribal meeting next Monday.

Rep. Westby moved that the absent member be excused, which motion prevailed.

Rep. Westby moved that the House do now adjourn, which motion prevailed.

W. M. SMART, Chief Clerk.

## FIFTY-SECOND DAY

Bismarck, February 25, 1943

The House convened pursuant to adjournment, Speaker Beede presiding.

Prayer was offered by Rev. C. L. Wallace.

Roll call: All members present except Reps. Belzer, Coghlan and Nelson.

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

Mr. Speaker: Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the Fiftieth Day After Recess and the Fifty-first Day and finds the same correct.

And recommends that the same be approved.

REP. WELDER, Chairman.

Rep. Lunde 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 24, 1943

To the House of Representatives of the State of North Dakota:

This is to notify you that I have today approved the following House bills:

House Bill No. 2. 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. 6. A Bill for an Act Making an Appropriation for the Purpose of Paying Insurance Tax to the Various Fire Departments of the State.

House Bill No. 11. 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. 17. A Bill for an Act Making an Appropriation for the Purpose of Paying Salary, Clerkhire and General Expenses of the Department of Coal Mine Inspection and Coal Mine Safety Work.

House Bill No. 29. 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. 34. A Bill for an Act Making an Appropriation for the Financing of the Operations of the State Soil Conservation Committee or the Activities of the State Soil Conservation Districts.

House Bill No. 45. A Bill for an Act Making an Appropriation to Reimburse Griggs County in the Sum of Nine Thousand Eight Hundred Forty-nine and 85/100 (\$9,849.85) Dollars, Penalty and Interest Belonging to Griggs County, But Erroneously and Inadvertently Remitted to the State and Declaring an Emergency

House Bill No. 46. A Bill for an Act Making an Appropriation to Reimburse Dickey County in the Sum of Eleven

Thousand Nine Hundred Sixty-six and no/100 (\$11,966.00) Dollars, Penalty and Interest Belonging to Dickey County, But Erroneously and Inadvertently Remitted to the State and Declaring an Emergency.

House Bill No. 69. A Bill for an Act to Repeal Section 8270, Compiled Laws of North Dakota for 1913, Providing for the Appropriation of Water by the Proper Officers of the United States; and Declaring an Emergency.

And the same have been filed with the Secretary of State.

JOHN MOSES, Governor.

#### MESSAGES FROM THE SENATE

Senate Chamber

Bismarck, February 25, 1943

Mr. Speaker: I have the honor to return:

House Bill No. 25. A Bill for an Act Making an Appropriation for the Purpose of Defraying the Expenses of the Maintenance and Operation of the Department of the Registrar of Motor Vehicles.

Which the Senate has amended.

Senate Amendment to House Bill No. 25.

Under Section 1 in line 9, strike out the figures \$4,560.00 and insert the figures \$4,800.00 in lieu thereof.

Under Section 1 in line 17 for the total, strike out the figures \$182,060.00 and insert the figures \$182,300.00 in lieu thereof.

In line 4 of the engrossed bill, change the figures "182,160.00" to read "182,300.00".

W. J. TROUT, Secretary.

Senate Chamber

Bismarck, February 25, 1943

Mr. Speaker: I have the honor to return:

House Bill No. 5. 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 1913, 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. 82. A Bill for an Act to Ratify and Approve the Compact Between the States of Montana, North Dakota and Wyoming, Providing for an Equitable Apportionment of the Waters in the Yellowstone River Basin Among Said States.

House Bill No. 83. A Bill for an Act to Equalize Taxation and Replace in Part the Tax on Property; to Provide the Public Revenue to Be Used for Such Replacement by Imposing a Tax on the Gross Receipts from Retail Sales as Defined Herein; to Provide for the Collection of Such Tax, the Distribution and Use of the Revenue Derived Therefrom, and the Administration of Said Law; to Provide for Certain Deductions and Exemptions; Establishing a Lien for the Payment of Such Tax; to Fix Fines and Penalties for the Violation of the Provisions of This Act; to Repeal All Laws or

Parts of Laws in Conflict Herewith, and Declaring an Emergency.

Which the President has signed.

W. J. TROUT, Secretary.

REPORT OF STANDING COMMITTEE

Mr. Speaker: Your Committee on Appropriations to whom was referred Senate Bill No. 78, have had the same under consideration and the majority recommend that the same do pass.

REP. BURAU  
 REP. GACKLE  
 REP. HAAG  
 REP. MARKS  
 REP. MITTAG  
 REP. OLSON of Barnes  
 REP. STICKA

REP. JOHNSON OF CASS, Chairman.

Rep. Burau moved that the report be adopted.

Mr. Speaker: Your Committee on Appropriations to whom was referred Senate Bill No. 78, have had the same under consideration and the minority recommend that the same be indefinitely postponed.

REP. ALLEN of Grand Forks  
 REP. COLLETTE  
 REP. LILLEHAUGEN  
 REP. STORMON  
 REP. WOLF of Morton

REP. JOHNSON OF CASS, Chairman.

Rep. Lillehaugen offered as a substitute motion that the report of the minority be substituted for the report of the majority.

Rep. Boulden moved the previous question.

The question was on the motion of Rep. Lillehaugen.

A roll call was demanded and granted.

ROLL CALL

The question being on Rep. Lillehaugen's motion, the roll was called and there were ayes, 45; nays, 64; absent and not voting, 4.

Those voting in the affirmative were:

Allen, Grand Forks	Haugland	Ohnstad
Allen, Pierce	Hildre	Peterson, Ransom
Arndt	Hofstrand	Pyle
Bagge	Hogoboom	Runk
Bergesen	Hovey	Sandness
Bjella	Johnson, Cass	Saumur
Blair	Kolpin	Sellens
Bolmeier	Langley	Severson
Boulden	Leet	Shure
Bymers	Levin	Stormon
Callahan	Lillehaugen	Twichell
Collette	Lunde	Westby
Dahlen	Moe	Williams, Stutsm'n
Fitch	Morland	Wolf, Morton
Halcrow	Olson, Bowman	Mr. Speaker
Those voting in the negative were:		
Aker	Haag	Nelson
Anderson	Halvorson	Nystrom

Bauer	Haugen	Olson, Barnes
Baumgartner	Heckman	Ostgulen
Belzer	Hegge	Rettke
Benno	Holm	Rohde
Braun	Iszler	Rohrer
Bubel	Jennings	Sailer
Burau	Johnson, Richland	Schwartz
Carlson	Johnson, Rolette	Schmalenberger
Crockett	Larson, Ward	Schnell
Dalzell	Larson, Wells	Sharpe
Devlin	McInnes	Stair
Drovdal	Manstrom	Starck
Falconer	Marks	Sticka
Fleck	Mittag	Tuff
Forseth	Mollet	Welder
Fraser	Monson	Welk
Fuglestad	Morrison	Williams, Richland
Gackle	Mortenson	Williams, Sargent
Gainor	Myers	Wolf, McIntosh
Graham		

Absent and not voting:

Coghan	Peterson, Bottin'au	Wambheim
Ekren		

So the motion was lost.

Rep. Falconer: "I am voting 'No' and want to explain my vote. I am voting 'No' because I believe it would be constitutional for us to raise our own pay otherwise, I don't see how we can pass bills to appropriate our own salaries in this House of Representatives so I vote 'No'."

Rep. Graham: "I am going to vote 'No' for the reason that I believe it is constitutional and also for the further reason that if any believe it is unconstitutional and the law is passed they will not have to accept the raise unless they so wish. I wonder if any of them will refuse."

Rep. Rettke requested that he be excused from voting but objection being made, he voted 'No'."

The question was on the adoption of the majority report, which motion prevailed and Senate Bill No. 78 was placed on the calendar.

Rep. Fitch requested that the House be on the seventh order of business, which motion prevailed.

Rep. Fitch moved that the courtesies of the floor be extended to Mrs. Williams, Assistant Representative from Richland, for the remainder of the Twenty-Eighth Legislative Assembly, which motion prevailed.

Rep. Graham moved that the members of the Committee on the Code be excused, which motion prevailed.

Rep. Haugen moved the House recess for fifteen minutes, which motion prevailed.

The House re-convened pursuant to recess taken.

#### PETITIONS AND COMMUNICATIONS

A telegram from Dietz School District, Elgin, N. Dak., urging passage of S. B. 119, was referred to the Committee on Tax and Tax Laws.

Communications urging support of appropriations for Correspondence Study were received from the following:

Mabel Elmquist, New England, N. Dak.

And Thelma Anderson, Keene; N. Dak.

Which communications were referred to the Committee on Appropriations.

### SECOND READING OF SENATE BILLS

Senate Bill No. 79. A Bill for an Act Transferring the Sum of Eighty-Five Thousand Dollars (\$85,000.00) from the Attorney General Licensing Fund to the General Fund of the State.

Was read the second time.

### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 83; nays, 0; absent and not voting, 30.

Those voting in the affirmative were:

Allen, Grand Forks	Gainor	Nelson
Allen, Pierce	Haag	Nystrom
Anderson	Halvorson	Ostgulen
Arndt	Haugen	Peterson, Ransom
Bagge	Heckman	Rohde
Bauer	Hegge	Rohrer
Baumgartner	Hildre	Runck
Bergesen	Hogboom	Sailer
Bjella	Holm	Saumur
Blair	Hovey	Schwartz
Bolmeier	Iszler	Schmalenberger
Boulden	Jennings	Schnell
Braun	Johnson, Rolette	Sellens
Bureau	Kolpin	Severson
Bymers	Langley	Sharpe
Carlson	Larson, Ward	Stair
Collette	Larson, Wells	Starck
Crockett	Leet	Sticka
Dahlen	Levin	Stormon
Dalzell	Lillehaugen	Welder
Devlin	McInnes	Welk
Drovdal	Manstrom	Williams, Richland
Falconer	Mittag	Williams, Sargent
Fitch	Moe	Williams, Stutsman
Fleck	Mollet	Wolf, McIntosh
Forseth	Monson	Wolf, Morton
Fraser	Morrison	Mr. Speaker
Fuglestad	Mortenson	

Absent and not voting:

Aker	Haugland	Ohnstad
Belzer	Hofstrand	Peterson, Bottin'au
Benno	Johnson, Cass	Pyle
Bubel	Johnson, Richland	Rettke
Callahan	Lunde	Sandness
Coghlan	Marks	Shure
Ekren	Morland	Twichell
Gackle	Mvers	Tuff
Graham	Olson, Barnes	Wambheim
Halcrow	Olson, Bowman	Westby

So the bill passed as amended and the title was agreed to.

Rep. Moe 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.

Senate Bill No. 13. A Bill for an Act Making an Appropriation for the Salaries and Expenses of the Certification Division.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 94; nays, 0; absent and not voting, 19.

Those voting in the affirmative were:

Allen, Grand Forks	Haag	Mortenson
Allen, Pierce	Halcrow	Myers
Anderson	Halvorson	Nelson
Arndt	Haugen	Nystrom
Bagge	Haugland	Olson, Barnes
Bauer	Heckman	Olson, Bowman
Baumgartner	Hegge	Ostgulen
Benno	Hildre	Peterson, Ransom
Bergesen	Hogoboom	Rohde
Bjella	Holm	Rohrer
Blair	Hovey	Runk
Bolmeier	Iszler	Sailer
Boulden	Jennings	Saumur
Braun	Johnson, Rolette	Schwartz
Burau	Kolpin	Schmalenberger
Bymers	Langley	Schnell
Callahan	Larson, Ward	Sellens
Carlson	Larson, Wells	Severson
Collette	Leet	Sharpe
Crockett	Levin	Stair
Dahlen	Lillehaugen	Starek
Dalzell	Lunde	Sticka
Devlin	McInnes	Stormon
Drovdal	Manstrom	Welder
Falconer	Marks	Welk
Fitch	Mittag	Williams, Richland
Fleck	Moe	Williams, Sargent
Forseth	Mollet	Williams, Stutsm'n
Fraser	Monson	Wolf, McIntosh
Fuglestad	Morland	Wolf, Morton
Gackle	Morrison	Mr. Speaker
Gainor		

Absent and not voting:

Aker	Johnson, Cass	Sandness
Belzer	Johnson, Richland	Shure
Bubel	Ohnstad	Twichell
Coghlan	Peterson, Bottin'au	Tuff
Ekren	Pyle	Wambheim
Graham	Rettke	Westby
Hofstrand		

So the bill passed as amended and the title was agreed to.

Rep. Lillehaugen moved that the vote by which Senate Bill No. 13 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senate Bill No. 11. A Bill for an Act Making an Appropriation for the Enforcement and Administration of the Attorney General Licensing Department.

Was read the second time.

## ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 93; nays, 0; absent and not voting, 20.

Those voting in the affirmative were:

Allen, Grand Forks	Haag	Mortenson
Allen, Pierce	Halcrow	Myers
Anderson	Halvorson	Nelson
Arndt	Haugen	Nystrom
Bagge	Haugland	Olson, Barnes
Bauer	Heckman	Olson, Bowman
Baumgartner	Hegge	Ostgulen
Benno	Hildre	Peterson, Ransom
Bergesen	Hogoboom	Rohde
Bjella	Holm	Rohrer
Blair	Hovey	Runck
Bolmeier	Iszler	Sailer
Boulden	Jennings	Saumur
Braun	Johnson, Rolette	Schwartz
Burau	Kolpin	Schmalenberger
Bymers	Langley	Schnell
Callahan	Larson, Ward	Sellens
Carlson	Larson, Wells	Severson
Collette	Leet	Sharpe
Crockett	Levin	Stair
Dahlen	Lillehaugen	Starck
Dalzell	Lunde	Sticka
Devlin	McInnes	Stormon
Drovdal	Manstrom	Welder
Falconer	Marks	Welk
Fleck	Mittag	Williams, Richland
Forseth	Moe	Williams, Sargent
Fraser	Mollet	Williams, Stutsm'n
Fuglestad	Monson	Wolf, McIntosh
Gackle	Morland	Wolf, Morton
Gainor	Morrison	Mr. Speaker

Absent and not voting:

Aker	Hofstrand	Sandness
Belzer	Johnson, Cass	Shure
Bubel	Johnson, Richland	Twichell
Coghlan	Ohnstad	Tuff
Ekren	Peterson, Bottina'u	Wambheim
Fitch	Pyle	Westbv
Graham	Rettke	

So the bill passed as amended and the title was agreed to.

Rep. Welk 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.

Rep. Rohde moved that Senate Bill No. 116 be placed at the foot of the calendar, which motion prevailed.

Senate Bill No. 50. A Bill for an Act to Amend and Re-enact Section 30 of Chapter 162 of the 1927 Session Laws Relating to the Duty of the Driver of Any Vehicle Involved in an Accident to Report Such Accident.

Was read the second time.

## ROLL CALL

The question being on the final passage of the bill, the



roll was called and there were ayes, 93; nays, 3; absent and not voting, 17.

Those voting in the affirmative were:

Allen, Grand Forks	Gackle	Nelson
Allen, Pierce	Gainor	Nystrom
Anderson	Haag	Olson, Barnes
Arndt	Halcrow	Olson, Bowman
Bagge	Halvorson	Ostgulen
Bauer	Haugland	Peterson, Ransom
Baumgartner	Heckman	Rettke
Belzer	Hegge	Rohrer
Benno	Hildre	Runck
Bergesen	Hogoboom	Sailer
Bjella	Holm	Sandness
Blair	Iszler	Saumur
Bolmeier	Jennings	Schwartz
Boulden	Johnson, Rolette	Schmalenberger
Braun	Kolpin	Schnell
Burau	Langley	Sellens
Bymers	Larson, Ward	Severson
Callahan	Larson, Wells	Sharpe
Carlson	Leet	Stair
Collette	Levin	Starck
Crockett	Lillehaugen	Sticka
Dahlen	Lunde	Stormon
Dalzell	McInnes	Welder
Devlin	Manstrom	Welk
Drovdal	Marks	Westby
Falconer	Mittag	Williams, Richland
Fitch	Monson	Williams, Sargent
Fleck	Morland	Williams, Stutsman
Forseth	Morrison	Wolf, McIntosh
Fraser	Mortenson	Wolf, Morton
Fuglestad	Myers	Mr. Speaker

Those voting in the negative were:

Moe	Mollet	Rohde
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Absent and not voting:

Aker	Hofstrand	Pyle
Bubel	Hovey	Shure
Coghlan	Johnson, Cass	Twichell
Ekren	Johnson, Richland	Tuff
Graham	Ohnstad	Wambheim
Haugen	Peterson, Bottin'au	

So the bill passed and the title was agreed to.

Rep. Saumur moved that the vote by which Senate Bill No. 50 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Rep. Wolf of McIntosh moved that Senate Bill No. 67 be re-referred to the Committee on Agriculture, which motion prevailed.

Rep. Morland moved that Senate Bill No. 70 be placed at the foot of the calendar, which motion prevailed.

Rep. Bauer moved that Senate Bill No. 55 be re-referred to the Committee on Game and Fish, which motion prevailed.

Senate Bill No. 75. A Bill for an Act Amending and Re-enacting Section 3 of Chapter 163 of the Session Laws of 1939, Relating to Safety Rules.

Was read the second time.

## ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 91; nays, 0; absent and not voting, 22.

Those voting in the affirmative were:

Allen, Pierce	Haugen	Nelson
Anderson	Haugland	Nystrom
Bagge	Heckman	Olson, Barnes
Bauer	Hegge	Olson, Bowman
Baumgartner	Hildre	Ostgulen
Belzer	Hofstrand	Peterson, Ransom
Benno	Hogboom	Rettke
Bergesen	Holm	Rohde
Blair	Hovey	Rohrer
Bolmeier	Iszler	Runk
Boulden	Jennings	Sailer
Braun	Johnson, Rolette	Sandness
Burau	Kolpin	Schwartz
Hymers	Langley	Schmalenberger
Callahan	Larson, Ward	Schnell
Carlson	Larson, Wells	Sellens
Crockett	Levin	Severson
Dahlen	Lillehaugen	Sharpe
Dalzell	Lunde	Stair
Devlin	McInnes	Starck
Drovdal	Manstrom	Sticka
Falconer	Marks	Stormon
Fitch	Mittag	Welder
Fleck	Moe	Welk
Forseth	Mollet	Williams, Richland
Fraser	Monson	Williams, Sargent
Fuglestad	Morland	Williams, Stutsm'n
Gackle	Morrison	Wolf, McIntosh
Gainor	Mortenson	Wolf, Morton
Haag	Myers	Mr. Speaker

Absent and not voting:

Aker	Graham	Pyle
Allen, Grand Forks	Halvorson	Saumur
Arndt	Johnson, Cass	Shure
Bjella	Johnson, Richland	Twichell
Bubel	Leet	Tuff
Coghlan	Ohnstad	Wambheim
Collette	Peterson, Bottin'au	Westby
Ekren		

So the bill passed and the title was agreed to.

Senate Bill No. 76. A Bill for an Act Amending and Re-enacting Section 5 of Chapter 168 of the Session Laws of the State of North Dakota for the Year 1919 and Acts Amendatory Thereof, Relating to Inspection of Mines.

Was read the second time.

## ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 94; nays, 0; absent and not voting, 19.

Those voting in the affirmative were:

Allen, Pierce	Halvorson	Nelson
Anderson	Haugen	Nystrom

Bagge	Haugland	Olson, Barnes
Bauer	Heckman	Olson, Bowman
Baumgartner	Hegge	Ostgulen
Belzer	Hildre	Peterson, Ransom
Bergesen	Hofstrand	Rettke
Bjella	Hogoboom	Rohde
Blair	Holm	Rohrer
Bolmeier	Hovey	Runck
Boulden	Iszler	Sailer
Braun	Jennings	Sandness
Bureau	Johnson, Rolette	Saumur
Bymers	Kolpin	Schwartz
Callahan	Langley	Schmalenberger
Carlson	Larson, Ward	Schnell
Collette	Larson, Wells	Sellens
Crockett	Levin	Severson
Dahlen	Lillehaugen	Sharpe
Dalzell	Lunde	Stair
Devlin	McInnes	Starck
Drovdal	Manstrom	Sticka
Falconer	Marks	Stormon
Fitch	Mittag	Welder
Fleck	Moe	Welk
Forseth	Mollet	Williams, Richland
Fraser	Monson	Williams, Sargent
Fuglestad	Morland	Williams, Stutsm'n
Gackle	Morrison	Wolf, McIntosh
Gainor	Mortenson	Wolf, Morton
Haag	Myers	Mr. Speaker
Halcrow		
Absent and not voting:		
Aker	Graham	Pyle
Allen, Grand Forks	Johnson, Cass	Shure
Arndt	Johnson, Richland	Twichell
Benno	Leet	Tuff
Bubel	Ohnstad	Wambheim
Coghlan	Peterson, Bottin'au	Westby
Ekren		

So the bill passed and the title was agreed to.

Senate Concurrent Resolution "N." A Concurrent Resolution Memorializing Congress to Enact Into Law S207, Known as "The Nye Bill," Providing for Waiver of Second-Class Postal Fees Upon Resumption of Publication by Newspapers That Were Compelled to Suspend Publication Because of War Conditions.

Was read the second time.

Rep. Rohde moved that Senate Concurrent Resolution "N" be adopted, which motion prevailed and the Resolution was adopted.

Rep. Morland moved that the vote by which Senate Concurrent Resolution "N" was adopted be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senate Concurrent Resolution "B." Authorizing the Secretary of State to Supply 1942 North Dakota Blue Books Free of Charge to New Members of the Twenty-eighth Legislative Assembly.

Was read the second time.

Rep. Bergesen moved that Senate Concurrent Resolution

"B" be adopted, which motion prevailed and the Resolution was adopted.

Senate Bill No. 116. A Bill for an Act to Amend and Re-enact Section 1178 of the Compiled Laws of 1913 Providing for the Employment and Dismissal of School Teachers, Their Qualifications, and Their Minimum Salaries.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 71; nays, 20; absent and not voting, 21; passed, 1.

Those voting in the affirmative were:

Allen, Pierce	Graham	Morrison
Anderson	Haag	Mortenson
Bagge	Halcrow	Myers
Bauer	Haugen	Nelson
Baumgartner	Haugland	Nystrom
Bergesen	Heckman	Olson, Bowman
Blair	Hegge	Peterson, Ransom
Bolmeier	Hildre	Rohrer
Boulden	Hofstrand	Runk
Bureau	Hogoboom	Sandness
Callahan	Holm	Saumur
Carlson	Hovey	Schwartz
Collette	Iszler	Schmalenberger
Dalzell	Johnson, Rolette	Schnell
Devlin	Kolpin	Sellens
Drovdal	Langley	Severson
Falconer	Larson, Ward	Sharpe
Fitch	Larson, Wells	Stair
Fleck	Lillehaugen	Stormon
Forseth	Lunde	Williams, Richland
Fraser	McInnes	Williams, Sargent
Fuglestad	Moe	Williams, Stutsman
Gackle	Monson	Mr. Speaker
Gainor	Morland	

Those voting in the negative were:

Bjella	Manstrom	Sailer
Braun	Marks	Starck
Bymers	Mittag	Sticka
Crockett	Mollet	Welk
Dahlen	Ostgulen	Wolf, McIntosh
Jennings	Rettke	Wolf, Morton
Levin	Rohde	

Absent and not voting:

Aker	Ekren	Peterson, Bottin'au
Allen, Grand Forks	Halvorson	Pyle
Arndt	Johnson, Cass	Shure
Belzer	Johnson, Richland	Twichell
Benno	Leet	Tuff
Bubel	Olson, Barnes	Wambheim
Coghlan	Ohnstad	Westby

Passed:

Welder

So the bill passed and the title was agreed to.

Rep. Bauer moved that the vote by which Senate Bill No. 116 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Rep. Braun: "I don't think \$75.00 is enough for the

teachers at the present time but I think the salary for teachers will regulate itself in times to come. I am sure it is not enough at this time. We pay our teacher \$90.00 up there and when the time comes when we can pay more than \$75.00 then it is up to the school board to give the teacher whatever they see fit and pay what prices are at that time. I vote 'No'."

Rep Marks: "I vote 'No' on this bill for the same reasons that Rep. Braun has stated."

Rep. Wolf of McIntosh: "I vote 'No' on this bill. Any time our school board sees fit to raise the teacher's salary, I think they should be allowed to do so."

Rep. Wolf of McIntosh moved that Rep. Welder be excused from voting, which motion prevailed.

Rep. Bergesen moved that Senate Bill No. 70 be deferred one legislative day, which motion prevailed.

Rep. Saumur moved the House do now recess until 1:30 o'clock p. m., tomorrow, which motion prevailed and the House stood recessed.

W. M. SMART, Chief Clerk.

FIFTY-SECOND DAY AFTER RECESS AND THE  
FIFTY-THIRD DAY

Bismarck, February 26, 1943

The House convened at 1:30 o'clock p. m., pursuant to recess, Speaker Beede presiding.

The Speaker announced the House would be on the fifth order of business.

HOUSE COMMITTEE ON ENROLLMENT AND  
ENGROSSMENT

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

House Bill No. 59.

And find the same correctly Enrolled.

REP. MORLAND, Chairman.

Rep. Bubel moved that the report be adopted, which motion prevailed, and the report was adopted.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: Your Committee on State Affairs to whom was referred Senate Bill No. 166, have had the same under consideration and recommend that the same do pass.

REP. TWICHELL, Chairman.

Rep. Saumur moved that the report be adopted.

Rep. Haugen offered as a substitute motion that Senate Bill No. 166 be indefinitely postponed.

Rep. Bolmeier moved that action on the committee report on Senate Bill No. 166 and on the substitute motion of Rep. Haugen be deferred until after 2:00 o'clock, which motion prevailed.

Mr. Speaker: Your Committee on State Affairs to whom was referred Senate Bill No. 140, have had the same under consideration and recommend that the same do pass.

REP. TWICHELL, Chairman.

Rep. Westby moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on State Affairs to whom was referred Senate Bill No. 159, have had the same under consideration and recommend that the same do pass.

REP. TWICHELL, Chairman.

Rep. Bolmeier moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on State Affairs to whom

was referred Senate Bill No. 132, have had the same under consideration and recommend that the same do pass.

REP. TWICHELL, Chairman.

Rep. Crockett moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Enrollment and Engrossment respectfully reports that:

House Bill No. 5.

House Bill No. 82.

House Bill No. 83.

Were delivered to the Governor for his approval at the hour of 1:01 o'clock p. m., Feb. 26, 1943.

REP. MORLAND, Chairman.

Mr. Speaker: Your Committee on Appropriations to whom was referred Senate Bill No. 7, have had the same under consideration and recommend that the same do pass.

REP. JOHNSON OF CASS, Chairman.

Rep. Gackle moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Appropriations to whom was referred Senate Bill No. 120, have had the same under consideration and recommend that the same do pass.

REP. JOHNSON OF CASS, Chairman.

Rep. Marks moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Appropriations to whom was referred Senate Bill No. 200, have had the same under consideration and recommend that the same do pass.

REP. JOHNSON OF CASS, Chairman.

Rep. Collette moved that the report be adopted, which motion prevailed and the report was adopted.

The Speaker called Rep. Crockett to the chair.

#### CONSIDERATION OF MESSAGES FROM THE SENATE

Rep. Johnson of Cass moved that the House concur in the Senate amendment to House Bill No. 25, which motion prevailed.

Rep. Johnson of Cass moved that the rules be suspended and House Bill No. 25 be considered properly engrossed and placed on second reading and final passage at this time, which motion prevailed.

#### SECOND READING OF HOUSE BILLS

House Bill No. 25. 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, 76; nays, 26; absent and not voting, 11.

Those voting in the affirmative were:

Allen, Grand Forks	Forseth	Manstrom
Allen, Pierce	Fraser	Morland
Anderson	Fuglestad	Myers
Arndt	Gackle	Nystrom

Bagge	Gainor	Olson, Barnes
Baumgartner	Halcrow	Olson, Bowman
Belzer	Haugen	Peterson, Bottin'au
Benno	Haugland	Peterson, Ransom
Bergesen	Heckman	Rohrer
Bjella	Hegge	Runck
Blair	Hildre	Sailer
Bolmeier	Hofstrand	Sandness
Boulden	Hogoboom	Saumur
Bureau	Holm	Schwartz
Bymers	Hovey	Schmalenberger
Callahan	Iszler	Schnell
Carlson	Johnson, Cass	Sellens
Coghlan	Johnson, Rolette	Severson
Collette	Kolpin	Shure
Crockett	Langley	Stair
Dahlen	Larson, Wells	Sticka
Dalzell	Leet	Stormon
Drovdal	Levin	Twichell
Ekren	Lillehaugen	Westby
Fitch	Lunde	Williams, Stutsm'n
Fleck		

Those voting in the negative were:

Bauer	Marks	Starck
Braun	Mittag	Tuff
Bubel	Moe	Welder
Falconer	Mollet	Welk
Graham	Monson	Williams, Richland
Haag	Morrison	Williams, Sargent
Halvorson	Ostgulen	Wolf, McIntosh
Jennings	Rettker	Wolf, Morton
Larson, Ward	Rohde	

Absent and not voting:

Aker	Mortenson	Sharpe
Devlin	Nelson	Wambheim
Johnson, Richland	Ohnstad	Mr. Speaker
McInnes	Pyle	

So the bill passed as amended and the title was agreed to.

Rep. Johnson of Cass moved that the vote by which House Bill No. 25 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

#### REPORT OF STANDING COMMITTEE

Mr. Speaker: Your Committee on Cities and Municipal Corporations 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 27, strike out the period and insert the words "for a period not to exceed two years after the passage of this Act."

And when so amended recommend the same do pass.

REP. WOLF OF MORTON, Chairman.

Rep. Olson of Barnes moved that the report be adopted, which motion prevailed and the report was adopted.

Speaker Beede resumed the chair.

#### REPORT OF JOINT COMMITTEE

To the Senate and House of Representatives of the North Dakota Legislative Assembly:



Your committee appointed pursuant to Senate Concurrent Resolution "1-E," reports as follows:

They have approved the bid of the Carpenter Paper Company of Omaha, to furnish paper for the printing of North Dakota Revised Code of 1943 and the bid of the Knight Printing Company for the printing and binding of 3,500 sets of seven volumes each of such code.

Pursuant to such action the Lieutenant Governor and the Speaker of the House of Representatives on behalf of the State have executed contracts with the Carpenter Paper Company and the Knight Printing Company, copies of which contracts are attached to this report.

The approval of these contracts by the Legislative Assembly is recommended and requested.

Dated February 26, 1943.

REP. TWICHELL, Chairman.

**CONTRACT FOR PRINTING, BINDING AND DELIVERY OF THE NORTH DAKOTA REVISED CODE OF 1943.**

This Contract executed in duplicate, each party acknowledging receipt of a true copy thereof, this 26th day of February, 1943, witnesses the following agreement between the State of North Dakota, and hereinafter referred to as the "State", and Knight Printing Co., a copartnership, of Fargo, Cass County, North Dakota, hereinafter referred to as the "Printer".

The printer hereby agrees to furnish and deliver to the State services, labor and materials, as hereinafter specified, for the completion of the printing and for the binding of the North Dakota Revised Code of 1943, and in consideration thereof the State agrees to make to the Printer the payments hereinafter specified at the times designated. This contract shall be performed by the parties hereto as follows, each covenant on the part of each party being in consideration of the covenants herein contained on the part of the other parties hereto:

1. The Printer is to complete the printing, as hereinafter provided of such Code and to bind the same as hereinafter set forth, and is to deliver to the State at the time or times and in the manner hereinafter provided, thirty-five hundred sets of such Code, each set consisting of seven volumes, and each set consisting of approximately 6,400 pages.

2. Such thirty-five hundred sets shall be delivered to the Secretary of State of the State of North Dakota at the office of such Secretary at the Capitol Building, Bismarck, North Dakota.

3. All work, including composition, press work, printing, binding and delivery shall be done in good skillful manner in accordance with the best customs and practices for such work. All materials and equipment required to be furnished by the Printer shall be of good and reliable quality and strictly in accordance with the purpose and intent of this contract.

4. The United States Constitution, the North Dakota State Constitution, the North Dakota Enabling Act and a Foreword, together with similar matter to be included in such Code, shall be set in Excelsior eight point on a ten point slug, thirty pica ems measure. The type page size is to be thirty pica ems by fifty-two pica ems, including heads. The annota-

tions and index, are to be set in Excelsior eight point solid on a sixteen pica ems measure, the type page size to be thirty-three pica ems by fifty-two pica ems with two columns of sixteen pica ems each and with one pica em between Columns. Centered heads are to be set in black face caps and side headings in black face cap and lower case. Such annotations and index are to be made up in double column with regular pagination. The Printer is to furnish the type metal for the composition, the same to be of good quality of standard formula sufficient to furnish clear, sharp impressions for the entire run, and is to be furnished and owned by the Printer.

5. In the event the composition shall exceed sixty-four hundred pages, the Printer shall be compensated for all such additional pages in excess of such sixty-four hundred pages in the amount of \$5.00 for each additional printed page. In case the same shall be less than 6,400 pages, the contract price shall be reduced \$5.00 for each printed page.

6. All proof reading shall be carefully and accurately done. Experienced copy holders and readers shall be employed. All galley proofs shall be read and compared and read back by the printer, giving two readings, to insure accuracy to copy. In addition, all corrected galley proofs and revised proofs shall be carefully scrutinized by experienced and expert proof readers, employed by the printer, to insure freedom from typographical errors. Sets of galley and page proofs will be furnished by the Printer to such person, or persons, as may be designated by the State.

When material changes or corrections, differing from the original copy, are made, revised proofs shall be furnished in the same manner.

7. The paper stock is to be furnished by the State in size 30 by 42 inches, in approximately five hundred pound wooden cases or cartons. The sheet will be a twenty-five per cent rag stock, forty pound basis, Titanium treated. After delivery of such paper to the printer, the same shall be at his risk and expense. In reprints of forms or signatures made necessary by errors or omissions of the printer, the cost of the stock so used shall be deemed wastage on the part of the printer and treated as such wastage as hereinafter provided. Reprints of such forms or signatures made necessary by errors or omissions on the part of the State shall not be treated as such wastage by the printer. The size of the trimmed paper pages shall be ten by seven and one-quarter inches. In the volumes there shall be an inch gutter and an inch and one quarter outside margin. The printer shall be allowed a wastage of three per cent, meaning that the State will furnish sufficient paper for the complete preparation of such Code plus three per cent of the volume thereof. Any additional paper used by the Printer will be paid for by the Printer to the State at sixteen and one-half cents per pound. As to any surplus of paper furnished by the State to the Printer and not used in the completion of such work, the Printer agrees to deliver the same to the State, the State to have the option of otherwise disposing of said paper if it sees fit. The paper provided for in this paragraph is to be delivered to the Printer when available.

8. In the press work there shall be first class make ready,

even ink distribution without smut or off-set and high grade printing throughout with close and accurate register. Special ink for Titanium treated paper shall be used, the same to be Morrill's Opaque Bond Black No. 5-13514 or equal. The printed sheets must be folded to accurate register. The sewing shall be done on a Sewing Machine with curved needle, in thirty-two page sections, (one sixteen page section inserted into another sixteen page section to be deemed a thirty-two page section), on five, seven-sixteenth inch tapes. The cases shall be made of No. 18 Binders' Cloth Board of first class quality one hundred fifteen points thick. The covering shall be Duponts Fabricord, fifty pound No. 6200 quality, Armor finish, grain C-5, color red or maroon, or such other covering as may be agreed upon by the Printer and the Supervisory Commission.

The front and back end sheet of each book shall be strip-ped with linen in center and extend over into the cover at least one and one-half inches and be pasted down in binding. The sewed book shall be hinged to the cases and backed with heavy No. 1 Super; a linen thread No. 4-24 or equal in quality and weight shall be used in sewing the books.

The head band is to match the cover. There are to be blind stamped borders on the outside front and back covers. The lettering to appear on such books and the general style and arrangement thereof and the quality and type to conform to that appearing on the 1939 South Dakota Code, appropriate changes to be made simply as to type of seal, title of book, etc.

9. As to alterations (not including corrections hereinbefore mentioned), required by the State on account of departure from the furnished copy or rearrangement or insertions of sections, cross-references, chapters or articles, they will be furnished by the printer on an hour cost basis of \$3.00 per hour, plus the cost of extra materials involved, if any.

10. The State agrees that copy shall be furnished to the Printer for composition work. The printer agrees to proceed diligently with the typesetting and to furnish proofs as fast as available, and the State agrees to proceed diligently with the proof-reading and the return of corrected proof.

11. The sole and exclusive right of sale of such Code and any and all parts thereof shall belong to the State of North Dakota, and none of the same shall be furnished by the Printer at any time to any person or groups whatsoever without the written consent of the State of North Dakota whether or not such Code is actually copy-righted by the State. The State shall hold and possess the sole and exclusive right to copyright such Code at its election.

12. The Printer agrees forthwith to furnish a surety bond with a corporate surety in the sum of twenty thousand dollars, in form satisfactory to the State, and which bond shall provide, among other things, for full and complete performance and delivery of everything to be performed and delivered under this contract. Such bond shall also secure payment of any and all damages for failure to deliver the

printed Codes when and where specified as herein provided.

13. The State shall have the right at all times and as frequently and as long as it elects and at any stage of the operations to have free and unrestricted access to the Plant of the Printer for the purpose of inspecting all labor, material and equipment and making tests of any of the same, to require certificates of wholesalers or other dealers from whom material or equipment may be purchased on any fact relative to the contract, to require standard samples of all metal, ink, paper, and other material and any equipment used in the performance of this contract, and all of which labor and material must be such as to produce a good workmanlike performance of the contract in accordance with good, fair printing trade practice and dealing, to the satisfaction of the State in the exercise of a fair and reasonable judgment on the item involved and within the terms of this contract.

14. Subject to the variations in price heretofore specified, the State agrees to pay to the Printer for performance of this contract on the part of the Printer the sum of \$15.07 per set of seven (7) volumes of 3500 sets. The contract price shall become due as follows: The sum of One Thousand Dollars (\$1000.00) after the printer completely prepares and has ready for delivery to the State five hundred volumes of such books in such form as is required by this contract, and the additional sum of One Thousand Dollars every time an additional lot of five hundred of such books is ready for delivery, as aforesaid. The balance remaining shall become due upon the complete performance on his part by the Printer of this contract. As to any such lots of books as to which payments have been made as provided in this paragraph, the same shall be continued to be held by the printer at his risk until finally delivered to the State.

15. The Printer agrees to have ready for delivery at least five hundred sets within ten months after the State delivers the paper and copy to the Printer; the balance will be delivered to the State within three months after said time. The Printer shall not be chargeable for any delays due to riots, strikes, civil insurrection, acts of the public enemy, or inability to secure materials or workmen, but the Printer will proceed diligently and in good faith in the performance of this contract.

No penalty shall attach to any delay otherwise subject to penalty under the provisions of this paragraph to the extent that such delay is attributable to default or omission on the part of the State in the performance of its obligations hereunder.

IT IS EXPRESSLY UNDERSTOOD AND AGREED that the Printer shall not assign any of its obligations under this contract, nor any part thereof, without the written consent of the State.

This instrument contains the full agreement of the parties and no promises, representations, warranties, or conditions have been made as a part or inducement of the execution thereof, except as are herein set forth directly or by reference.

No additions, subtractions, nor alterations of any kind may be made to, from, or relating to this contract, unless the same

be in writing, signed by the parties and approved by the State.

KNIGHT PRINTING COMPANY,  
By CARL HERDEG,

General Partner

STATE OF NORTH DAKOTA

By HENRY HOLT,

Lieutenant Governor

And RALPH BEEDE,

Speaker of the House

of Representatives

#### CONTRACT FOR PURCHASE OF PAPER

This agreement made and entered into this 26th day of February 1943, by and between the Carpenter Paper Company of Omaha and the State of North Dakota, Witnesseth:

The Carpenter Paper Company agrees to furnish and deliver and the State of North Dakota agrees to purchase the kind and quantity of paper hereinafter specified for the purpose of printing the North Dakota Revised Code of 1943.

The paper to be furnished in basis 17x22—16 Eye Ease Green 25% Rag Code Book Bond, Unwatermarked, Titanium Dioxide Opacifying Filler, High Machine Finish. This paper is to be furnished in size 29½x42—53, trimmed 4 sides packed in wooden cases or cartons, grain the 42 inch way.

The minimum quantity of paper to be furnished pursuant to this contract is 50,000 pounds and the maximum is 80,000 pounds, dependent upon the quantity which may be required for the printing of such code. The actual quantity shall be specified by the Supervisory Commission consisting of the Lieutenant Governor and the Speaker of the House of Representatives of the State of North Dakota, and ordered not later than March 30, 1943.

The price for such paper shall be \$16.30 per cwt. nominal weight, net cash 30 days, F.O.B. Tracks, Fargo, North Dakota.

The above quantities of paper specified are subject to trade customs and manufacturing requirements of the mill manufacturing the paper to the extent that the mill will be permitted to manufacture and ship and the Carpenter Paper Company will be permitted to invoice the State of North Dakota and the State of North Dakota shall remit to the extent of an overrun not to exceed 3% of the amount of pounds of paper ordered.

Delivery of the quantity of paper ordered is to be made to Fargo, North Dakota, eight weeks after written order is received by the Carpenter Paper Company or sooner if possible.

Should it be necessary for the State to order an additional quantity of the above described paper within 6 months after date of receipt of written order, the Carpenter Paper Company agrees to furnish one single order of above specified paper in a quantity of not less than 2000 pounds @ \$16.99 per cwt., net cash 30 days, F.O.B., Fargo, North Dakota, subject to any price change authorized by the Office of Price Administration, and subject to the mill's ability to furnish under War Production Board or other Government restrictions existing at the time of manufacture.

This contract does not include printing, binding, or processing.

This contract is subject to the condition that the Carpenter Paper Company shall not be liable for any delay or non-performance due to the failure of the mill from which the Carpenter Paper Company is obtaining the merchandise to make delivery, or due to delay in transportation, due to strikes, labor difficulties, flood, fire, or act of God, or as to the acts or regulations of the Government or any branch or agency thereof.

In Witness Whereof the Carpenter Paper Company has executed this agreement by the Manager of its Fine Paper Department and the State of North Dakota has executed the same by its Lieutenant Governor and the Speaker of the House of Representatives pursuant to SENATE CONCURRENT RESOLUTION "1-E".

CARPENTER PAPER COMPANY  
By ARTHUR L. MERTZ,  
Manager Fine Paper Dept.  
STATE OF NORTH DAKOTA  
By HENRY HOLT,  
Lieutenant Governor.  
And RALPH BEEDE,  
Speaker of the House  
of Representatives

Rep. Morland moved that the report of the Joint Committee together with the contract attached be printed in the Journal and that action on the report be deferred one Legislative day, which motion prevailed.

Rep. Johnson of Cass moved that Senate Bill No. 200 be not placed on second reading and final passage until after consideration of the report of the Legislative Joint Committee, which motion prevailed.

Rep. Crockett moved that the absent members be excused, which motion prevailed.

Rep. Crockett moved that the House do now adjourn, which motion prevailed.

W. M. SMART, Chief Clerk.

FIFTY-THIRD DAY

Bismarck, February 26, 1943

The House convened pursuant to adjournment, Speaker Beede presiding.

Prayer was offered by Rev. C. L. Wallace.

Roll call: All members were present except Reps. Aker, Fitch, Mortenson, Pyle, Ohnstad.

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

Mr. Speaker: Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the Continuation of the fifty-first day, fifty-first day after recess and the fifty-second day and finds the same correct.

And recommends that the same be approved.

REP. WELDER, Chairman.

Rep. Holm moved that the report be adopted.

Rep. Johnson of Cass moved that the report of the Stand-

ing Committee be amended by striking his name from the minority report on Senate Bill No. 78 on page 711, which motion prevailed.

Rep. Johnson of Cass moved that the report of the Standing Committee as amended be adopted, which motion prevailed.

Rep. Bergesen moved that action on Senate Bill No. 166 as to the substitute motion of Rep. Haugen and on the Committee Report be deferred until after two o'clock Tuesday.

On a rising vote 59 voted for and 35 voted against, so the motion prevailed.

#### REPORTS OF STANDING COMMITTEES

Mr. Speaker: Your Committee on Agriculture to whom was referred Senate Bill No. 67, have had the same under consideration and recommend that the same be amended as follows:

In line 5, after the word "Dakota", strike out the period and insert a comma, and add the following words, "except where such land is being cleared for the purpose of plowing it up for agricultural purposes".

And when so amended recommend the same do pass.

REP. OLSON OF BOWMAN, Chairman.

Rep. Dalzell moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Agriculture to whom was referred Senate Bill No. 161, have had the same under consideration and recommend that the same be amended as follows:

In line 3 of the title, change the period to a comma and insert the following: "providing for licenses and fees for poultry processors, packers and buyers; hatcheries, baby chick and turkey poult jobbers and salesmen, record of performance, breeders and poultry feed manufacturers, wholesalers and retailers, and defining retailers."

After line 46 add the following: "Section 2. AMENDMENT.) That Section 5 of Chapter 7, Session Laws of 1939 is hereby amended and re-enacted, to read as follows:

Section 5. LICENSES AND FEES.) No person shall hereafter engage in the business of poultry and/or turkey buyer, processor, packer, hatchery operator, baby chick jobber, or salesman, record of performance breeder, or poultry and/or turkey feed manufacturer, wholesaler or retailer, without first securing from said North Dakota Poultry Improvement Board a license to engage therein, which said licenses shall expire on the first day of July of each year, and shall be issued or renewed by said board only upon payment to said board of such fees as may be fixed by said board for each of said occupations, not exceeding, however, the amounts hereinafter set forth, to wit:

(a) Poultry and/or turkey buyers, processors, and packers; annual license fee \$1.00, plus 25¢ per thousand pounds (or fraction thereof) of poultry and/or turkeys processed, packed or sold.

(b) Hatcheries; annual license fee \$1.00 plus 50¢ per thousand eggs or fraction thereof based upon manufacturer's rated incubating capacity.

(c) Baby chick and/or turkey poult jobbers and salesmen; annual license fee, \$1.00, plus 50¢ per thousand chicks and/or poulters or fraction thereof sold.

(d) Record of performance breeders; annual license fee, \$10.00 plus 5¢ per pullet candidate over 100 birds entered in R. O. P. Work.

(e) Poultry and/or turkey feed manufacturers, wholesalers and retailers; annual license fee \$1.00, plus 50¢ per ton for all mixed poultry feeds produced or sold in the State of North Dakota. Provided, that the Poultry Improvement Board shall collect license from only one source, and if the fee is paid by the manufacturer or wholesaler, it shall not be collected from the retailer. A person shall be deemed a retailer who sells poultry and/or turkey feed to the ultimate consumer.

It is the intention of this act that the foregoing schedule of license charges and fees shall constitute the maximum to be charged and collected, but the North Dakota Poultry Improvement Board shall have authority, if it determines that any or all such fees or charges are excessive or unduly burdensome, or that a lesser schedule of fees will produce all income necessary for carrying on the work of the Board, to reduce the license charges and fees of any or all of such occupations.

The annual license fees for the ensuing year, plus all other fees previously accrued, must be paid before any license is issued, and all accrued fees other than license fees must be remitted at the time of making the reports hereinafter required. Failure to pay any fee or license charge within ten (10) days after the same shall become due shall constitute a violation of this Act."

And renumber the lines.

And when so amended recommend the same do pass.

REP. OLSON OF BOWMAN, Chairman.

Rep. Fuglestad moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Agriculture to whom was referred Senate Bill No. 175, have had the same under consideration and recommend that the same do pass.

REP. OLSON OF BOWMAN, Chairman.

Rep. Hofstrand moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Agriculture to whom was referred Senate Bill No. 169, have had the same under consideration and recommend that the same do pass and that it be transferred to the Committee on Appropriations.

REP. OLSON OF BOWMAN, Chairman.

Rep. Fuglestad moved that the report be adopted, which motion prevailed and the report was adopted.

#### MESSAGES TO THE SENATE

House of Representatives

Bismarck, February 26, 1943

Mr. President: I have the honor to return:

Senate Concurrent Resolution "N." A Concurrent Resolution Memorializing Congress to Enact Into Law S207, Known



as "The Nye Bill," Providing for Waiver of Second-Class Postal Fees Upon Resumption of Publication by Newspapers That Were Compelled to Suspend Publication Because of War

Senate Bill No. 11. A Bill for an Act Making an Appropriation for the Enforcement and Administration of the Attorney General Licensing Department.

Senate Bill No. 13. A Bill for an Act Making an Appropriation for the Salaries and Expenses of the Certification Division.

Senate Bill No. 50. A Bill for an Act to Amend and Re-enact Section 30 of Chapter 162 of the 1927 Session Laws Relating to the Duty of the Driver of Any Vehicle Involved in an Accident to Report Such Accident.

Senate Bill No. 79. A Bill for an Act Transferring the Sum of Eighty-Five Thousand Dollars (\$85,000.00) from the Attorney General Licensing Fund to the General Fund of the State.

Senate Bill No. 116. A Bill for an Act to Amend and Re-enact Section 1178 of the Compiled Laws of 1913 Providing for the Employment and Dismissal of School Teachers, Their Qualifications, and Their Minimum Salaries.

Which the House has passed unchanged.

W. M. SMART, Chief Clerk.

House of Representatives

Bismarck, February 26, 1943

Mr. President: I have the honor to return:

Senate Bill No. 106. A Bill for an Act to Provide Revenue for the Enforcement of the North Dakota Cosmetic Act; to Prevent Adulteration and Misbranding of Cosmetics; to Provide for Registration and Licensing Thereof; and to Provide Penalties for Violation Thereof.

Senate Bill No. 81. A Bill for an Act to Amend and Re-enact Section 10521 of the Compiled Laws of North Dakota for the Year 1913.

Which the House has indefinitely postponed.

W. M. SMART, Chief Clerk.

#### MESSAGES FROM THE SENATE

Senate Chamber

Bismarck, February 26, 1943

Mr. Speaker: I have the honor to return:

House Bill No. 42. A Bill for an Act to Amend and Re-enact Chapter 275 of the Session Laws of 1941, Relating to the Exemptions of Farm Machinery from Personal Property Taxes for the First Year After Its Purchase, on Which Sales or Use Tax Is Paid, and Declaring an Emergency.

House Bill No. 95. A Bill for an Act Creating a Veterans' Emergency Fund, and Providing an Appropriation Therefor, and Providing for the Use of Such Fund by the Veterans' Service Commissioner, and the Manner of Its Disbursement.

Which the Senate has amended.

W. J. TROUT, Secretary.

Senate Chamber

Bismarck, February 26, 1943

Mr. Speaker: I have the honor to return:

House Bill No. 84. A Bill for an Act Amending and Re-

enacting Section 4 of Chapter 168 of the Laws of 1919 and Acts Amendatory Thereof, Pertaining to Salary of Clerical Help.

House Bill No. 136. A Bill for an Act to Amend and Re-enact Subsection 31 of Section 3514 of the 1913 Compiled Laws, Relating to the Fees to Be Charged by Sheriffs for Boarding Prisoners, and Declaring an Emergency.

House Bill No. 150. A Bill for an Act to Amend and Re-enact Section 1 of Chapter 207, Session Laws of 1935, as Amended by Section 1 of Chapter 209, Session Laws of 1941, Relating to Refunding Special Improvement Warrants, Validating Proceedings Heretofore Taken for Such Refunding and Warrants Issued Thereunder, and Declaring an Emergency.

House Concurrent Resolution "N." Memorializing Congress to Take Action for the Enactment Into Law of Senate Bill 574 Now Pending in United States Congress.

House Joint Resolution "Z." Requesting the Legislature to Authorize Payment of Certain Employees in the Code Revision Commission.

Which the Senate has passed unchanged.

W. J. TROUT, Secretary.

#### REPORTS OF SELECT COMMITTEES

Rep. Dalzell reported that the Risem Studio had agreed to take a group picture of the House for \$150.00 and \$1.00 apiece for the small pictures.

Rep. Dalzell moved the adoption of the report.

Rep. Rohde offered as a substitute motion that action on the committee report be deferred one legislative day, which motion was lost.

The question was on the adoption of the committee report, which motion prevailed.

Rep. Bolmeier moved that the select committee on telephones be discharged, which motion prevailed.

Rep. Johnson of Cass moved that action on Senate Bill No. 34 be deferred one legislative day, which motion prevailed.

Rep. Wolf of McIntosh moved that Senate Bill No. 78 be placed at the head of the calendar, which motion prevailed.

#### SIGNING OF BILLS

The Chief Clerk announced the Speaker was about to sign the following bills; immediately before signing each bill the title was publicly read.

House Bill No. 49.

House Bill No. 59.

And the Speaker signed each of the above bills in the presence of the House.

#### MESSAGE FROM THE SENATE

Senate Chamber

Bismarck, February 26, 1943

Mr. Speaker: I have the honor to request the return of: Senate Concurrent Resolution "W." A Concurrent Resolution Providing for the Amendment of Section 45 of the Constitution of the State of North Dakota.

W. J. TROUT, Secretary.

## MESSAGE TO THE SENATE

House of Representatives  
Bismarck, February 26, 1943

Mr. President: I have the honor to transmit:

House Bill No. 49. A Bill for an Act for the Adoption of the Revised Code of North Dakota for 1943, Consisting of Sixty-five Titles, as a Complete Body of Laws, and Repealing All Laws Not Specifically Excepted.

House Bill No. 59. A Bill for an Act to Amend and Re-enact Subsection 4 of Section 32 of Chapter 148 of the Session Laws of 1931, Providing for an Open Season on Mink, Weasel, Raccoon and Fox.

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

W. M. SMART, Chief Clerk.

## SECOND READING OF SENATE BILLS

Senate Bill No. 78. A Bill for an Act Providing for Reimbursement for Living Expenses of the Members of the State Legislature While in Attendance at the Session, Making an Appropriation Therefor; and Declaring an Emergency.

Was read the second time.

Rep. Johnson of Cass moved that action on Senate Bill No. 78 be deferred until after 2:00 o'clock Tuesday, which motion was lost.

Rep. Wolf of McIntosh moved the previous question.

Rep. Graham moved that the consent of the House be given to all members voting on Senate Bill No. 78, which motion prevailed.

Rep. Bergesen moved that Rep. Fleck be excused from voting, which motion was lost.

A division was asked for which disclosed 63 voting for and 11 against, so the motion prevailed.

## ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 58; nays, 48; absent and not voting, 6; passed, 1.

Those voting in the affirmative were:

Anderson	Haugen	Ostgulen
Bauer	Heckman	Peterson, Bottin'au
Baumgartner	Hegge	Rettke
Belzer	Iszler	Rohde
Benno	Jennings	Rohrer
Braun	Johnson, Richland	Sailer
Bubel	Larson, Ward	Schmalenberger
Burau	Larson, Wells	Schnell
Carlson	McInnes	Schwartz
Crockett	Manstrom	Sharpe
Dalzell	Marks	Stair
Drovdal	Mittag	Starck
Falconer	Mollet	Sticka
Forseth	Monson	Tuff
Fraser	Morrison	Welder
Fuglestad	Myers	Welk
Gainor	Nelson	Williams, Richland
Graham	Nystrom	Williams, Sargent

Haag	Olson, Barnes	Wolf, McIntosh
Halvorson		
Those voting in the negative were:		
Allen, Grand Forks	Gackle	Moe
Allen, Pierce	Halcrow	Morland
Arndt	Haugland	Olson, Bowman
Bagge	Hildre	Peterson, Ransom
Bergesen	Hofstrand	Runck
Bjella	Hogoboom	Sandness
Blair	Holm	Saumur
Bolmeier	Hovey	Sellens
Boulden	Johnson, Cass	Severson
Bymers	Johnson, Rolette	Shure
Callahan	Kolmin	Stormon
Coghlan	Langley	Twichell
Collette	Leet	Westby
Dahlen	Levin	Williams, Stutsm'n
Devlin	Lillehaugen	Wolf, Morton
Ekren	Lunde	Mr. Speaker
Absent and not voting:		
Aker	Mortenson	Pyle
Fitch	Ohnstad	Wambheim
Passed:		
Fleck		

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

Rep. Rohde 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.

Rep. Twichell: "I am going to vote 'No' on this bill because I think I have understood the constitution for the last thirty years and I know that under the constitution we cannot raise our compensation in any way. It is as plain as it can be in the English language; at least it is that plain to any lawyer."

Rep. Haugen moved that Senate Bill No. 70 be indefinitely postponed.

Rep. Bergesen offered as a substitute motion that Senate Bill No. 70 be re-referred to the Committee on Agriculture, which motion prevailed.

Senate Concurrent Resolution "1-F." A Concurrent Resolution Providing for a Committee Consisting of the Lieutenant Governor and the Speaker of the House of Representatives to Supervise the Completion of the Codes; Permitting Them to Employ Proof-readers, and Providing for Remuneration.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 88; nays, 1; absent and not voting, 23; passed, 1.

Those voting in the affirmative were:

Allen, Pierce	Halcrow	Olson, Barnes
Arndt	Halvorson	Ostgulen
Bagge	Haugen	Peterson, Bottina'u
Bauer	Heckman	Peterson, Ransom
Baumgartner	Hegge	Rettke
Belzer	Hildre	Rohde

Bergesen	Hofstrand	Rohrer
Bjella	Hogoboom	Runk
Bolmeier	Holm	Sandness
Boulden	Hovey	Saumur
Braun	Iszler	Schmalenberger
Bubel	Jennings	Schwartz
Bureau	Johnson, Richland	Sellens
Bymers	Kolpin	Severson
Callahan	Langley	Sharpe
Carlson	Larson, Ward	Shure
Coghlan	Larson, Wells	Stair
Collette	Leet	Starck
Crockett	Levin	Sticka
Dahlen	Lillehaugen	Stormon
Dalzell	Lunde	Tuff
Devlin	McInnes	Welder
Drovdal	Manström	Welk
Ekren	Mittag	Westby
Falconer	Mollet	Williams, Richland
Forseth	Monson	Williams, Sargent
Fraser	Morrison	Williams, Stutsm'n
Gackle	Myers	Wolf, McIntosh
Graham	Nelson	Wolf, Morton

Haag  
Those voting in the negative were:

Marks

Absent and not voting:

Aker	Gainor	Olson, Bowman
Allen, Grand Forks	Haugland	Ohnstad
Anderson	Johnson, Cass	Pyle
Benno	Johnson, Rolette	Sailer
Blair	Moe	Schnell
Fitch	Morland	Twichell
Fleck	Mortenson	Wambheim
Fuglestad	Nystrom	

Passed:

Mr. Speaker

So the Resolution was adopted.

Senate Bill No. 61. A Bill for an Act to Amend and Re-enact Section 8 of Chapter 241, Laws of 1937, Pertaining to Field Auditors.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 62; nays, 23; absent and not voting, 28.

Those voting in the affirmative were:

Allen, Pierce	Gackle	Mittag
Arndt	Graham	Monson
Bagge	Haag	Myers
Bergesen	Halcrow	Nystrom
Bjella	Halvorson	Olson, Barnes
Bolmeier	Heckman	Ostgulen
Boulden	Hildre	Peterson, Ransom
Bubel	Hofstrand	Rohrer
Bureau	Hogoboom	Runk
Bymers	Holm	Sandness
Callahan	Hovey	Saumur
Coghlan	Johnson, Richland	Sellens

Crockett	Langley	Sharpe
Dahlen	Leet	Shure
Dalzell	Lunde	Starck
Devlin	Kolpin	Twichell
Drovdal	Larson, Wells	Welder
Falconer	Larson, Ward	Westby
Forseth	Levin	Wolf, Morton
Fraser	Manstrom	Mr. Speaker
Fuglestad	Marks	
Those voting in the	negative were:	
Baumgartner	Mollet	Sticka
Belzer	Morrison	Tuff
Braun	Nelson	Welk
Ekren	Rettke	Williams, Richland
Hegge	Sailer	Williams, Sargent
Iszler	Schwartz	Williams, Stutsm'n
Jennings	Schmalenberger	Wolf, McIntosh
Lillehaugen	Schnell	
Absent and not voting:		
Aker	Gainor	Olson, Bowman
Allen, Grand Forks	Haugen	Ohnstad
Anderson	Haugland	Peterson, Bottin'au
Bauer	Johnson, Cass	Pyle
Benno	Johnson, Rolette	Rohde
Blair	McInnes	Severson
Carlson	Moe	Stair
Collette	Morland	Stormon
Fitch	Mortenson	Wambheim
Fleck		

So the bill passed and the title was agreed to.

Rep. Allen of Pierce moved that the vote by which Senate Bill No. 61 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senate Concurrent Resolution "1-B." A Concurrent Resolution Protesting Favoritism for Youth of Japanese Ex-traction, in the Advantages of Higher Education.

Was read the second time.

Rep. Levin moved that Senate Concurrent Resolution "1-B" be adopted, which motion prevailed and the Resolution was adopted.

Rep. Graham moved that the vote by which Senate Concurrent Resolution "1-B" was adopted be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Rep. Myers moved that the House recess for fifteen minutes, which motion prevailed.

The House re-convened pursuant to recess taken, Speaker Beede presiding.

#### SECOND READING OF SENATE BILLS

Senate Bill No. 125. A Bill for an Act to Amend and Re-enact Section 15, Chapter 187, Session Laws of 1941, Providing for the Issuance of Temporary Permits, and Declaring an Emergency.

Was read the second time.

The Speaker called Rep. Levin to the chair.

Speaker Beede moved that Senate Bill No. 125 be re-

referred to the Committee on State Affairs, which motion prevailed.

The Speaker resumed the chair.

Senate Bill No. 197. A Bill for an Act to Amend and Re-enact Section 819 of the Compiled Laws of North Dakota for 1913 and to Provide for Keeping Jury Lists Filed With Names of Qualified Jurors.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 98; nays, 3; absent and not voting, 12.

Those voting in the affirmative were:

Allen, Pierce	Halcrow	Nelson
Anderson	Halvorson	Olson, Bowman
Arndt	Haugen	Ostgulen
Bagge	Haugland	Peterson, Bottin'au
Bauer	Heckman	Peterson, Ransom
Baumgartner	Hegge	Rettke
Belzer	Hildre	Rohde
Benno	Hofstrand	Rohrer
Bergesen	Hogoboom	Runck
Bjella	Holm	Sailer
Blair	Hovey	Sandness
Bolmeier	Iszler	Saumur
Boulden	Jennings	Schwartz
Braun	Johnson, Cass	Schmalenberger
Bubel	Johnson, Richland	Schnell
Burau	Johnson, Rolette	Sellens
Bymers	Kolpin	Severson
Callahan	Langlely	Sharpe
Crockett	Larson, Ward	Shure
Dahlen	Larson, Wells	Stair
Dalzell	Lillehaugen	Starck
Devlin	Leet	Sticka
Drovdal	Levin	Stormon
Ekren	Lunde	Tuff
Falconer	Marks	Welder
Fleck	McInnes	Welk
Forseth	Manstrom	Westby
Fraser	Mittag	Williams, Sargent
Fuglestad	Moe	Williams, Stutsman
Gackle	Mollet	Wolf, McIntosh
Gainor	Monson	Wolf, Morton
Graham	Morland	Mr. Speaker
Haag	Morrison	

Those voting in the negative were:

Nystrom Olson, Barnes Twichell

Absent and not voting:

Aker	Collette	Ohnstad
Allen, Grand Forks	Fitch	Pyle
Carlson	Mortenson	Wambheim
Coghlan	Myers	Williams, Richland

So the bill passed and the title was agreed to.

Rep. Rohde moved that the vote by which Senate Bill No. 197 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senate Bill No. 157. A Bill for an Act to Amend and Re-

enact Chapter 190 of the Laws of North Dakota for the Year 1929, Providing That the Execution of a Specified Certificate and the Recording Thereof, Shall Constitute Prima Facie Evidence of the Termination of the Estate Held by a Deceased Person, Under an Estate in Joint Tenancy; Providing for the Recording of Such Certificate; Providing for the Transfer by an Owner to Himself and Others in Joint Tenancy With Right of Survivorship and Declaring Valid Transfers Heretofore Made by Owner to Himself and Others in Joint Tenancy with Right of Survivorship, and Declaring an Emergency.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 98; nays, 0; absent and not voting, 15.

Those voting in the affirmative were:

Allen, Pierce	Haag	Nystrom
Anderson	Halcrow	Olson, Barnes
Arndt	Halvorson	Olson, Bowman
Bagge	Haugen	Ostgulen
Bauer	Heckman	Peterson, Bottina'u
Baumgartner	Hegge	Peterson, Ransom
Belzer	Hildre	Rettke
Benno	Hofstrand	Rohde
Bergesen	Hogoboom	Rohrer
Bjella	Holm	Runk
Blair	Hovey	Sailer
Bolmeier	Iszler	Sandness
Boulden	Jennings	Schwartz
Braun	Johnson, Cass	Schmalenberger
Bubel	Johnson, Rolette	Sellens
Burau	Kolpin	Severson
Bymers	Langley	Sharpe
Callahan	Larson, Ward	Shure
Carlson	Larson, Wells	Stair
Collette	Leet	Starck
Crockett	Levin	Sticka
Dahlen	Lillehaugen	Stormon
Dalzell	Lunde	Tuff
Devlin	McInnes	Twichell
Drovdal	Manstrom	Welder
Ekren	Marks	Welk
Falconer	Mittag	Westby
Forseth	Moe	Williams, Sargent
Fraser	Mollet	Williams, Stutsm'n
Fuglestad	Monson	Wolf, McIntosh
Gackle	Morland	Wolf, Morton
Gainor	Morrison	Mr. Speaker
Graham	Nelson	
Absent and not voting:		
Aker	Haugland	Pyle
Allen, Grand Forks	Johnson, Richland	Saumur
Coghlan	Mortenson	Schnell
Fitch	Myers	Wambheim
Fleck	Ohnstad	Williams, Richland

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

Senate Bill No. 137. A Bill for an Act Providing for



Acknowledgements by Persons Serving in or with the Armed Forces of the United States Within or Without the United States, and Validating Acknowledgements Made Since September 16, 1940 in Accordance with 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, the roll was called and there were ayes, 96; nays, 0; absent and not voting, 17.

Those voting in the affirmative were:

Allen, Pierce	Haag	Nystrom
Anderson	Halcrow	Olson, Barnes
Arndt	Halvorson	Olson, Bowman
Bagge	Haugen	Ostgulen
Bauer	Heckman	Peterson, Bottina'u
Baumgartner	Hegge	Peterson, Ransom
Belzer	Hildre	Rettko
Benno	Hofstrand	Rohde
Bergesen	Hogoboom	Rohrer
Bjella	Holm	Runk
Bolmeier	Hovey	Sailer
Boulden	Iszler	Sandness
Braun	Jennings	Schwartz
Bubel	Johnson, Cass	Schmalenberger
Bureau	Johnson, Rolette	Schnell
Bymers	Kolpin	Sellens
Callahan	Langley	Severson
Carlson	Larson, Ward	Sharpe
Collette	Larson, Wells	Shure
Crockett	Leet	Starck
Dahlen	Levin	Sticka
Dalzell	Lillehaugen	Stormon
Devlin	Lunde	Tuff
Drovdal	McInnes	Twichell
Ekren	Manstrom	Welder
Falconer	Marks	Welk
Forseth	Mittag	Westby
Fraser	Mollet	Williams, Sargent
Fuglestad	Monson	Williams, Stuts'm'n
Gackle	Morrison	Wolf, McIntosh
Gainor	Morland	Wolf, Morton
Graham	Nelson	Mr. Speaker
Absent and not voting:		
Aker	Haugland	Pyle
Allen, Grand Forks	Johnson, Richland	Saumur
Blair	Moe	Stair
Coghlan	Mortenson	Wambheim
Fitch	Myers	Williams, Richland
Fleck	Ohnstad	

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

Rep. Benno moved that Senate Bill No. 53 be re-referred to the Committee on Game and Fish, which motion prevailed.

Senate Bill No. 14. A Bill for an Act Making an Appropriation to Defray the Expenses for the Bee Keepers Act.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the

roll was called and there were ayes, 96; nays, 0; absent and not voting, 17.

Those voting in the affirmative were:

Allen, Pierce	Graham	Nystrom
Anderson	Haag	Olson, Barnes
Arndt	Halcrow	Olson, Bowman
Bagge	Halvorson	Ostgulen
Bauer	Haugen	Peterson, Bottina'u
Baumgartner	Heckman	Peterson, Ransom
Benno	Hegge	Rettke
Belzer	Hildre	Rohde
Bergesen	Hogoboom	Rohrer
Bjella	Holm	Runk
Blair	Hovey	Sailer
Bolmeier	Kolpin	Sandness
Boulden	Iszler	Schwartz
Braun	Jennings	Schmalenberger
Bubel	Johnson, Cass	Schnell
Burau	Johnson, Rolette	Sellens
Bymers	Langley	Severson
Callahan	Larson, Ward	Sharpe
Carlson	Larson, Wells	Shure
Collette	Leet	Starck
Crockett	Levin	Sticka
Dahlen	Lillehaugen	Stormon
Dalzell	Lunde	Tuff
Devlin	McInnes	Twichell
Drovdal	Manstrom	Welder
Ekren	Marks	Welk
Falconer	Mittag	Westby
Forseth	Mollet	Williams, Sargent
Fraser	Monson	Williams, Stutsm'n
Fuglestad	Morland	Wolf, McIntosh
Gackle	Morrison	Wolf, Morton
Gainor	Nelson	Mr. Speaker

Absent and not voting:

Aker	Hofstrand	Pyle
Allen, Grand Forks	Johnson, Richland	Saumur
Coghlan	Moe	Stair
Fitch	Mortenson	Wambheim
Fleck	Myers	Williams, Richland
Haugland	Ohnstad	

So the bill passed and the title was agreed to.

Senate Bill No. 46. 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, 98; nays, 0; absent and not voting, 15.

Those voting in the affirmative were:

Allen, Pierce	Haag	Nystrom
Anderson	Halcrow	Olson, Barnes
Arndt	Halvorson	Olson, Bowman
Bagge	Haugen	Ostgulen
Bauer	Heckman	Peterson, Bottin'au

Baumgartner	Hegge	Peterson, Ransom
Belzer	Hildre	Rettke
Benno	Hofstrand	Rohde
Bergesen	Hogoboom	Rohrer
Bjella	Holm	Runk
Blair	Hovey	Sailer
Bolmeier	Iszler	Sandness
Boulden	Jennings	Schwartz
Braun	Johnson, Cass	Schmalenberger
Bubel	Johnson, Richland	Schnell
Burau	Johnson, Rolette	Sellens
Bymers	Kolpin	Severson
Callahan	Langley	Sharpe
Carlson	Larson, Ward	Shure
Collette	Larson, Wells	Starck
Crockett	Leet	Sticka
Dahlen	Levin	Stormon
Dalzell	Lillehaugen	Twichell
Devlin	Lunde	Tuff
Drovdal	McInnes	Welder
Ekren	Manstrom	Welk
Falconer	Marks	Westby
Forseth	Mittag	Williams, Sargent
Fraser	Mollet	Williams, Stutsm'n
Fuglestad	Monson	Wolf, McIntosh
Gackle	Morland	Wolf, Morton
Gainor	Morrison	Mr. Speaker
Graham	Nelson	

## Absent and not voting:

Aker	Haugland	Pyle
Allen, Grand Forks	Moe	Saumur
Coghlan	Mortenson	Stair
Fitch	Myers	Wambheim
Fleck	Ohnstad	Williams, Richland

So the bill passed and the title was agreed to.

Senate Bill No. 147. A Bill for an Act Making an Appropriation for the Purpose of Paying for Oleomargarine Stamps.

Was read the second time.

## ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 95; nays, 1; absent and not voting, 17.

Those voting in the affirmative were:

Allen, Pierce	Haag	Nelson
Anderson	Halcrow	Nystrom
Arndt	Halvorson	Olson, Barnes
Bagge	Haugen	Olson, Bowman
Bauer	Heckman	Ostgulen
Baumgartner	Hegge	Peterson, Bottin'au
Belzer	Hildre	Peterson, Ransom
Benno	Hofstrand	Rettke
Bergesen	Hogoboom	Rohde
Bjella	Holm	Rohrer
Blair	Hovey	Runk
Bolmeier	Iszler	Sailer
Braun	Jennings	Schwartz
Bubel	Johnson, Cass	Schmalenberger

Burau	Johnson, Richland	Schnell
Bymers	Johnson, Rolette	Sellens
Callahan	Kolpin	Severson
Carlson	Langley	Sharpe
Collette	Larson, Ward	Shure
Crockett	Larson, Wells	Starck
Dahlen	Leet	Sticka
Dalzell	Levin	Stormon
Devlin	Lillehaugen	Twichell
Drovdal	Lunde	Tuff
Ekren	McInnes	Welder
Falconer	Manstrom	Welk
Forseth	Marks	Westby
Fraser	Mittag	Williams, Sargent
Fuglestad	Mollet	Williams, Stutsm'n
Gackle	Monson	Wolf, McIntosh
Gainor	Morland	Mr. Speaker
Graham	Morrison	

Those voting in the negative were:

Wolf, Morton

Absent and not voting:

Aker	Haugland	Sandness
Allen, Grand Forks	Moe	Saumur
Boulden	Mortenson	Stair
Coghlan	Myers	Wambheim
Fitch	Ohnstad	Williams, Richland
Fleck	Pyle	

So the bill passed and the title was agreed to.

Senate Bill No. 69. A Bill for an Act to Provide for the Transfer of a Part of the Unappropriated Surplus Now in the "Auto Transportation Fund" to the Credit of the "General Fund" in the State Treasury and Declaring an Emergency.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 95; nays, 1; absent and not voting, 17.

Those voting in the affirmative were:

Allen, Pierce	Haag	Nelson
Anderson	Halcrow	Nystrom
Arndt	Halvorson	Olson, Barnes
Bagge	Haugen	Olson, Bowman
Bauer	Heckman	Ostgulen
Baumgartner	Hegge	Peterson, Bottin'au
Belzer	Hildre	Peterson, Ransom
Benno	Hofstrand	Rettko
Bergesen	Hogoboom	Rohde
Bjella	Holm	Rohrer
Blair	Hovey	Runk
Bolmeier	Iszler	Sailer
Boulden	Jennings	Schwartz
Braun	Johnson, Cass	Schmalenberger
Bubel	Johnson, Richland	Schnell
Burau	Johnson, Rolette	Sellens
Bymers	Kolpin	Severson
Callahan	Langley	Sharpe
Carlson	Larson, Ward	Shure
Collette	Larson, Wells	Starck

Dahlen	Leet	Sticka
Dalzell	Levin	Stormon
Devlin	Lillehaugen	Twichell
Drovdal	Lunde	Tuff
Ekren	McInnes	Welder
Falconer	Manstrom	Westb
Forseth	Marks	Williams, Sargent
Fraser	Mittag	Williams, Stutsm'n
Fuglestad	Mollet	Wolf, McIntosh
Gackle	Monson	Wolf, Morton
Gainor	Morland	Mr. Speaker
Graham	Myers	

Those voting in the negative were:

Morrison

Absent and not voting:

Aker	Haugland	Saumur
Allen, Grand Forks	Moe	Stair
Coghlan	Mortenson	Wambheim
Crockett	Ohnstad	Welk,
Fitch	Pyle	Williams, Richland
Fleck	Sandness	

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

Senate Bill No. 39. A Bill for an Act Making an Appropriation to Make Up the Deficit in the Fund Known as "The Insurance Tax to Fire Departments" for the Purpose of Paying Insurance Tax to the Various Fire Departments of the State in Compliance with the Provisions of Sections 3993 to 3998 Inclusive of the Compiled Laws of 1913, and Declaring an Emergency.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 90; nays, 3; absent and not voting, 20.

Those voting in the affirmative were:

Allen, Pierce	Halcrow	Morrison
Anderson	Halvorson	Myers
Arndt	Haugen	Nelson
Bagge	Heckman	Olson, Bowman
Bauer	Hegge	Ostgulen
Baumgartner	Hildre	Peterson, Bottin'au
Belzer	Hofstrand	Peterson, Ransom
Bergesen	Hogoboom	Rettke
Bjella	Holm	Rohde
Blair	Hovey	Rohrer
Bolmeier	Iszler	Runck
Boulden	Jennings	Sailer
Braun	Johnson, Cass	Sandness
Burau	Johnson, Richland	Schwartz
Bymers	Johnson, Rolette	Schmalenberger
Callahan	Kolpin	Schnell
Carlson	Langley	Sellens
Collette	Larson, Ward	Severson
Dahlen	Larson, Wells	Sharpe
Dalzell	Leet	Shure
Devlin	Levin	Starck
Drovdal	Lillehaugen	Sticka
Ekren.	Lunde	Stormon

Falconer	McInnes	Tuff
Forseth	Manstrom	Westby
Fraser	Marks	Williams, Sargent
Fuglestad	Mittag	Williams, Stutsm'n
Gainor	Mollet	Wolf, McIntosh
Graham	Monson	Wolf, Morton
Haag	Morland	Mr. Speaker

Those voting in the negative were:

Twichell	Welder	Welk
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Absent and not voting:

Aker	Fleck	Ohnstad
Allen, Grand Forks	Gackle	Pyle
Benno	Haugland	Saumur
Bubel	Moe	Stair
Coghlan	Mortenson	Wambheim
Crockett	Nystrom	Williams, Richland
Fitch	Olson, Barnes	

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

Senate Bill No. 54. A Bill for an Act Requiring and Compelling All Licensed Beer Dealers to Make Available Reports, Records, Books, Vouchers, and Other Pertinent Documents to the State Tax Commissioner; Providing for Examination; Providing Penalties for Delinquencies and for Violations.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 91; nays, 2; absent and not voting, 20.

Those voting in the affirmative were:

Allen, Pierce	Halcrow	Myers
Anderson	Halvorson	Nystrom
Arndt	Haugen	Olson, Bowman
Bagge	Heckman	Ostgulen
Bauer	Hegge	Peterson, Ransom
Baumgartner	Hildre	Peterson, Bottina'u
Belzer	Hofstrand	Rettke
Bergesen	Holm	Rohde
Bjella	Hovey	Rohrer
Blair	Iszler	Runck
Bolmeier	Jennings	Sailer
Boulden	Johnson, Cass	Sandness
Braun	Johnson, Rolette	Schwartz
Bubel	Johnson, Richland	Schmalenberger
Burau	Kolpin	Schnell
Bymers	Langley	Sellens
Callahan	Larson, Ward	Severson
Carlson	Larson, Wells	Sharpe
Collette	Leet	Shure
Crockett	Levin	Starck
Dahlen	Lillehaugen	Sticka
Dalzell	Lunde	Twichell
Devlin	McInnes	Tuff
Drovdal	Manstrom	Welk
Ekren	Marks	Westby
Falconer	Mittag	Williams, Sargent
Forseth	Mollet	Williams, Stutsm'n
Fraser	Monson	Wolf, McIntosh

Fuglestad	Morland	Wolf, Morton
Gainor	Morrison	Mr. Speaker
Graham		
Those voting in the negative were:		
Haag	Welder	
Absent and not voting:		
Aker	Haugland	Pyle
Allen, Grand Forks	Hogoboom	Saumur
Benno	Moe	Stair
Coghlan	Mortenson	Stormon
Fitch	Nelson	Wambheim
Fleck	Olson, Barnes	Williams, Richland
Gackle	Ohnstad	

So the bill passed as amended and the title was agreed to.

Rep. Bergesen moved that the House recess until 6:30 o'clock p. m., tonight, which motion prevailed.

The House reconvened at 6:30 o'clock p. m., pursuant to recess taken, Speaker Beede presiding.

#### SIGNING OF RESOLUTION

The Chief Clerk announced the Speaker was about to sign the following Resolution; immediately before signing the Resolution the title was publicly read.

House Memorial Resolution "1-D".

And the Speaker signed the above Resolution in the presence of the House.

Rep. Bergesen moved that the House reconsider its action taken on Senate Bill No. 125 in re-referring the same to the Committee on State Affairs, which motion prevailed.

Rep. Bergesen moved that Senate Bill No. 125 be placed on the calendar, which motion prevailed.

#### GENERAL ORDERS

Rep. Welder moved that the House resolve itself into a committee of the whole for the consideration of general orders; which motion prevailed, and the House resolved itself into a committee of the whole.

The Speaker called Rep. Welder to the chair.

When the committee arose it submitted the following report:

Mr. Speaker: The committee of the whole have had under consideration:

Senate Bill No. 152.

Strike out the word "March" in Line 22 and insert in lieu thereof the word "April".

On any payment of renewal license fee for 1943 made prior to the taking effect of this Act, refund shall be made to the licensee of the difference in such license as hereby reduced, upon proper voucher approved by the Secretary of State and presented to the State Auditor, such refund to be made from the miscellaneous refund account or in event the same is depleted from the General Fund of the State.

And when so amended recommend the same do pass.

Senate Bill No. 123.

In line 14 after the word "case" insert the word "of".

And when so amended recommend the same do pass.

Senate Concurrent Resolution "S."

In line 10 after the word "Governor" insert a "comma"

at the beginning of line 11 strike out the word "and".

In line 11 after the word "Senate" insert a "comma" and the following language: "the Speaker of the House" "comma" "the Chief Clerk of the House".

And when so amended recommend the same do pass.

Senate Concurrent Resolution "Q."

In line 11 after the word "Governor" strike out the word "and" and insert in lieu thereof a "comma".

In line 12 after the word "Senate" insert a "comma" and the following language "the Speaker of the House" "comma" "the Chief Clerk of the House".

And when so amended recommend the same do pass.

Senate Concurrent Resolution "R."

In line 12 after the word "Governor" strike out the word "and" and insert in lieu thereof a "comma".

In line 12 after the word "Senate" insert a "comma" and the following language "the Speaker of the House" "comma" "the Chief Clerk of the House".

And when so amended recommend the same do pass.

Senate Bill No. 1.

And recommend the same be re-referred to the Committee on Tax and Tax Laws.

REP. WELDER, Chairman.  
Committee of the Whole.

Rep. Johnson of Cass moved that the report of the committee of the whole be adopted, which motion prevailed.

#### SECOND READING OF SENATE BILLS

Senate Bill No. 62. A Bill for an Act to Encourage Rural Electrification; Classifying the Personal Property of Rural Electric Companies, and Imposing a Gross Receipts Tax on Such Cooperatives in Lieu of All Other Taxes on Such Personal Property; Providing for Reports of Gross Receipts; Prescribing the Duties of Tax Commissioner With Reference to Levying of the Tax and the Duties of the County Auditor and the County Treasurer With Reference to Allocation, Collection and Distribution of Such Tax; and Repealing Chapter 282, Laws of 1941 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, the roll was called and there were ayes, 79; nays, 2; absent and not voting, 32.

Those voting in the affirmative were:

Allen, Grand Forks	Fuglestad	Nelson
Allen, Pierce	Graham	Nystrom
Anderson	Halcrow	Olson, Bowman
Bagge	Halvorson	Peterson, Bottin'au
Bauer	Haugen	Peterson, Ransom
Baumgartner	Heckman	Rettke
Belzer	Hildre	Rohde
Bergesen	Hogoboom	Rohrer
Bjella	Holm	Runck
Blair	Hovey	Sailer
Bolmeier	Iszler	Sandness



Boulden	Jennings	Schmalenberger
Braun	Johnson, Cass	Schnell
Bubel	Johnson, Rolette	Sellens
Burau	Kolpin	Severson
Bymers	Langley	Starck
Callahan	Larson, Wells	Sticka
Carlson	Leet	Stormon
Collette	Lunde	Twichell
Dahlen	Manstrom	Tuff
Dalzell	Mittag	Welder
Drovdal	Mollet	Welk
Ekren	Monson	Williams, Stutsm'n
Falconer	Morland	Wolf, McIntosh
Fleck	Morrison	Wolf, Morton
Forseth	Myers	Mr. Speaker
Fraser		

Those voting in the negative were:

Ostgulen Marks

Absent and not voting:

Aker	Hegge	Pyle
Arndt	Hofstrand	Saumur
Benno	Johnson, Richland	Schwartz
Coghlan	Larson, Ward	Sharpe
Crockett	Levin	Shure
Devlin	Lillehaugen	Stair
Fitch	McInnes	Wambheim
Gackle	Moe	Westby
Gainor	Mortenson	Williams, Richland
Haag	Olson, Barnes	Williams, Sargent
Haugland	Ohnstad	

So the bill passed and the title was agreed to.

Senate Bill No. 47. A Bill for an Act to Amend and Re-enact Section 3 of Chapter 267 of the Session Laws of 1927, as Amended by Chapter 282 of the Session Laws of 1931 and Chapter 251 of the Session Laws of 1933, Pertaining to the Estate Tax.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 27; nays, 58; absent and not voting, 28.

Those voting in the affirmative were:

Anderson	Dahlen	Nelson
Bagge	Dalzell	Olson, Bowman
Bauer	Falconer	Peterson, Bottin'au
Bjella	Fleck	Rettke
Boulden	Hovey	Rohde
Burau	Johnson, Cass	Saumur
Bymers	Kolpin	Sellens
Carlson	Lunde	Severson
Collette	Mollet	Starck

Those voting in the negative were:

Allen, Grand Forks	Hildre	Olson, Barnes
Allen, Pierce	Hogboom	Ostgulen
Baumgartner	Holm	Peterson, Ransom
Belzer	Iszler	Rohrer
Bergesen	Jennings	Runk
Blair	Johnson, Rolette	Sailer
Bolmeier	Langley	Sandness

Braun	Larson, Wells	Schmalenberger
Bubel	Leet	Schnell
Callahan	Levin	Sticka
Drovdal	Lillehaugen	Stormon
Ekren	Manstrom	Twichell
Forseth	Marks	Tuff
Fraser	Mittag	Welder
Fuglestad	Monson	Welk
Graham	Morland	Williams, Stutsm'n
Halcrow	Morrison	Wolf, McIntosh
Halvorson	Myers	Wolf, Morton
Haugen	Nystrom	Mr. Speaker
Heckman		

## Absent and not voting:

Aker	Haugland	Pyle
Arndt	Hegge	Schwartz
Benno	Hofstrand	Sharpe
Coghlan	Johnson, Richland	Shure
Crockett	Larson, Ward	Stair
Devlin	McInnes	Wambheim
Fitch	Moe	Westby
Gackle	Mortenson	Williams, Richland
Gainor	Ohnstad	Williams, Sargent
Haag		

So the bill was declared lost.

Rep. Dalzell moved that the vote by which Senate Bill No. 47 was lost be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senate Bill No. 125. A Bill for an Act to Amend and Re-enact Section 15, Chapter 187, Session Laws of 1941, Providing for the Issuance of Temporary Permits, and Declaring an Emergency.

Was read the second time.

## ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 87; nays, 1; absent and not voting, 25.

Those voting in the affirmative were:

Allen, Grand Forks	Halcrow	Nystrom
Allen, Pierce	Halvorson	Olson, Barnes
Anderson	Haugen	Olson, Bowman
Bagge	Haugland	Ostgulen
Bauer	Heckman	Peterson, Bottin'au
Baumgartner	Hildre	Peterson, Ransom
Belzer	Hogoboom	Rettke
Bergesen	Holm	Rohde
Bjella	Hovey	Rohrer
Blair	Iszler	Runck
Bolmeier	Jennings	Sailer
Boulden	Johnson, Cass	Sandness
Braun	Johnson, Rolette	Saumur
Bubel	Kolpin	Schmalenberger
Burau	Langley	Schnell
Bymers	Larson, Wells	Sellens
Callahan	Leet	Severson
Carlson	Levin	Starck
Collette	Lillehaugen	Sticka
Dahlen	McInnes	Stormon

Dalzell	Manstrom	Tuff
Drovdal	Marks	Twichell
Ekren	Mittag	Welder
Falconer	Mollet	Welk
Fleck	Monson	Westby
Forseth	Morland	Williams, Stutsm'n
Fraser	Morrison	Wolf, McIntosh
Fuglestad	Myers	Wolf, Morton
Graham	Nelson	Mr. Speaker

Those voting in the negative were:

Moe

Absent and not voting:

Aker	Haag	Pyle
Arndt	Hegge	Schwartz
Benno	Hofstrand	Sharpe
Coghlan	Johnson, Richland	Shure
Crockett	Larson, Ward	Stair
Devlin	Lunde	Wambheim
Fitch	Mortenson	Williams, Richland
Gackle	Ohnstad	Williams, Sargent
Gainor		

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

Rep. Twichell 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.

#### REPORTS OF STANDING COMMITTEES

Mr. Speaker: Your Committee on Tax and Tax Laws to whom was referred Senate Bill No. 180, have had the same under consideration and recommend that the same be amended as follows:

Strike out everything after the words "A Bill" and insert the following:

"For an Act to Amend and re-enact Section 2346a18 of the 1925 Supplement to the Compiled Laws of North Dakota, as amended by Section 4 of Chapter 283, Session Laws of 1931, as further amended by Section 2 of Chapter 241, Session Laws of 1937, and as further amended by Section 1 of Chapter 228, Session Laws of 1939; providing additional deductions in computing net income for income tax purposes, and declaring an emergency.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF NORTH DAKOTA:

1 SECTION 1. AMENDMENT.) Section 2346a18 of  
 1a the  
 2 1925 Supplement to the Compiled Laws of North Dakota,  
 2a as  
 3 amended by Section 4 of Chapter 283, Session Laws of  
 3a 1931, as  
 4 further amended by Section 2 of Chapter 241, Session  
 4a Laws of  
 5 1937, and as further amended by Section 1 of Chapter  
 5a 228,  
 6 Session Laws of 1939, is hereby amended and re-en-  
 6a acted to  
 7 read as follows:  
 8 SECTION 2346a18. DEDUCTIONS ALLOWED.) In  
 8a computing

9 net income, there shall be allowed as deductions;  
 10 (1) All the ordinary and necessary expenses paid  
 10a during  
 11 the income year in the carrying on of any trade or busi-  
 11a ness  
 12 including a reasonable allowance for salaries or other  
 12a com-  
 13 pensation for personal services actually rendered, and  
 13a inclu-  
 14 ding rentals or other payments required to be made as  
 14a a con-  
 15 dition to the continued use or possession, for the pur-  
 15a pose of  
 16 the trade or business, of property to which the taxpayer  
 16a has  
 17 not taken or is not taking title, or in which he has no  
 17a equity.  
 18 (2) Interest paid or accrued within the year on tax-  
 19 payer's indebtedness.  
 20 (3) Taxes paid or accrued within the income year  
 20a upon  
 21 property or business, but not including those assessed  
 22 against local benefits of a kind tending to increase the  
 23 value of the property assessed. Federal income taxes  
 23a may be  
 24 deducted to the extent such taxes represent a tax paid on  
 25 income taxable under this act, but State income taxes  
 25a are  
 26 not deductible.  
 27 (4) (1) No losses shall be deducted from the fixed  
 28 income of the taxpayer derived from salaries, wages, or  
 29 taxable dividends, but losses actually sustained in the  
 30 carrying on of any trade or business, sustained within  
 30a the  
 31 year and not compensated by insurance or otherwise,  
 31a may be  
 32 deducted, provided further that no loss may be allowed  
 32a in  
 33 the sale of property purchased and held for pleasure or  
 34 recreation and which was not acquired or used for profit,  
 34a but  
 35 this proviso shall not be construed to exclude losses  
 35a due to  
 36 theft or the destruction of property by fire, flood, or  
 37 other casualty, or a loss sustained in any sale of the  
 37a resi-  
 38 dence of the taxpayer. In the case of a taxpayer other  
 38a than  
 39 a resident of the State, losses shall be allowed only as to  
 40 transactions in real property or in tangible personal  
 40a proper-  
 41 ty having an actual situs in this State, and losses in  
 42 connection with any business, trade, profession or oc-  
 42a cupation  
 43 carried on in this State, provided, however, that the  
 43a aggre-  
 44 gate amount which may be deducted in connection with  
 44a losses  
 45 incurred in connection with sale or exchange of capital

46 assets shall not exceed the aggregate gains reported  
46a from the  
47 sale or exchange of capital assets in any year.  
48 (2). Losses sustained from the operation or conduct-  
48a ing  
49 of any farming or agricultural pursuit sustained with-  
49a in the  
50 year and not compensated for by insurance; providing,  
50a how-  
51 ever, that the person claiming such deduction must have  
51a been  
52 the legal owner of the land on which the loss accrued  
52a for at  
53 least one year prior to claiming the deduction. Pro-  
53a vided,  
54 however, that no deduction for loss sustained from any  
54a far-  
55 ming or agricultural pursuit as provided in this section  
56 shall exceed the sum of five hundred dollars.  
57 (5) Debts ascertained to be worthless and charged  
57a off  
58 within the income year. In the case of a debt exist-  
58a ing on  
59 January first, nineteen hundred and nineteen, no more  
59a than  
60 its fair market value on that date shall be deducted. A  
61 worthless debt arising January first, nineteen hundred  
61a and  
62 nineteen, from unpaid wages, salary, rent or any other  
62a simi-  
63 lar item of taxable income, is not an allowable deduction  
64 unless the income which such item represents has been  
64a inclu-  
65 ded as income by the taxpayer in a return rendered  
65a under  
66 this Act.  
67 (6) A reasonable allowance for necessary repairs  
67a and a  
68 reasonable allowance for depreciation by use, wear and  
68a tear  
69 of property used in business or trade, and in case of  
69a mines,  
70 oil and gas wells or other natural deposits, a reasonable  
71 allowance for depletion of ores and other natural de-  
71a posits  
72 on the basis of their actual original cost in cash or in the  
73 equivalent of cash, and including cost of development,  
73a and  
74 in case of property acquired prior to January 1, 1919, the  
75 fair market value on that date shall be taken in lieu of  
76 cost up to that date.  
77 (7) Dividends or income received by any person from  
78 stock or interest in any corporation, the income of which  
79 has been assessed and paid by a corporation under this  
79a act,  
80 received by the taxpayer and included in the gross in-  
80a come  
81 within the income year; provided that when only part of

82 the income of any corporation shall have been assessed  
82a and  
83 income tax paid under this act, only a corresponding  
83a part  
84 of the dividends or income received therefrom shall be  
85 deducted; and providing further that such corporation  
85a has  
86 reported the name and address of each person owning  
86a stock  
87 and the amount of dividends or income paid each such  
87a person  
88 during the year.  
89 (8) Contributions or gifts made within the income  
89a year  
90 to (a) the State of North Dakota, or any political sub-  
90a divi-  
91 sion thereof, exclusively for public purposes, or (b) to  
91a any  
92 community chest, corporation, association or trust, or  
92a fund  
93 or foundation, organized and operated exclusively for  
94 religious, charitable, scientific, literary or educational  
95 purposes, or for the prevention of cruelty to children or  
96 animals, no part of the net earnings of which inures to  
96a the  
97 benefit of any private shareholder or individual; or (c)  
97a to  
98 posts or organizations of war veterans or auxiliary units  
98a or  
99 societies of such organizations, if such posts, organiza-  
99a tions,  
100 units or societies are within North Dakota and if no part  
100a of  
101 their net income inures to the benefit of any private  
101a share-  
102 holder or individual; provided, that such contributions or  
103 gifts may be deducted only to an amount which in all the  
104 above cases combined does not exceed fifteen percent  
104a (15%)  
105 of the taxpayer's net income as computed without the  
105a benefit  
106 of this subdivision.  
107 (9) Payments for expenses for hospital, nursing,  
107a medi-  
108 cal, surgical, dental and other healing services, for  
108a drugs  
109 and medical supplies and for funeral expenses of the  
109a taxpayer  
110 or his dependents and not compensated for by insur-  
110a ance or otherwise.  
111 SECTION 2. EMERGENCY.) This Act is hereby  
111a declared to  
112 be an emergency measure, and shall be in full force and  
113 effect from and after its passage and approval."

And when so amended recommend the same do pass.

REP. McINNES, Chairman.

Rep. Welk moved that the report be adopted.

Rep. Bymers offered as a substitute motion that Senate Bill No. 180 be indefinitely postponed.

Rep. Rettke moved that Senate Bill No. 180 be deferred one legislative day.

Rep. Rettke withdrew his motion.

The question was on the adoption of the report of the standing committee, which motion prevailed, and Senate Bill No. 180 was placed in General Orders.

Mr. Speaker: Your Committee on Public Printing to whom was referred Senate Bill No. 80, have had the same under consideration and recommend that the same do pass.

REP. SELLENS, Chairman.

Rep. Sticka moved that the report be adopted, which motion prevailed and the report was adopted.

#### HOUSE COMMITTEE ON ENROLLMENT AND ENGROSSMENT

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

Memorial Resolution "1-D."

And find the same correctly Enrolled.

WALTER BUBEL, Acting Chairman.

Rep. Monson moved that the report be adopted, which motion prevailed, and the report was adopted.

#### HOUSE MEMORIAL RESOLUTION

WHEREAS, The late Carl Anfinson of Rolette County was called by death on May 18, 1942; and

WHEREAS, He served as a member of the House of Representatives from Rolette County in the sessions of 1929, 1931, 1933, 1935, 1937 and 1939;

NOW, THEREFORE BE IT RESOLVED, By the House of Representatives of the Twenty-eighth Legislative Assembly of the State of North Dakota, That we do hereby express our appreciation of his services to the State and his community, and that we further express the sorrow which we feel because of his passing; and

BE IT FURTHER RESOLVED, That this resolution be printed in the Journal and that an enrolled copy be sent to his surviving family.

Rep. Fleck moved that the Memorial Resolution be adopted, which motion prevailed.

Rep. Morland moved that the rules be suspended and that the House adopt Senate Concurrent Resolution "Q."

Which motion prevailed and the Resolution was adopted.

Rep. Morland moved that the rules be suspended and that the House adopt Senate Concurrent Resolution "R."

Which motion prevailed and the Resolution was adopted.

Rep. Morland moved that the rules be suspended and that the House adopt Senate Concurrent Resolution "S."

Which motion prevailed and the Resolution was adopted.

Rep. Hogoboom moved that the House concur in the Senate amendment to House Bill No. 42.

Rep. Haugen offered as a substitute motion that action on the Senate amendment to House Bill No. 42 be deferred until the amendment is printed in the Journal, which motion prevailed.

**Amendments to House Bill No. 42:**

In line 6 of the printed bill, strike the word "of" and insert the word "in". In line 8, strike the words "in the" and all of line nine, and insert the words "in the next succeeding year after the purchase". In line 5 of the Engrossed Bill after the word "purchased" insert the following: "after October 1st of any year", (place a comma after word "year".)

Rep. Johnson of Cass moved that the House do not concur in the Senate amendment to House Bill No. 95, which motion prevailed.

Rep. Johnson of Cass moved that a conference committee be appointed with reference to House Bill No., 95, which motion prevailed.

**Amendments to House Bill No. 95:**

In the title of the bill after the word "disbursement" insert the following words: "and declaring an emergency."

After line 26 insert Section 4 to read as follows:

Section 4. 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."

The Speaker appointed Reps. Johnson of Cass, Saumur and Wolf of McIntosh.

Rep. Bubel moved that the House reconsider action taken on House Bill No. 42, which motion was lost.

**CONSIDERATION OF MESSAGES FROM THE SENATE**

Rep. Twichell moved that the House defer action on the request of the Senate for the return of Senate Concurrent Resolution "W", which motion prevailed.

Rep. Graham moved that the House do now recess until 1:30 o'clock p. m., tomorrow, which motion prevailed and the House stood recessed.

W. M. SMART, Chief Clerk.



FIFTY-THIRD DAY AFTER RECESS AND THE  
FIFTY-FOURTH DAY

Bismarck, February 27, 1943

The House convened at 1:30 o'clock p. m., pursuant to recess, Speaker Beede presiding.

The Speaker announced the House would be on the sixth order of business.

Rep. Twichell moved that the report of the Joint Code Committee be adopted and the contracts thereto attached approved.

ROLL CALL

The question being on the motion of Rep. Twichell, the roll was called and there were ayes, 76; nays, 0; absent and not voting, 37.

Those voting in the affirmative were:

Anderson	Halcrow	Olson, Bowman
Bagge	Haugen	Ostgulen
Bauer	Heckman	Peterson, Bottina'u
Baumgartner	Hegge	Peterson, Ransom
Benno	Hofstrand	Rettke
Bergesen	Hogoboom	Rohde
Blair	Holm	Rohrer
Bolmefer	Hovey	Runk
Boulden	Iszler	Sailer
Braun	Jennings	Saumur
Bubel	Johnson, Richland	Schwartz
Bymers	Johnson, Rolette	Schmalenberger
Callahan	Langley	Sellens
Crockett	Larson, Wells	Severson
Dahlen	Leet	Shure
Dalzell	Levin	Starck
Devlin	Lunde	Twichell
Drovdal	McInnes	Tuff
Ekren	Manstrom	Welder
Falconer	Moe	Welk
Fitch	Monson	Westby
Fleck	Morland	Williams, Sargent
Fraser	Morrison	Williams, Stutsm'n
Fuglestad	Myers	Wolf, McIntosh
Gainor	Nystrom	Mr. Speaker
Graham		

Absent and not voting:

Aker	Halvorson	Olson, Barnes
Allen, Grand Forks	Haugland	Ohnstad
Allen, Pierce	Hildre	Pyle

Arndt	Johnson, Cass	Sandness
Belzer	Kolpin	Schnell
Bjella	Larson, Ward	Sharpe
Bureau	Lillehaugen	Stair
Carlson	Marks	Sticka
Coghlan	Mittag	Stormon
Collette	Mollet	Wambheim
Forseth	Mortenson	Williams, Richland
Gackle	Nelson	Wolf, Morton
Haag		

So the report of the Joint Code Committee was adopted and the contracts attached thereto were approved.

#### HOUSE COMMITTEE ON ENROLLMENT AND ENGROSSMENT

Mr. Speaker: Your committee on Enrollment and Engrossment respectfully report that they have examined the following bills and resolutions:

House Bill No. 25.  
 House Bill No. 84.  
 House Bill No. 136.  
 House Bill No. 150.  
 House Concurrent Resolution "N."  
 Joint Resolution "Z."  
 House Memorial Resolution "1-E."

And find the same correctly Enrolled.

REP. MORLAND, Chairman.

Rep. Bjella moved that the report be adopted, which motion prevailed, and the report was adopted.

#### HOUSE COMMITTEE ON ENROLLMENT AND ENGROSSMENT

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

House Bill No. 25.

And find the same correctly Engrossed.

REP. MORLAND, Chairman.

Rep. Bjella moved that the report be adopted, which motion prevailed, and the report was adopted.

#### REPORTS OF STANDING COMMITTEES

Mr. Speaker: Your Committee on Election and Election Privileges to whom was referred Senate Bill No. 193, have had the same under consideration and recommend that the same do pass.

REP. LEVIN, Chairman.

Rep. Morland moved that the report be adopted, which motion prevailed and the report was adopted.

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

REP. LEVIN, Chairman.

Rep. Peterson of Bottineau moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Counties to whom was referred Senate Bill No. 84, have had the same under consideration and recommend that the same do pass.

REP. ROHDE, Chairman.

Rep. Bagge moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Counties to whom was referred Senate Bill No. 85, have had the same under consideration and recommend that the same do pass.

REP. ROHDE, Chairman.

Rep. Holm moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Counties to whom was referred Senate Bill No. 86, have had the same under consideration and recommend that the same do pass.

REP. ROHDE, Chairman.

Rep. Hovey moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Counties to whom was referred Senate Bill No. 87, have had the same under consideration and recommend that the same do pass.

REP. ROHDE, Chairman.

Rep. Schmalenberger moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Counties to whom was referred Senate Bill No. 88, have had the same under consideration and recommend that the same do pass.

REP. ROHDE, Chairman.

Rep. Holm moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Counties to whom was referred Senate Bill No. 89, have had the same under consideration and recommend that the same do pass.

REP. ROHDE, Chairman.

Rep. Hovey moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Counties to whom was referred Senate Bill No. 90, have had the same under consideration and recommend that the same do pass.

REP. ROHDE, Chairman.

Rep. Schmalenberger moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Education to whom was referred Senate Bill No. 118, have had the same under consideration and recommend that the same be amended as follows:

In line four, strike out the following words "the 15th day of April in the", and insert in lieu thereof the following: "twenty days before the end of".

In line 17, strike out "after April 15 in any" and insert in lieu thereof the following: "before 20 days before end of school".

In line 36 strike out "April 15" and insert in lieu thereof "20 days before the end of school year."

In line 47, strike out "Ten (10)" and insert in lieu thereof "twenty (20)".

And when so amended recommend the same do pass.

REP. HOFSTRAND, Chairman.

Rep. Langley moved that the report be adopted, which motion prevailed and the report was adopted.

Rep. Rohde moved that the absent members be excused, which motion prevailed.

Rep. Rohde moved that the House do now adjourn, which motion prevailed.

W. M. SMART, Chief Clerk.

#### FIFTY-FOURTH DAY

Bismarck, February 27, 1943

The House convened pursuant to adjournment, Speaker Beede presiding.

Prayer was offered by Rev. C. L. Wallace.

Roll call: All members were present except Reps. Aker, Coghlan, Fitch, Forseth, Gackle, Hildre, Larson of Ward, Mortenson, Ohnstad, Pyle, Sharpe, Stair and Wambheim.

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

Mr. Speaker: Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the Fifty-second Day After Recess and the Fifty-third Day and finds the same correct.

And recommends that the same be approved.

REP. WELDER, Chairman.

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

#### MESSAGE FROM THE SENATE

Senate Chamber

Bismarck, February 27, 1943

Mr. Speaker: I have the honor to return:

House Bill No. 80. A Bill for an Act to Amend and Re-enact Section 17 of Chapter 162 of the Session Laws of North Dakota for the Year 1919, as Amended and Re-enacted by Section 6 of Chapter 286 of the Session Laws of North Dakota for the Year 1935, Relating to Decisions of the Workmen's Compensation Bureau, and Providing for Appeals from Such Decisions.

House Bill No. 154. A Bill for an Act Providing for the Control and Eradication of Harmful, Destructive and Poisonous Reptiles; the Appointment of a Warden to Accomplish This Purpose; Providing for His Compensation and Expenses and the Supplying of Necessary Equipment; Outlining the Duties of the Warden.

Which the Senate has indefinitely postponed.

W. J. TROUT, Secretary.

#### MESSAGE TO THE SENATE

House of Representatives

Bismarck, February 27, 1943

Mr. President: I have the honor to inform you that the House has refused to concur in the Senate amendment to House Bill No. 95 and the Speaker has appointed as a Conference Committee, Reps. Johnson of Cass, Saumur and Wolf of McIntosh.

Very respectfully,

W. M. SMART, Chief Clerk.

Rep. Johnson of Cass moved that Senate Bill No. 34 be

re-referred to the Committee on Appropriations, which motion was lost.

Division was asked for which disclosed 39 voting for and 46 against so the motion was declared lost.

Rep. Allen of Grand Forks moved that Senate Bill No. 34 be placed in General Orders, which motion was lost.

#### REPORTS OF STANDING COMMITTEES

Mr. Speaker: Your Committee on Game and Fish to whom was referred Senate Concurrent Resolution "T," have had the same under consideration and recommend that the same do pass.

REP. BENNO, Chairman.

Rep. Bymers moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Game and Fish to whom was referred Senate Bill No. 131, have had the same under consideration and recommend that the same do pass.

REP. BENNO, Chairman.

Rep. Bolmeier moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Game and Fish to whom was referred Senate Bill No. 53, have had the same under consideration and recommend that the same be amended as follows:

In the title of the bill, at the beginning of the third line of the title in the original bill, after the comma, following the figures 1941, insert the following:

"relative to limitations on hunting and fishing and the possession of game and fish, providing a penalty".

Then strike out all of Lines 1 and 2 and substitute the following:

Chapter 118 of the Session Laws of 1933 as amended by Section 2 of Chapter 158 of the Session Laws of 1941 is hereby amended and re-enacted to read as follows:

#### SECTION 1. AMENDMENT.)

In Lines 3, 14, 17 and 26 of the original bill, strike out the word "Section".

In Line 32 of the original bill, strike out the numeral 5 and substitute the numeral 2.

In Line 12, following the word "the" in the printed bill, insert the word "open".

In Line 24, before the word "season", insert the word "open".

#### (RENUMBER THE LINES)

And when so amended recommend the same do pass.

REP. BENNO, Chairman.

Rep. Bymers moved that the report be adopted, which motion prevailed and the report was adopted.

#### SIGNING OF BILLS

The Chief Clerk announced that the Speaker was about to sign the following bills and resolutions; immediately before signing each bill the title was publicly read.

House Bill No. 150.

House Bill No. 136.  
 House Bill No. 84.  
 House Bill No. 25.  
 House Memorial Resolution "1-E."  
 Joint Resolution "Z."  
 House Concurrent Resolution "N."

And the Speaker signed each of the above bills in the presence of the House.

#### CONSIDERATION OF MESSAGES FROM THE SENATE

Rep. Bubel moved that the House do not concur in the Senate amendments to House Bill No. 42.

Rep. Hogoboom offered as a substitute motion that the House do concur in the Senate amendments to House Bill No. 42, which motion was lost.

Division was asked for and disclosed 44 voting for and 39 against so the motion prevailed.

Rep. Hogoboom moved that the rules be suspended and that House Bill No. 42 be considered properly engrossed and placed on second reading and final passage.

Rep. Boulden offered as a substitute motion that House Bill No. 42 be placed on the calendar for after two o'clock Tuesday.

Rep. Bauer moved that the motion of Rep. Boulden be laid on the table, which motion prevailed and carried with it the motion of Rep. Hogoboom.

Rep. Morland moved that the vote by which the House concurred in the Senate amendments to House Bill No. 42 be reconsidered, which motion prevailed.

Rep. Morland moved that the House do not concur in the Senate amendments to House Bill No. 42, which motion prevailed.

Rep. Morland moved that a Conference Committee be appointed on House Bill No. 42, which motion prevailed.

The Speaker appointed on the Conference Committee Reps. Morland, Olson of Bowman, Hogoboom and Myers.

#### MESSAGE TO THE SENATE

House of Representatives  
 Bismarck, February 27, 1943

Mr. President: I have the honor to inform you that the House has refused to concur in the Senate amendments to House Bill No. 42 and the Speaker has appointed as a Conference Committee: Reps. Morland, Olson of Bowman, Hogoboom and Myers.

Very respectfully,  
 W. M. SMART, Chief Clerk.

#### SECOND READING OF SENATE BILLS

Senate Bill No. 34. A Bill for an Act to Amend and Re-enact Sections 3, 4, 7, 8, 9 and 10 of Chapter 229, of the Session Laws of 1941, Relating to the North Dakota State Farm, and Making 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, 63; nays, 36; absent and not voting, 14.

Those voting in the affirmative were:

Allen, Pierce	Gackle	Morland
Anderson	Gainor	Myers
Bagge	Graham	Nelson
Bauer	Halcrow	Nystrom
Baumgartner	Halvorson	Olson, Bowman
Benno	Haugen	Peterson, Bottin'au
Bergesen	Haugland	Peterson, Ransom
Bolmeier	Heckman	Rettke
Bubel	Hegge	Rohrer
Burau	Hofstrand	Runck
Bymers	Hogoboom	Sandness
Callahan	Hovey	Saumur
Carlson	Johnson, Richland	Schmalenberger
Dahlen	Johnson, Rolette	Schnell
Dalzell	Langley	Sellens
Drovdal	Leet	Starck
Ekren	Lunde	Stormon
Falconer	McInnes	Westby
Fleck	Manstrom	Williams, Richland
Fraser	Mittag	Williams, Stutsman
Fuglestad	Moe	Mr. Speaker

Those voting in the negative were:

Allen, Grand Forks	Iszler	Sailer
Arndt	Jennings	Schwartz
Belzer	Johnson, Cass	Severson
Bjella	Kolpin	Shure
Blair	Larson, Wells	Sticka
Boulden	Levin	Twichell
Braun	Lillehaugen	Tuff
Collette	Marks	Welder
Crockett	Mollet	Welk
Devlin	Monson	Williams, Sargent
Haag	Morrison	Wolf, McIntosh
Holm	Rohde	Wolf, Morton

Absent and not voting:

Aker	Larson, Ward	Pyle
Coghlan	Mortenson	Sharpe
Fitch	Ohnstad	Stair
Forseth	Olson, Barnes	Wambheim
Hildre	Ostgulen	

So the bill passed as amended and the title was agreed to.

Rep. Bergesen moved that the vote by which Senate Bill No. 34 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Rep. Crockett: "I want to explain my vote and have it recorded in the Journal. Two years ago I voted for this prison farm. I did so with the assurance that the proponents of the bill would not come back here asking for a great big appropriation. They assured me at that time that they had the buildings and the land. I still cannot find out where they got the land that they propose to have today. Mr. Bergesen tells us they bought it for \$8,000; Judge Grimson tells me that the State Water Commission purchased it for them and that they did not own the land that the buildings are located on. No one seems to know anything about it. It

seems to be just a 'slush fund' that no one knows anything about and therefore, I vote 'No'."

Rep. Bergesen moved that action on Senate Bill No. 140 be deferred until after two o'clock Tuesday.

A rising vote disclosed 46 voting for and 43 voting against so the motion prevailed.

Rep. Crockett moved that Senate Bill No. 159 be indefinitely postponed, which motion prevailed.

Rep. Crockett moved that the vote by which Senate Bill No. 159 was indefinitely postponed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senate Bill No. 132. A Bill for an Act to Amend and Re-enact Chapter 218 of the Session Laws of 1935 Giving Preference to North Dakota Bidders and Sellers; Defining Such North Dakota Bidders and Sellers, and Prescribing the Nature of Preference to Be Given.

Was read the second time.

Rep. Levin moved the previous question.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 70; nays, 23; absent and not voting, 20.

Those voting in the affirmative were:

Allen, Grand Forks	Halcrow	Morland
Allen, Pierce	Halvorson	Morrison
Bagge	Haugen	Myers
Belzer	Haugland	Nelson
Benno	Heckman	Olson, Barnes
Bergesen	Hofstrand	Peterson, Ransom
Blair	Hogoboom	Runck
Bolmeier	Holm	Rohde
Boulden	Iszler	Rohrer
Bubel	Johnson, Cass	Sandness
Burau	Johnson, Rolette	Saumur
Callahan	Kolpin	Schmalenberger
Carlson	Langley	Schnell
Collette	Larson, Wells	Severson
Crockett	Leet	Starck
Dahlen	Levin	Sticka
Dalzell	Lillehaugen	Stormon
Devlin	Lunde	Twichell
Ekren	McInnes	Tuff
Falconer	Manstrom	Westby
Fleck	Mittag	Williams, Sargent
Fuglestad	Mollet	Wolf, Morton
Gackle	Monson	Mr. Speaker
Gainor		

Those voting in the negative were:

Anderson	Graham	Rettke
Arndt	Haag	Schwartz
Bauer	Hovey	Shure
Baumgartner	Jennings	Welder
Braun	Marks	Welk
Bymers	Moe	Williams, Stutsm'n
Drovdal	Olson, Bowman	Wolf, McIntosh
Fraser	Peterson, Bottin'au	



Absent and not voting:

Aker	Johnson, Richland	Sailer
Bjella	Larson, Ward	Sellens
Coghlan	Mortenson	Sharpe
Fitch	Nystrom	Stair
Forseth	Ohnstad	Wambheim
Hegge	Ostgulen	Williams, Richland
Hildre	Pyle	

So the bill passed and the title was agreed to.

Rep. Twichell moved that the vote by which Senate Bill No. 132 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Rep. Bauer: "I wish my remark recorded. I don't know very much about this bill but I would rather be safe than sorry so I vote 'No'."

Rep. Moe: "Not long ago they wanted a fence around the State of North Dakota for the truckers and I believe we might as well open the fence for the bidders and therefore I vote 'No'."

#### MESSAGES FROM THE SENATE

Senate Chamber

Bismarck, February 27, 1943

Mr. Speaker: I have the honor to inform you that the President has appointed as a conference committee to act with a like committee from the House on House Bill No. 95, Senators Watt, Blank and Morgan of Walsh.

Very respectfully,

W. J. TROUT, Secretary.

Senate Chamber

Bismarck, February 27, 1943

Mr. Speaker: I have the honor to inform you that the President has appointed as a conference committee to act with a like committee from the House on House Bill No. 42: Senators Brant, Morgan of Richland and Lynch.

Very respectfully,

W. J. TROUT, Secretary.

Rep. Stormon moved that Senate Bill No. 7 be re-referred to the Committee on Appropriations, which motion prevailed.

#### SECOND READING OF SENATE BILLS

Senate Bill No. 120. A Bill for an Act Making an Appropriation for the General Maintenance, Administration, Salaries and Other Expenses for the State Hospital for the Insane at Jamestown, North Dakota, and Prescribing a Limitation as to the Availability of the Same.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 90; nays, 1; absent and not voting, 22.

Those voting in the affirmative were:

Allen, Grand Forks	Gainor	Myers
Allen, Pierce	Graham	Nelson
Anderson	Haag	Nystrom
Arndt	Halcrow	Olson, Bowman
Bauer	Halvorson	Peterson, Bottina'u

Baumgartner	Haugen	Peterson, Ransom
Belzer	Haugland	Pyle
Benno	Heckman	Rettke
Bergesen	Hegge	Rohrer
Bjella	Hofstrand	Runk
Blair	Hogoboom	Sailer
Bolmeier	Holm	Sandness
Boulden	Hovey	Saumur
Braun	Iszler	Schwartz
Burau	Johnson, Cass	Schmalenberger
Bubel	Johnson, Richland	Schnell
Bymers	Johnson, Rolette	Shure
Callahan	Kolpin	Starck
Carlson	Langley	Sticka
Collette	Larson, Wells	Stormon
Crockett	Leet	Tuff
Dahlen	Levin	Welder
Dalzell	Lillehaugen	Welk
Devlin	Lunde	Westby
Drovdal	Manstrom	Williams, Richland
Ekren	Marks	Williams, Sargent
Falconer	Mollet	Williams, Stütsm'n
Fleck	Monson	Wolf, McIntosh
Fraser	Morland	Wolf, Morton
Gackle	Morrison	Mr. Speaker

Those voting in the negative were:

Mittag

Absent and not voting:

Aker	Larson, Ward	Rohde
Bagge	McInnes	Sellens
Coghlan	Moe	Severson
Fitch	Mortenson	Sharpe
Forseth	Olson, Barnes	Stair
Fuglestad	Ohnstad	Twichell
Hildre	Ostgulen	Wambheim

So the bill passed and the title was agreed to.

Rep. Bauer: "I want my remarks in the Journal. From the remarks Brother Johnson of Cass has made I think he knows what he is talking about. I know he is honest and square and therefore I vote 'Aye'."

Rep. Haugen moved that Senate Bill No. 175 be re-referred to the Committee on Agriculture for clarification, which motion prevailed.

Rep. Twichell asked unanimous consent to amend Senate Bill No. 152, which request was granted.

Rep. Twichell moved that the amendment to Senate Bill No. 152 shown on page 746 of the House Journal be inserted in the bill after line 24 and that the lines be renumbered accordingly, which motion prevailed.

Rep. Twichell moved that the rules be suspended and Senate Bill No. 152 be considered properly engrossed and placed on second reading and final passage, which motion prevailed.

Senate Bill No. 152. A Bill for an Act to Amend and Re-enact Section Six (6) of Chapter 110 of the Session Laws of 1937 Relating to License Fees of Public Contractors, 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, 68; nays, 24; absent and not voting, 21.

Those voting in the affirmative were:

Allen, Grand Forks	Fuglestad	Morrison
Allen, Pierce	Gackle	Nystrom
Arndt	Gainor	Olson, Bowman
Bagge	Halcrow	Peterson, Ransom
Baumgartner	Halvorson	Rettke
Belzer	Haugland	Rohrer
Bergesen	Heckman	Runck
Bjella	Hegge	Sailer
Blair	Hofstrand	Sandness
Bolmeier	Hogoboom	Saumur
Boulden	Holm	Schwartz
Braun	Hovey	Schmalenberger
Bymers	Johnson, Cass	Severson
Callahan	Johnson, Richland	Shure
Carlson	Johnson, Rolette	Sticka
Collette	Kolpin	Stormon
Crockett	Langley	Twichell
Dahlen	Leet	Westby
Dalzell	Lillehaugen	Williams, Richland
Devlin	Lunde	Williams, Sargent
Ekren	Manstrom	Williams, Stutsm'n
Falconer	Moe	Mr. Speaker
Fleck	Morland	

Those voting in the negative were:

Anderson	Iszler	Peterson, Bottin'au
Bauer	Larson, Wells	Schnell
Bubel	Levin	Starck
Burau	Marks	Tuff
Drovdal	Mittag	Welder
Fraser	Mollet	Welk
Haag	Monson	Wolf, McIntosh
Haugen	Nelson	Wolf, Morton

Absent and not voting:

Aker	Jennings	Ostgulen
Benno	Larson, Ward	Pyle
Coghlan	McInnes	Rohde
Fitch	Mortenson	Sellens
Forseth	Myers	Sharpe
Graham	Olson, Barnes	Stair
Hildre	Ohnstad	Wambheim

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

Rep. Twichell moved that the vote by which Senate Bill No. 152 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Rep. Boulden moved that Rep. Johnson of Cass be permitted to vote on Senate Bill No. 152, which motion prevailed and Rep. Johnson voted 'Aye'."

Senate Bill No. 123. A Bill for an Act to Authorize the State Highway Commissioner to Cancel Certain Contracts for the Construction, Reconstruction, or Repair of Highways or Bridges Which Cannot Be Performed Because of War

Conditions, and to Make Full Settlement with Such Contractors, 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, 91; nays, 0; absent and not voting, 22.

Those voting in the affirmative were:

Allen, Grand Forks	Gainor	Nystrom
Allen, Pierce	Haag	Olson, Barnes
Anderson	Halcrow	Olson, Bowman
Arndt	Halvorson	Peterson, Bottin'au
Bagge	Haugland	Peterson, Ransom
Bauer	Heckman	Rettke
Baumgartner	Hegge	Rohrer
Belzer	Hofstrand	Runck
Bergesen	Hogboom	Sailer
Bjella	Holm	Sandness
Blair	Hovey	Saumur
Rolmeier	Iszler	Schwartz
Boulden	Johnson, Cass	Schmalenberger
Braun	Johnson, Richland	Schnell
Bubel	Johnson, Rolette	Severson
Burau	Kolpin	Shure
Bymers	Langley	Starck
Callahan	Larson, Wells	Sticka
Carlson	Leet	Stormon
Collette	Levin	Twichell
Crockett	Lillehaugen	Tuff
Dahlen	Lunde	Welder
Dalzell	Manstrom	Welk
Devlin	Marks	Westby
Drovdal	Mittag	Williams, Richland
Ekren	Mollet	Williams, Sargent
Falconer	Monson	Williams, Stutsm'n
Fleck	Morland	Wolf, McIntosh
Fraser	Myers	Wolf, Morton
Fuglestad	Nelson	Mr. Speaker

Absent and not voting:

Aker	Jennings	Ostgulen
Benno	Larson, Ward	Pyle
Coghlan	McInnes	Rohde
Fitch	Moe	Sellens
Forseth	Morrison	Sharpe
Graham	Mortenson	Stair
Haugen	Ohnstad	Wambheim
Hildre		

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

Rep. Johnson of Cass 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.

Rep. Rettke moved that Senate Bill No. 80 be placed in General Orders, which motion was lost.

Senate Bill No. 80. A Bill for an Act to Amend and Re-enact Section 3173 of the Compiled Laws of North Dakota for 1913, Relating to Newspapers Qualified to Do Legal

Printing, Prescribing Methods Whereby Newspapers Suspending Publication During the War May Become Eligible to Publish Legal Publications.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 84; nays, 2; absent and not voting, 26; passed, 1.

Those voting in the affirmative were:

Allen, Grand Forks	Gainor	Monson
Allen, Pierce	Graham	Morland
Anderson	Halcrow	Myers
Arndt	Halvorson	Nelson
Bagge	Haugen	Nystrom
Bauer	Haugland	Olson, Barnes
Baumgartner	Heckman	Olson, Bowman
Belzer	Hegge	Peterson, Bottin'au
Bergesen	Hofstrand	Peterson, Ransom
Bjella	Hogoboom	Rettke
Blair	Holm	Rohrer
Bolmeier	Hovey	Runk
Boulden	Iszler	Sailer
Braun	Johnson, Cass	Saumur
Bubel	Johnson, Richland	Schwartz
Burau	Johnson, Rolette	Schmalenberger
Bymers	Kolpin	Severson
Callahan	Langley	Shure
Collette	Larson, Wells	Starck
Crockett	Leet	Sticka
Dahlen	Levin	Stormon
Devlin	Lillehaugen	Tuff
Drovdal	Lunde	Welk
Ekren	McInnes	Westby
Falconer	Manstrom	Williams, Richland
Fleck	Marks	Williams, Sargent
Fraser	Mittag	Williams, Stutsman
Fuglestad	Mollet	Wolf, Morton

Those voting in the negative were:

Haag                      Wolf, McIntosh

Absent and not voting:

Aker	Jennings	Sandness
Benno	Larson, Ward	Schnell
Carlson	Moe	Sellens
Coghlan	Morrison	Sharpe
Dalzell	Mortenson	Stair
Fitch	Ohnstad	Twichell
Forseth	Ostgulen	Wambheim
Gackle	Pyle	Welder
Hildre	Rohde	

Passed:

Mr. Speaker

So the bill passed and the title was agreed to.

Rep. Bergesen moved that the vote by which Senate Bill No. 80 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

#### GENERAL ORDERS

Rep. Johnson of Richland moved that the House resolve itself into a committee of the whole for the consideration of

general orders; which motion prevailed, and the House resolved itself into a committee of the whole.

The Speaker called Rep. Johnson of Richland to the chair.

When the committee arose it submitted the following report:

Mr. Speaker: The committee of the whole have had under consideration:

Senate Bill No. 96.

In line 27, strike out the period and insert the words "for a period not to exceed two years after the passage and approval of this Act."

And recommend the following further amendment:

In line 23, strike out the word "three" and insert the word "two".

And when so amended recommend the same do pass.

Senate Bill No. 67.

In line 8, change the period to a comma and add the following: "and upon conviction thereof shall be fined not less than \$100.00 nor more than \$500.00, or be imprisoned in the county jail for not less than 30 days nor more than six months, or both such fine and imprisonment." And renumber the lines.

In the title of the bill change the word "Creating" to "Declaring".

And when so amended recommend the same do pass.

Senate Bill No. 161.

In line 3 of the title, change the period to a comma and insert the following: "providing for licenses and fees for poultry processors, packers and buyers; hatcheries, baby chick and turkey poult jobbers and salesmen, record of performance, breeders and poultry feed manufacturers, wholesalers and retailers, and defining retailers."

After line 46 add the following: "Section 2. AMENDMENT.) That Section 5 of Chapter 7, Session Laws of 1939 is hereby amended and re-enacted to read as follows:

Section 5. LICENSES AND FEES.) No person shall hereafter engage in the business of poultry and/or turkey buyer, processor, packer, hatchery operator, baby chick jobber, or salesman, record of performance breeder, or poultry and/or turkey feed manufacturer, wholesaler or retailer, without first securing from said North Dakota Poultry Improvement Board a license to engage therein, which said licenses shall expire on the first day of July of each year, and shall be issued or renewed by said board only upon payment to said board of such fees as may be fixed by said board for each of said occupations, not exceeding, however, the amounts hereinafter set forth, to wit:

(a) Poultry and/or turkey buyers, processors, and packers; annual license fee \$1.00, plus 25¢ per thousand pounds (or fraction thereof) of poultry and/or turkeys processed, packed or sold.

(b) Hatcheries; annual license fee \$1.00 plus 50¢ per thousand eggs or fraction thereof based upon manufacturer's rated incubating capacity.

(c) Baby chick and/or turkey poult jobbers and sales-

men; annual license fee, \$1.00, plus 50¢ per thousand chicks and/or poults or fraction thereof sold.

(d) Record of performance breeders; annual license fee, \$10.00 plus 5¢ per pullet candidate over 100 birds entered in R. O. P. Work.

(e) Poultry and/or turkey feed manufacturers, wholesalers and retailers; annual license fee \$1.00, plus 50¢ per ton for all mixed poultry feeds produced or sold in the State of North Dakota. Provided, that the Poultry Improvement Board shall collect license from only one source, and if the fee is paid by the manufacturer or wholesaler, it shall not be collected from the retailer. A person shall be deemed a retailer who sells poultry and/or turkey feed to the ultimate consumer.

It is the intention of this act that the foregoing schedule of license charges and fees shall constitute the maximum to be charged and collected, but the North Dakota Poultry Improvement Board shall have authority, if it determines that any or all of such fees or charges are excessive or unduly burdensome, or that a lesser schedule of fees will produce all income necessary for carrying on the work of the Board, to reduce the license charges and fees of any or all of such occupations.

The annual license fees for the ensuing year, plus all other fees previously accrued, must be paid before any license is issued, and all accrued fees other than license fees must be remitted at the time of making the reports hereinafter required. Failure to pay any fee or license charge within ten (10) days after the same shall become due shall constitute a violation of this Act." And renumber the lines.

And when so amended recommend the same do pass.

Senate Bill No. 180.

And recommend that the House reject the amendments as offered by the standing committee.

And recommend the following further amendments:

On page 523 of the Senate Journal in line 110 after the word "dependents" add the words "and not compensated for by insurance or otherwise". And renumber the lines.

REP. JOHNSON OF RICHLAND, Chairman.  
Committee of the Whole.

Rep. Bolmeier moved that the report of the Committee of the Whole be adopted, which motion prevailed.

Rep. Graham moved that the House proceed to the second reading and final passage of Senate Bills Nos. 84 to 90, which motion prevailed.

#### SECOND READING OF SENATE BILLS

Senate Bill No. 84. A Bill for an Act to Amend and Re-enact Section 3276 of the Compiled Laws of North Dakota for 1913 Relating to Supervision of Fiscal Affairs by the County Commissioners, 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, 67; nays, 0; absent and not voting, 46.

Those voting in the affirmative were:

Allen, Grand Forks	Haag	Myers
Allen, Pierce	Halcrow	Nelson
Arndt	Halvorson	Nystrom
Bagge	Haugen	Olson, Bowman
Bauer	Haugland	Peterson, Bottin'au
Belzer	Heckman	Peterson, Ransom
Bergesen	Hofstrand	Rettke
Bjella	Hogoboom	Rohrer
Blair	Holm	Runck
Boulden	Hovey	Sailer
Bolmeier	Kolpin	Saumur
Braun	Langley	Severson
Bubel	Leet	Shure
Bureau	Levin	Starck
Callahan	Lillehaugen	Sticka
Carlson	Lunde	Stormon
Crockett	Manstrom	Twichell
Dahlen	Marks	Westby
Devlin	Mittag	Williams, Sargent
Falconer	Moe	Wolf, McIntosh
Fraser	Monson	Wolf, Morton
Fuglestad	Morland	Mr. Speaker
Graham		

Absent and not voting:

Aker	Hildre	Pyle
Anderson	Iszler	Rohde
Baumgartner	Jennings	Sandness
Benno	Johnson, Cass	Schwartz
Bymers	Johnson, Richland	Schmalenberger
Coghlan	Johnson, Rolette	Schnell
Collette	Larson, Ward	Sellens
Dalzell	Larson, Wells	Sharpe
Drovdal	McInnes	Stair
Ekren	Mollet	Tuff
Fitch	Morrison	Wambheim
Fleck	Mortenson	Welder
Forseth	Olson, Barnes	Welk
Gackle	Ohnstad	Williams, Richland
Gainor	Ostgulen	Williams, Stutsm'n
Hegge		

So the bill passed and the title was agreed to.

Rep. Moe 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. 85. A Bill for an Act Requiring the Numbering of Forms by the Printer, Prescribing a Penalty for the Violation of the 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, the roll was called and there were ayes, 67; nays, 0; absent and not voting, 46.

Those voting in the affirmative were:

Allen, Grand Forks	Haag	Morland
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Allen, Pierce	Halvorson	Myers
Bagge	Haugen	Nelson
Bauer	Heckman	Nystrom
Belzer	Halcrow	Olson, Bowman
Bergesen	Haugland	Peterson, Bottin'au
Bjella	Hofstrand	Peterson, Ransom
Blair	Hogoboom	Rettke
Bolmeier	Holm	Rohrer
Boulden	Hovey	Runk
Braun	Johnson, Richland	Sailer
Bubel	Kolpin	Saumur
Burau	Langley	Severson
Callahan	Leet	Shure
Carlson	Levin	Starck
Crockett	Lillehaugen	Sticka
Dahlen	Lunde	Stormon
Dalzell	Manstrom	Twichell
Devlin	Marks	Williams, Sargent
Falconer	Mittag	Wolf, McIntosh
Fraser	Moe	Wolf, Morton
Fuglestad	Monson	Mr. Speaker
Graham		

## Absent and not voting:

Aker	Hildre	Rohde
Anderson	Iszler	Sandness
Arndt	Jennings	Schwartz
Baumgartner	Johnson, Cass	Schmalenberger
Benno	Johnson, Rolette	Schnell
Bymers	Larson, Ward	Sellens
Coghlan	Larson, Wells	Sharpe
Collette	McInnes	Stair
Drovdal	Mollet	Tuff
Ekren	Morrison	Wambheim
Fitch	Mortenson	Welder
Fleck	Olson, Barnes	Welk
Forseth	Ohnstad	Westby
Gackle	Ostgulen	Williams, Richland
Gainor	Pyle	Williams, Stutsman
Hegge		

So the bill passed and the title was agreed to.

Rep. Mittag moved that the vote by which Senate Bill No. 85 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senate Bill No. 86. A Bill for an Act Requiring Verification of Cash and Bank Balances in Hands of County Treasurer, 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, 65; nays, 0; absent and not voting, 48.

Those voting in the affirmative were:

Allen, Grand Forks	Graham	Myers
Allen, Pierce	Haag	Nelson
Bagge	Halcrow	Nystrom
Bauer	Halvorson	Olson, Bowman
Belzer	Haugen	Peterson, Bottin'au
Bergesen	Haugland	Peterson, Ransom

Bjella	Heckman	Rettke
Blair	Hofstrand	Rohrer
Bolmeier	Hogoboom	Runk
Boulden	Holm	Sailer
Braun	Hovey	Saumur
Bubel	Johnson, Richland	Severson
Bureau	Kolbin	Shure
Callahan	Langley	Starck
Carlson	Leet	Sticka
Crockett	Lillehaugen	Twichell
Dahlen	Manstrom	Williams, Sargent
Dalzell	Marks	Williams, Stutsman
Devlin	Mittag	Wolf, McIntosh
Falconer	Moe	Wolf, Morton
Fraser	Monson	Mr. Speaker
Fuglestad	Morland	

Absent and not voting:

Aker	Hildre	Pyle
Anderson	Iszler	Rohde
Arndt	Jennings	Sandness
Baumgartner	Johnson, Cass	Schwartz
Benno	Johnson, Rolette	Schmalenberger
Bymers	Larson, Ward	Schnell
Coghlan	Larson, Wells	Sellens
Collette	Levin	Sharpe
Drovdal	Lunde	Stair
Ekren	McInnes	Stormon
Fitch	Mollet	Tuff
Fleck	Morrison	Wambheim
Forseth	Mortenson	Welder
Gackle	Olson, Barnes	Welk
Gainor	Ohnstad	Westby
Hegge	Ostgulen	Williams, Richland

So the bill passed and the title was agreed to.

Rep. Holm moved that the vote by which Senate Bill No. 86 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senate Bill No. 87. A Bill for an Act to Amend and Re-enact Section 2079b9 of the 1925 Supplement to the Compiled Laws of North Dakota for 1913, Relating to Records of Local Bond Issues, and Repealing All Acts or Parts of Acts in Conflict Herewith.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 60; nays, 0; absent and not voting, 53.

Those voting in the affirmative were:

Allen, Pierce	Fuglestad	Moe
Bagge	Graham	Monson
Bauer	Haag	Morland
Belzer	Halcrow	Myers
Bergesen	Halvorson	Nelson
Bjella	Haugen	Nystrom
Blair	Haugland	Olson, Bowman
Bolmeier	Heckman	Peterson, Ransom
Boulden	Hofstrand	Rettke
Braun	Hogoboom	Rohrer

Bubel	Holm	Runk
Burau	Hovey	Sailer
Callahan	Johnson, Richland	Shure
Carlson	Kolpin	Starck
Crockett	Langley	Sticka
Dahlen	Leet	Twitchell
Dalzell	Lillehaugen	Williams, Sargent
Devlin	Manstrom	Wolf, McIntosh
Falconer	Marks	Wolf, Morton
Fraser	Mittag	Mr. Speaker

Absent and not voting:

Aker	Iszler	Sandness
Allen, Grand Forks	Jennings	Saumur
Anderson	Johnson, Cass	Schwartz
Arndt	Johnson, Rolette	Schmalenberger
Baumgartner	Larson, Ward	Schnell
Benno	Larson, Wells	Sellens
Bymers	Levin	Severson
Coghlan	Lunde	Sharpe
Collette	McInnes	Stair
Drovdal	Mollet	Stormon
Ekren	Morrison	Tuff
Fitch	Mortenson	Wambheim
Fleck	Olson, Barnes	Welder
Forseth	Ohnstad	Welk
Gackle	Ostgulen	Westby
Gainor	Peterson, Bottin'au	Williams, Richland
Hegge	Pyle	Williams, Stutsm'n
Hildre	Rohde	

So the bill passed and the title was agreed to.

Rep. Lillehaugen moved that the vote by which Senate Bill No. 87 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senate Bill No. 88. A Bill for an Act to Amend and Re-enact Subsection (e) of Section 1 of Chapter 279 of the Session Laws of North Dakota for 1931, the Same Being an Amendment of Section 2166 of the Compiled Laws of North Dakota for 1913 as Amended and Re-enacted by Section 3 of Chapter 241 of the Session Laws of North Dakota for 1929, as Further Amended by Chapter 279 of the Session Laws of North Dakota for 1941, Relating to the Collection of Personal Property Taxes by the County Sheriff, 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, 64; nays, 0; absent and not voting, 49.

Those voting in the affirmative were:

Allen, Pierce	Haag	Morland
Bagge	Halcrow	Morrison
Bauer	Haugen	Myers
Belzer	Haugland	Nystrom
Bergesen	Heckman	Olson, Bowman
Bjella	Hofstrand	Peterson, Bottin'au
Blair	Hogoboom	Peterson, Ransom
Bolmeier	Holm	Rettker
Boulden	Hovey	Rohrer

Braun	Iszler	Runck
Bubel	Johnson, Richland	Sailer
Bureau	Kolpin	Saumur
Callahan	Langley	Severson
Carlson	Leet	Shure
Crockett	Levin	Starck
Dahlen	Lillehaugen	Sticka
Dalzell	Manstrom	Twichell
Devlin	Marks	Williams, Sargent
Falconer	Mittag	Wolf, McIntosh
Fraser	Moe	Wolf, Morton
Fuglestad	Monson	Mr. Speaker
Graham		
Absent and not voting:		
Aker	Hegge	Rohde
Allen, Grand Forks	Hildre	Sandness
Anderson	Jennings	Schwartz
Arndt	Johnson, Cass	Schmalenberger
Baumgartner	Johnson, Rolette	Schnell
Benno	Larson, Ward	Sellens
Bymers	Larson, Wells	Sharpe
Coghlan	Lunde	Stair
Collette	McInnes	Stormon
Drovdal	Mollet	Tuff
Ekren	Mortenson	Wambheim
Fitch	Nelson	Welder
Fleck	Olson, Barnes	Welk
Forseth	Ohnstad	Westby
Gackle	Ostgulen	Williams, Richland
Gainor	Pyle	Williams, Stutsman
Halvorson		

So the bill passed as amended and the title was agreed to.

Rep. Sticka moved that the vote by which Senate Bill No. 88 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senate Bill No. 89. A Bill for an Act to Amend and Re-enact Section 2159 of the Compiled Laws of North Dakota for 1913, Relating to the Records of the County Treasurer, 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, 63; nays, 0; absent and not voting, 50.

Those voting in the affirmative were:

Allen, Pierre	Graham	Monson
Bagge	Haag	Morland
Bauer	Halcrow	Morrison
Belzer	Halvorson	Myers
Bergesen	Haugen	Nelson
Bjella	Haugland	Nystrom
Blair	Heckman	Olson, Bowman
Bolmeier	Hofstrand	Peterson, Ransom
Boulden	Hogoboom	Rohrer
Braun	Holm	Runck
Bubel	Hovey	Sailer
Bureau	Iszler	Saumur
Callahan	Johnson, Richland	Severson

Carlson	Koplin	Shure
Crockett	Langley	Starck
Dahlen	Levin	Sticka
Dalzell	Lillehaugen	Twichell
Devlin	Manstrom	Williams, Sargent
Falconer	Marks	Wolf, McIntosh
Fraser	Mittag	Wolf, Morton
Fuglestad	Moe	Mr. Speaker
Absent and not voting:		
Aker	Hildre	Rohde
Allen, Grand Forks	Jennings	Sandness
Anderson	Johnson, Cass	Schwartz
Arndt	Johnson, Rolette	Schmalenberger
Baumgartner	Larson, Ward	Schnell
Benno	Larson, Wells	Sellens
Bymers	Leet	Sharpe
Coghlan	Lunde	Stair
Collette	McInnes	Stormon
Drovdal	Mollet	Tuff
Ekren	Mortenson	Wambheim
Fitch	Olson, Barnes	Welder
Fleck	Ohnstad	Welk
Forseth	Ostgulen	Westby
Gackle	Peterson, Bottin'au	Williams, Richland
Gainor	Pyle	Williams, Stutsm'n
Hegge	Rettke	

So the bill passed and the title was agreed to.

Rep. Sticka moved that the vote by which Senate Bill No. 89 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senate Bill No. 90. A Bill for an Act to Amend and Re-enact Sections 3369 and 3370 of the Compiled Laws of North Dakota for 1913, Relating to County Warrant Procedures, and Repealing Section 3289 of the Compiled Laws of North Dakota for 1913 and All Acts or Parts of Acts in Conflict Herewith.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 65; nays, 1; absent and not voting, 47.

Those voting in the affirmative were:

Allen, Pierce	Haag	Morrison
Bagge	Halcrow	Myers
Bauer	Halvorson	Nelson
Belzer	Haugen	Nystrom
Bergesen	Haugland	Olson, Bowman
Ejella	Heckman	Peterson, Ransom
Blair	Hofstrand	Rettke
Bolmeier	Hogoboom	Rohrer
Boulden	Holm	Runck
Braun	Hovey	Sailer
Bubel	Iszler	Saumur
Burau	Johnson, Richland	Schmalenberger
Callahan	Kolpin	Severson
Carlson	Langley	Shure
Crockett	Leet	Starck
Dahlen	Levin	Sticka

Dalzell	Lillehaugen	Twichell
Devlin	Manstrom	Williams, Sargent
Falconer	Marks	Wolf, McIntosh
Fraser	Moe	Wolf, Morton
Fuglestad	Monson	Mr. Speaker
Graham	Morland	

Those voting in the negative were:

Mittag

Absent and not voting:

Aker	Hegge	Rohde
Allen, Grand Forks	Hildre	Sandness
Anderson	Jennings	Schwartz
Arndt	Johnson, Cass	Schnell
Baumgartner	Johnson, Rolette	Sellens
Benno	Larson, Ward	Sharpe
Bymers	Larson, Wells	Stair
Coghlan	Lunde	Stormon
Collette	McInnes	Tuff
Drovdal	Mollet	Wambheim
Ekren	Mortenson	Welder
Fitch	Olson, Barnes	Welk
Fleck	Ohnstad	Westby
Forseth	Ostgulen	Williams, Richland
Gackle	Peterson, Bottina'u	Williams, Stutsman
Gainor	Pyle	

So the bill passed as amended and the title was agreed to.

Rep. Saumur moved that the vote by which Senate Bill No. 90 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senate Concurrent Resolution "T." A Concurrent Resolution Memorializing Congress to Make No Further Extension of Game Reserves in the State of North Dakota.

Was read the second time.

Rep. Halvorson moved that Senate Concurrent Resolution "T" be adopted, which motion prevailed and the Resolution was adopted.

Rep. Morland moved that the House do now recess until 1:00 o'clock p. m., Monday, which motion prevailed and the House stood recessed.

W. M. SMART, Chief Clerk.

FIFTY-FOURTH DAY AFTER RECESS AND  
THE FIFTY-SIXTH DAY

Bismarck, March 1, 1943

The House convened at 1:00 o'clock p. m., pursuant to recess, Speaker Beede presiding.

The Speaker announced the House would be on the fifth order of business.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: Your Committee on Insurance to whom was referred Senate Bill No. 97, have had the same under consideration and recommend that the same do pass.

REP. PETERSON of Bottineau, Chairman.

Rep. Blair moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Insurance to whom was referred Senate Bill No. 99, have had the same under consideration and recommend that the same do pass.

REP. PETERSON of Bottineau, Chairman.

Rep. Mollet moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Insurance to whom was referred Senate Bill No. 100 have had the same under consideration and recommend that the same do pass.

REP. PETERSON of Bottineau, Chairman.

Rep. Sailer moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Insurance to whom was referred Senate Bill No. 101 have had the same under consideration and recommend that the same do pass.

REP. PETERSON of Bottineau, Chairman.

Rep. Callahan moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Insurance to whom was referred Senate Bill No. 102 have had the same under consideration and recommend that the same be amended as follows:

In the last line of the Title of the Bill strike out everything after the word "Insurance" and insert a period after the word "Insurance."

And when so amended recommend the same do pass.

REP. PETERSON of Bottineau, Chairman.

Rep. Belzer moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Insurance to whom was

referred Senate Bill No. 103 have had the same under consideration and recommend that the same do pass.

REP. PETERSON of Bottineau, Chairman.

Rep. Arndt moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Judiciary to whom was referred Senate Bill No. 209 have had the same under consideration and recommend that the same be amended as follows:

Add the following: "Section 6. The Secretary of State shall sell the published volumes of said code at the price of forty dollars per set to the residents of the State of North Dakota and fifty dollars per set to the non-residents, and the proceeds thereof shall be paid into the general fund of the state." And re-number the lines.

And when so amended recommend the same do pass.

REP. OHNSTAD, Chairman.

Rep. Bergesen moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Judiciary to whom was referred Senate Bill No. 156 have had the same under consideration and recommend that the same do pass.

REP. OHNSTAD, Chairman.

Rep. Leet moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Judiciary to whom was referred Senate Bill No. 136 have had the same under consideration and recommend that the same do pass.

REP. OHNSTAD, Chairman.

Rep. Graham moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Judiciary to whom was referred Senate Bill No. 185 have had the same under consideration and recommend that the same do pass.

REP. OHNSTAD, Chairman.

Rep. Leet moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Judiciary to whom was referred Senate Bill No. 188 have had the same under consideration and recommend that the same do pass.

REP. OHNSTAD, Chairman.

Rep. Graham moved that the report be adopted; which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Judiciary to whom was referred Senate Bill No. 204 have had the same under consideration and recommend that the same do pass.

REP. OHNSTAD, Chairman.

Rep. Graham moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Judiciary to whom was referred Senate Bill No. 205 have had the same under consideration and recommend that the same do pass.

REP. OHNSTAD, Chairman.

Rep. Graham moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Judiciary to whom was



referred Senate Bill No. 196 have had the same under consideration and recommend that the same be indefinitely postponed.

REP. OHNSTAD, Chairman.

Rep. Kolpin moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Ways and Means to whom was referred Senate Bill No. 146, have had the same under consideration and recommend that the same do pass.

REP. BENNO, Acting Chairman.

Rep. Bubel moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Ways and Means to whom was referred Senate Bill No. 206, have had the same under consideration and recommend that the same do pass.

REP. BENNO, Acting Chairman.

Rep. Gackle moved that the report be adopted, which motion prevailed and the report was adopted.

Rep. Levin offered as a substitute motion that Senate Bill No. 206 be placed in General Orders, which motion was lost.

The question was on the adoption of the standing committee report, which motion prevailed.

Mr. Speaker: Your Committee on Ways and Means to whom was referred Senate Bill No. 133, have had the same under consideration and recommend that the same do pass.

REP. BENNO, Acting Chairman.

Rep. Devlin moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Ways and Means to whom was referred Senate Bill No. 134, have had the same under consideration and recommend that the same do pass.

REP. BENNO, Acting Chairman.

Rep. Bubel moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Ways and Means to whom was referred Senate Bill No. 164, have had the same under consideration and recommend that the same be indefinitely postponed.

REP. BENNO, Acting Chairman.

Rep. Bubel moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Counties to whom was referred Senate Bill No. 112, have had the same under consideration and recommend that the same be amended as follows:

In line 14, insert the word conflict before the word herewith.

And when so amended recommend the same do pass.

REP. ROHDE, Chairman.

Rep. Wolf of McIntosh moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Counties to whom was referred Senate Bill No. 109, have had the same under consideration and recommend that the same do pass.

REP. ROHDE, Chairman.

Rep. Holm moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Counties to whom was referred Senate Bill No. 92, have had the same under consideration and recommend that the same do pass.

REP. ROHDE, Chairman.

Rep. Hovey moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Counties to whom was referred Senate Bill No. 93, have had the same under consideration and recommend that the same do pass.

REP. ROHDE, Chairman.

Rep. Bagge moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Counties to whom was referred Senate Bill No. 94, have had the same under consideration and recommend that the same do pass.

REP. ROHDE, Chairman.

Rep. Holm moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Drainage and Irrigation to whom was referred Senate Concurrent Resolution "1-A," have had the same under consideration and recommend that the same do pass.

REP. SANDNESS, Chairman.

Rep. Halcrow moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Appropriations to whom was referred Senate Bill No. 56, have had the same under consideration and recommend that the same be amended as follows:

In line 1 of the title strike out the words and figures "twenty thousand, (\$20,000.00)" and insert in lieu thereof the words and figures "fifteen thousand, (\$15,000.00)" and in line 37 strike out the words and figures "twenty thousand, (\$20,000.00)" and insert in lieu thereof the words and figures "fifteen thousand, (\$15,000.00)".

And when so amended recommend the same do pass.

REP. JOHNSON OF CASS, Chairman.

Rep. Sticka moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Appropriations to whom was referred Senate Bill No. 168, have had the same under consideration and recommend that the same do pass.

REP. JOHNSON OF CASS, Chairman.

Rep. Lillehaugen moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: 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.

REP. JOHNSON OF CASS, Chairman.

Rep. Allen of Grand Forks moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Appropriations to whom was referred Senate Bill No. 162, have had the same

under consideration and recommend that the same do pass.

REP. JOHNSON OF CASS, Chairman.

Rep. Carlson moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Appropriations to whom was referred Senate Bill No. 65, have had the same under consideration and recommend that the same do pass.

REP. JOHNSON OF CASS, Chairman.

Rep. Lillehaugen moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Banks and Banking to whom was referred Senate Bill No. 172 have had the same under consideration and recommend that the same do pass.

REP. FLECK, Chairman.

Rep. Drovdal moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Banks and Banking to whom was referred Senate Bill No. 171 have had the same under consideration and recommend that the same do pass.

REP. FLECK, Chairman.

Rep. Runck moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Banks and Banking to whom was referred Senate Bill No. 170 have had the same under consideration and recommend that the same do pass.

REP. FLECK, Chairman.

Rep. Runck moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Banks and Banking to whom was referred Senate Bill No. 187 have had the same under consideration and recommend that the same do pass.

REP. FLECK, Chairman.

Rep. Lunde moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Counties to whom was referred Senate Bill No. 91 have had the same under consideration and recommend that the same do pass.

REP. ROHDE, Chairman.

Rep. Holm moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Counties to whom was referred Senate Bill No. 111 have had the same under consideration and recommend that the same do pass.

REP. ROHDE, Chairman.

Rep. Hovey moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on State Affairs to whom was referred Senate Bill No. 105 have had the same under consideration and recommend that the same be indefinitely postponed.

REP. TWICHELL, Chairman.

Rep. Sandness moved that the report be adopted, which motion prevailed and the report was adopted.

Rep. Bolmeier moved that the vote by which Senate Bill No. 105 was indefinitely postponed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Mr. Speaker: Your Committee on State Affairs to whom was referred Senate Concurrent Resolution "W" have had the same under consideration and recommend that the same be indefinitely postponed.

REP. TWICHELL, Chairman.

Rep. Saumur moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on State Affairs to whom was referred Senate Bill No. 192 have had the same under consideration and recommend that the same be indefinitely postponed.

REP. TWICHELL, Chairman.

Rep. Wambheim moved that the report be adopted.

Rep. Morland offered as a substitute motion that Senate Bill No. 192 be placed on the calendar.

A rising vote disclosed 39 voting for and 40 voting against so the motion was lost.

Rep. Morland moved that action on the Standing Committee Report on Senate Bill No. 192 be deferred until after two o'clock Tuesday, which motion prevailed.

HOUSE COMMITTEE ON ENROLLMENT AND ENGROSSMENT

The Committee on Enrollment and Engrossment respectfully reports that:

House Concurrent Resolution "1-D."

Was delivered to the Secretary of State at the hour of 11:30 o'clock A. M., March 1, 1943.

REP. MORLAND, Chairman.

PETITIONS AND COMMUNICATIONS

Copy Letter Addressed to Speaker Beede

BISMARCK JUNIOR CHAMBER OF COMMERCE

March 1, 1943

Mr. Kenneth Simons, Editor  
Bismarck Tribune  
Bismarck, N. Dak.

Dear Ken:

In the Saturday, February 27th, issue of the Bismarck Tribune there was a story announcing that the Junior Chamber of Commerce was to be asked to sponsor a "Bundles for the Legislature" campaign.

Unfortunately for this reason the Junior Chamber has been connected with the "bundles" movement by inference.

Will you please explain in the Tribune that the Junior Chamber was not aware that any such campaign was being organized. No one has approached the Junior Chamber asking us to sponsor such a campaign and we have no intention either now or in the future to engage in it.

Yours very truly,

BURKETT W. HUEY

BWH: VS

President

Rep. Crockett moved that the communication from the Bismarck Junior Chamber of Commerce be printed in the Journal, which motion prevailed.

Rep. Graham submitted to the House the report made by

the Joint House and Senate Committee appointed to investigate the methods of the administration of the Old Age Assistance and moved that the report be printed in the Journal and considered after two o'clock Tuesday afternoon, which motion prevailed.

REPORT OF SELECT COMMITTEE  
REPORT TO 1943 LEGISLATIVE ASSEMBLY OF THE  
JOINT HOUSE AND SENATE COMMITTEE AP-  
POINTED TO INVESTIGATE THE METHODS  
OF THE ADMINISTRATION OF THE  
OLD AGE ASSISTANCE LAWS

In 1935, the Legislature passed an Act for the appointment of a Public Welfare Board consisting of seven members to be appointed by the Governor, Attorney General and Commissioner of Agriculture and Labor, and in turn provided for the appointment of County Welfare Boards to be jointly appointed by the State Welfare Board and the Board of County Commissioners of each county. The provisions of this Act can be found in Chapter 221 of the 1935 Session Laws.

In 1937, the Legislature passed an Old Age Assistance Act, being Chapter 211, providing for the granting of old age assistance on a basis of need in the sum of \$30.00 per month, one-half of such amount being furnished by the federal government.

In 1938, an initiated measure was passed by the people providing for a minimum of old age assistance on a need basis of \$40.00 per month. This is found in Chapter 257 of the 1939 Session Laws.

This measure also provides that the amount of ASSISTANCE SHALL BE SUFFICIENT WHEN ADDED TO ALL OTHER INCOME OF THE 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 PER MONTH WHERE THERE IS ONE RECIPIENT, AND THIRTY DOLLARS PER MONTH FOR EACH RECIPIENT WHERE THERE IS MORE THAN ONE RECIPIENT IN A FAMILY. UP TO THIS TIME, STATE AND COUNTY FUNDS HAVE NOT BEEN AVAILABLE TO PAY MORE THAN AN AVERAGE OF ABOUT \$20.00 PER MONTH PER PERSON.

At the present time, the federal government provides one-half of the amount granted to each person. The State furnishes 42.5 per cent of the whole, and the counties furnish the balance of 7.5 per cent.

As of October, 1942, there were 9,391 people receiving old age assistance, with an average payment per person per month of \$18.88. As of January, this number had decreased to 9,177 persons, and the average payment per person had increased to \$19.30 per month.

The lowest average paid by any county was Hettinger County with \$12.72 per month. The highest average paid by any county was Barnes with \$23.80 per month, leaving a spread of \$11.08.

On November 11, 1940, a North Dakota plan for a low-cost diet was sent to the County Welfare Boards by the Director which provided for a budget of food amounting to \$5.19 per month, or approximately 17 cents a day.

On November 21, 1941, this budget was revised and provided for \$6.51 a month, or 22 cents a day. On October 10, 1942, notice was sent out to increase the food budget 17 per cent above the budget of \$6.51 a month. This continued until the commencement of the present investigation. Since that time, a notice has been sent out increasing the food budget about fifty per cent.

All of the County Welfare Boards were asked to appear before your Investigating Committee. All of them did come except four or five. Your Committee has been impressed with the hearty response received from the County Welfare Board members, who appeared before us to answer our questions and gave us the information we were seeking. The people who serve on these Boards are performing a duty imposed upon them as citizens of this State, and we believe those who have been performing that duty should be commended.

From statements made by them, much confusion appeared to exist on the part of the local Welfare Boards in the administration of the Public Welfare law. Some of them have the understanding that the budget and instructions sent out from the State Welfare office were mandatory, and that the federal government would not approve anything higher. Some disregarded the budget instructions and were suffered so to do. The result is the disparity in old age assistance grants between the different counties.

This condition should not be permitted to exist and must not be permitted to continue. In the State of Nebraska, the disparity between the counties is in the neighborhood of only about \$5.00 per month. A. E. Poe, Social Security Board Regional Representative of Minneapolis, appeared before your Committee and made it clear that the disparity between the counties in North Dakota should not exceed five or six dollars per month.

It also appears that there has been no uniform policy of giving the information to those requesting old age assistance, advising them if their applications are denied or if they are dissatisfied with the amount of the grants made that they may appeal to the State Welfare Board from the decision of the local Welfare Board.

In 1941, the federal board made out an Administrative Review Report for the State of North Dakota growing out of its investigation of the counties of McLean, Burleigh, Stark, Adams, Ward and Grand Forks. This report covered the methods employed by the county in taking and handling applications for old age assistance under rules and regulations promulgated by the State Welfare Board, as well as the methods of supervising the duties, authority and actions of County Welfare Boards as regards fair hearings for those requiring old age assistance, notices of the right of appeal and the activities of the district supervisors sent out by the State Welfare Board to supervise the County Welfare Boards.

This Administrative Review Report contained many suggestions for improvement for bringing home to the applicant the fact of his right to appeal in all instances and to make the procedure in his behalf more workable.

Such report was submitted to E. A. Willson and his staff in the month of May, 1941, and was also discussed with them by the representatives of the federal government.

Representatives of the federal government appeared at the meeting of the State Welfare Board held in May, 1942, and learned that the Administrative Review Report had not been submitted to the Board for its consideration and action.

The members of the State Public Welfare Board receive no compensation for their services. Only their actual expenses in attending the meeting of their Board are paid. They have been in the habit of meeting approximately once a month, and at each meeting are in session on the average of about one day. The Board has under its supervision the administration of a volume of business approximating the amount of three and one-half million dollars per year. One member of the Board has not attended the sessions for the last several meetings. One member of the Board resigned several months ago, and the vacancy has not been filled. It is apparent that the absent members could not have been conscious of their responsibilities in the matter of the administration of the Public Welfare law. Short sessions necessarily give the inference that it has been impossible for them to give the necessary consideration to the various matters concerning assistance to the needy aged, and the adoption of such methods of administration as are found to be necessary for the efficient administration of the law for such assistance and guarantee suitable standards and the procedure to insure uniform and equitable treatment of all applicants for old age assistance.

It appears that in the month of December, 1942, the State Welfare Board made a readjustment of salaries, including raising the salary of the Executive Director to \$400.00 per month, and increased the salaries of the others about fifteen per cent, whereas no other department of the State government was able to make so sweeping salary adjustments under their appropriations.

This shows that the State Welfare Board should more closely supervise the problem of reducing their expenditures. No suggestions were made by E. A. Willson, the Director, for reducing the administrative costs although the commodity stamps are to be abolished within the next month, as are also the National Youth Administration and the Works Projects Administration, thus doing away with three departments.

At the present time, the financial affairs of the County Welfare Boards are examined about every ninety days by an auditor employed by the State Welfare Board. No provision is made for the county executive secretaries to give receipts for the funds collected back from relief clients or other sources.

This method of examination should be changed and put

under the jurisdiction of the State Bank Examiner, who examines all of the county offices.

Chapter 244 of the 1941 Session Laws defines the duties of the State Welfare Board. That Chapter makes it a mandatory duty of such Board:

(a) To take such action and make such rules and regulations as may become necessary to entitle the State to receive aid from the federal government for assistance to the needy aged in North Dakota.

(b) To supervise the administration of assistance to the needy aged throughout the State of North Dakota.

(c) To take such actions, give such directions and promulgate such rules and regulations as may be necessary or desirable to carry out the provisions of the law, including the adoption and application of suitable standards and procedures to insure uniform and equitable treatment of all applicants for old age assistance.

(d) To prescribe the form of and print and supply to the county agencies blanks for applications, reports and such other forms as it may deem necessary and advisable.

Chapter 221 of the 1935 Session Laws provides that the State Welfare Board shall appoint an Executive Director who shall devote his entire time to the duties of his office.

The Social Security Act makes the Executive Director responsible for the preparation of budget estimates, plans for operation, and reports to the State Public Welfare Board, and to keep such Board informed as to trends in the operation of the programs and problems arising.

In advance of the recommendations of the Committee to be hereinafter made, reference may be made to the fact that A. E. Poe stated that any budget for food, clothing or other matters adopted by the State Welfare Board could be filed with the Department at Minneapolis, and if such budgets were followed by the State Board, its action would be entirely agreeable to the federal government whether the budgets be higher or lower than those in force at the present time, with the proviso that the federal government would not pay to exceed fifty per cent of a forty-dollar monthly grant.

In 1941, there was appropriated by the Legislature for old age assistance from July 1, 1941, to July 1, 1943, approximately \$2,193,000. There was included in this, county funds to the amount of \$153,000.00.

On July 1, 1943, there will be available approximately \$500,000 of Federal, State and County funds which could have been used during the preceding period in the increase of grants to old age recipients and which can be used during the balance of the biennium ending on July 1, 1943, in the increasing of such grants.

An Appropriation bill has been adopted by the Senate during the present 1943 Session appropriating approximately \$3,000,000 for old age assistance for the biennium beginning on July 1, 1943, and this amount, if approved by the House of Representatives and signed by the Governor, plus the contributions from the county and federal governments will



make a total approximate sum of \$6,450,000 available for old age assistance during the two years beginning July first next. This amount will furnish an average minimum grant to the old age recipients of some \$30.00 per month in the place of the present average of \$19.00 per month, and will give to many \$40.00 per month where there is need.

#### RECOMMENDATIONS

Your Committee recommends:

1. That the State Welfare Board immediately convene and formulate instructions and orders to the County Welfare Boards, ordering each County Welfare Board immediately to have the cases of the old age recipients under its jurisdiction forthwith re-examined, and that it immediately upon the completion of such examination raise the average monthly grants to its old age recipients in maximum sums consistent with the appropriations made and to be made, as based upon need; nor should any old age recipient be penalized for working at part-time jobs, nor is it a violation of federal regulations, as was so stated by A. E. Poe.

2. That the State Welfare Board perform the duties imposed upon it by Chapter 244 of the 1941 Session Laws, as well as any amendments thereto that may be adopted by the 1943 Session of the Legislature.

3. That any member of the State Welfare Board who fails to attend three meetings in succession should resign.

4. That the Governor, Attorney General and Commissioner of Agriculture and Labor should immediately fill the vacancy caused by the resignation of Jack Patterson, and each subsequent vacancy as it occurs, so that each meeting may be attended by a full membership of the Board.

5. That the Executive Director perform the duties imposed upon him by law in such manner as to carry out the spirit of such law, act as the Secretary of the State Welfare Board and execute the orders and directions of such Board.

6. That if the Executive Director or any deputy who may be appointed to assist him fails or neglects to perform the duties of his office, then the State Welfare Board should immediately remove him from office and fill the vacancy.

7. That the State Welfare Board should direct and order the secretaries of the County Welfare Boards to act in a kind and courteous manner toward and in handling the cases and troubles of old age recipients and applicants.

8. That the State Welfare Board should direct and order each County Welfare Board, in the case of its secretary failing to act in the capacity of secretary of such Board or in performing the duties of his office and acting with a spirit of kindness toward old age recipients, to remove such secretary from office and fill the vacancy with one who will comply with these recommendations.

9. That the State Welfare Board cause the Executive Director to include a mimeograph copy of this report to each old age recipient with the next check, so that each individual may have actual knowledge of the findings and recommendations made by your Committee.

10. That a mimeograph copy of this report and recom-

mendations be immediately mailed to each member of each County Welfare Board in the State.

Dated this 26th day of February, 1943.

F. J. GRAHAM, Chairman and  
Representative, 25th District  
BRYNHILD HAUGLAND  
Representative, 29th District  
WALTER E. SELLENS  
Representative, 27th District  
HARRY KOLPIN  
Representative, 16th District  
M. R. YOUNG  
Senator, 24th District  
J. J. KEHOE  
Senator, 22nd District  
R. M. STREIBEL  
Senator, 33rd District  
Members of the Investigating  
Committee

Rep. Wolf of McIntosh moved that the absent members be excused, which motion prevailed.

Rep. Wolf of McIntosh moved that the House do now adjourn, which motion prevailed.

W. M. SMART, Chief Clerk.

FIFTY-SIXTH DAY

Bismarck, March 1, 1943

The House convened pursuant to adjournment, Speaker Beede presiding.

Prayer was offered by Rev. S. W. Tysdale.

Roll call: All members were present except Reps. Allen of Grand Forks, Bauer, Hildre, Larson of Ward, Monson, Mortenson, Olson of Barnes, Rettke, Schnell and Williams of Richland.

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

Mr. Speaker: Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the fifty-third day after recess and the fifty-fourth day and recommends that the same be corrected as follows:

In line 36 page 771 insert the word "Senate" before the word "Journal" and in line 36 after the word "dependents" add: "strike out the period and".

And when so corrected recommends that the same be approved.

REP. WELDER, Chairman.

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

REPORTS OF STANDING COMMITTEES

Mr. Speaker: Your Committee on Counties to whom was referred Senate Bill No. 110, have had the same under consideration and recommend that the same be amended as follows:

In line three of the title, before the figures 1929, insert the words North Dakota of the year of.

In line 3 of Section 1, before the figures 1929, insert the words North Dakota of the year of.

In line 18, before the word taxes, strike out the words half of and insert the word instalment.

In line 18, after the word or, strike out the word last and insert the word second.

In line 19, before the word taxes, strike out the word half of and insert the word instalment.

And when so amended recommend the same do pass.

REP. ROHDE, Chairman.

Rep. Holm moved that the report be adopted, which motion prevailed and the report was adopted.

#### MESSAGES FROM THE SENATE

Senate Chamber

Bismarck, March 1, 1943

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 11. A Bill for an Act Making an Appropriation for the Enforcement and Administration of the Attorney General Licensing Department.

Senate Bill No. 13. A Bill for an Act Making an Appropriation for the Salaries and Expenses of the Certification Division.

Senate Bill No. 50. A Bill for an Act to Amend and Re-enact Section 30 of Chapter 162 of the 1927 Session Laws Relating to the Duty of the Driver of Any Vehicle Involved in an Accident to Report Such Accident.

Senate Bill No. 79. A Bill for an Act Transferring the Sum of Eighty-Five Thousand Dollars (\$85,000.00) from the Attorney General Licensing Fund to the General Fund of the State.

Senate Bill No. 116. A Bill for an Act to Amend and Re-enact Section 1178 of the Compiled Laws of 1913 Providing for the Employment and Dismissal of School Teachers, Their Qualifications, and Their Minimum Salaries.

Senate Concurrent Resolution "N." A Concurrent Resolution Memorializing Congress to Enact Into Law S207, Known as "The Nye Bill," Providing for Waiver of Second-Class Postal Fees Upon Resumption of Publication by Newspapers That Were Compelled to Suspend Publication Because of War Conditions.

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

W. J. TROUT, Secretary.

Senate Chamber

Bismarck, March 1, 1943

Mr. Speaker: I have the honor to return:

House Bill No. 49. A Bill for an Act for the Adoption of the Revised Code of North Dakota for 1943, Consisting of Sixty-five Titles, as a Complete Body of Laws, and Repealing All Laws Not Specifically Excepted.

House Bill No. 59. A Bill for an Act to Amend and Re-enact Subsection 4 of Section 32 of Chapter 148 of the Ses-

sion Laws of 1931, Providing for an Open Season on Mink, Weasel, Raccoon and Fox.

Which the President has signed.

W. J. TROUT, Secretary.

Senate Chamber

Bismarck, March 1, 1943

Mr. Speaker: I have the honor to return:

House Bill No. 197. A Bill for an Act Relating to the Termination of Farm Leases, and Providing for a Notice for Termination.

House Bill No. 249. A Bill for an Act to Amend and Re-enact Sub-section (e) of Section 6 of Chapter 106 of the 1935 Session Laws, as Amended by Sub-section (e) of Section 3 of Chapter 112 of the 1937 Session Laws, as Amended and Re-enacted by Sub-section (e) of Section 1 of Chapter 116 of the 1941 Session Laws Relating to the Election of Directors of Cooperative Grazing Associations and Amending and Re-enacting Sub-section (j) of Section 10 of Chapter 106 of the Session Laws of 1935 Relating to Rules and Regulations Concerning Disease of Stock.

House Concurrent Resolution "L." Memorializing Congress to Establish a Soy Bean Utilization Plant in Connection with the State Mill and Elevator.

House Concurrent Resolution "U." Memorializing, Petitioning and Urging Congress to Take Such Steps and Measures as Are Necessary for the Purpose of Setting Up a Fund to Provide for the Payment to Each Returned Soldier of an Amount Not Less Than \$100.00 Per Month for a Period of One Year After Duration of the War.

House Concurrent Resolution "1-B." Memorializing the Congress of the United States; His Excellency, the President of the United States; the Vice President of the United States; the Honorable, the Secretary of Agriculture of the United States; and the Honorable John R. Mohler, Chief of the Bureau of Animal Industry its Former Status of Duty and Authority with Respect to the Safe-Guarding of the Livestock Sanitary Welfare and the Livestock Industry of the Nation.

Which the Senate has indefinitely postponed.

W. J. TROUT, Secretary.

Senate Chamber

Bismarck, March 1, 1943

Mr. Speaker: I have the honor to return:

House Bill No. 16. A Bill for an Act Making an Appropriation for the Operating and Maintenance Expenses of the Public Health Department, Public Health Laboratories and Division of Child Hygiene.

House Bill No. 106. A Bill for an Act to Amend and Re-enact Section 1 of Chapter 220 of the Session Laws of North Dakota for the Year 1935, Relating to Expense Accounts of Public Officers, Specifying the Amount to Be Allowed for Personal Sustenance of Officers, Agents and Employees, Exempting the Governor, of the State of North Dakota, or of Any of Its Subdivisions, While Upon Public Expense Account, Repealing All Acts or Parts of Acts in Conflict Herewith, and Declaring an Emergency.

House Bill No. 251. A Bill for an Act Making an Appro-

priation for the Payment of Janitor Services of the House of Representatives of the 28th Legislative Assembly.

House Concurrent Resolution "R." Memorializing Congress of the United States to Lift Restrictions and Priorities on Batteries Used for Telephones and Radios for Farms and Residents in Rural Communities.

Which the Senate has amended.

W. J. TROUT, Secretary.  
Senate Chamber  
Bismarck, March 1, 1943

Mr. Speaker: I have the honor to return:

House Concurrent Resolution "X." A Concurrent Resolution Providing for the Amendment of Section 45 of the Constitution of North Dakota.

Which the Senate has passed unchanged.

W. J. TROUT, Secretary.  
Senate Chamber  
Bismarck, March 1, 1943

Mr. Speaker: I have the honor to transmit:

Senate Concurrent Resolution "1-H." Approving Contracts for the Paper and for Printing and Binding North Dakota Revised Code of 1943.

Senate Joint Memorial Resolution "A."

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

W. J. TROUT, Secretary.  
Senate Chamber  
Bismarck, March 1, 1943

Mr. Speaker: I have the honor to return:

House Bill No. 8. A Bill for an Act Making an Appropriation to the Livestock Sanitary Board, for Its Operating and Maintenance Expense and for Indemnifying Owners of Animals, to the Bangs Disease Fund and to the Bovine Tuberculosis Fund.

House Bill No. 13. 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.

House Bill No. 99. A Bill for an Act Making an Appropriation to Provide Funds for the Maintenance of the North Dakota State Guard, as Provided for Under Chapter 230 of the North Dakota Session Laws of 1941, and to Meet Other Requirements Prescribed by the Federal Statutes, and Declaring an Emergency.

House Bill No. 105. A Bill for an Act to Amend and Re-enact Section 9115 of the Compiled Laws of North Dakota for 1913, Relating to the Issuance of Executions on Judgments in Justice Court.

House Bill No. 118. A Bill for an Act to Amend and Re-enact Section 363 of the 1913 Compiled Laws of North Dakota, as Amended and Re-enacted by Chapter 231 of the Session Laws of North Dakota for 1931, as Amended and Re-enacted by Chapter 223 of the Session Laws of North Dakota for 1933, Relating to the Fixing and Collecting and Distribution of Fees at the Leasing and Sale of School Lands.

House Bill No. 123. A Bill for an Act to Amend and Re-enact Section 1782 of the 1925 Supplement to the Compiled Laws of North Dakota, Relating to Appointment of Commandant and Subordinate Officers of the Soldiers' Home, and Declaring an Emergency.

House Bill No. 124. A Bill for an Act to Amend and Re-enact Section 1779 of the Supplement to the Compiled Laws, 1913, as Amended by Chapter 200 of the Session Laws, 1933; Board of Trustees of North Dakota Soldiers' Home, and Declaring an Emergency.

House Bill No. 170. A Bill for an Act to Amend and Re-enact Chapter 262, Laws of 1941, Relating to the Preservation of the Right to Benefits Under the North Dakota Unemployment Compensation Law for Persons Entering the Military or Naval Service During the Period of Such Service, Extending the Provisions Thereof to Members of the Auxiliary Military or Naval Services, Extending and Limiting the Time of Preservation of Such Rights, Providing Necessary Definitions, Authorizing the Unemployment Compensation Division to Receive and Disburse Funds Provided by the United States Government for Any Special Unemployment Compensation Programs, Repealing the Inconsistent

Which the Senate has passed unchanged.

W. J. TROUT, Secretary.

Senate Chamber

Bismarck, March 1, 1943

Mr. Speaker: I have the honor to return:

House Bill No. 28. 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. 107. A Bill for an Act to Amend and Re-enact Subsections 1 and 2 of Section 1, Chapter 273, Session Laws of North Dakota for the Year 1941; Providing for an Adjustment of Delinquent Taxes for 1939 and Prior Years, and Repealing All Acts or Parts of Acts in Conflict Therewith Including Certain Exceptions, and Declaring an Emergency.

House Bill No. 138. A Bill for an Act to Amend and Re-enact Sections 5 and 8 of Chapter 165 of the Session Laws of 1939, as Amended and Re-enacted by Sections 1 and 2 of Chapter 190 of the Session Laws of 1941 of the State of North Dakota, 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 Providing that the Act Shall Not Be Applicable in Certain Cases Set Forth in This Act; and Repealing All Acts Inconsistent Herewith.

House Bill No. 140. A Bill for an Act to Amend and Re-enact Section 4398, of the 1925 Supplement Relating to the Residence Requirements for Dissolution of Marriage and Declaring an Emergency.

House Bill No. 166. A Bill for an Act Authorizing Employers to Pay to the Surviving Spouse of a Deceased Employee, Wages Owning to the Deceased Employee for Work, Labor or Services Performed for the Employer to the Extent of Four Hundred Dollars (\$400.00) When No Executor or Administrator Has Been Appointed, and Providing for the Discharge of the Employer from Such Obligation by and to the Extent of Such Payment, and Providing That Such Payment Shall Apply in Diminution of Allowance to Family Under Section 8725 Compiled Laws of North Dakota, 1913.

Which the Senate has amended.

W. J. TROUT, Secretary.

#### SECOND READING OF SENATE BILLS

Senate Bill No. 193. A Bill for an Act to Amend and Re-enact Section 994 of the Compiled Laws of North Dakota, 1913, Providing for Preparing and Printing Absent Voter Ballots.

Was read the second time.

Rep. Rohde moved that further consideration of Senate Bill No. 193 be indefinitely postponed, which motion prevailed.

Rep. Rohde moved that the vote by which Senate Bill No. 193 was indefinitely postponed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senate Bill No. 41. A Bill for an Act to Amend and Re-enact Section 988 of the Compiled Laws of the State of North Dakota for the Year of 1913, as Amended and Re-enacted by Chapter 201 of the 1923 Session Laws and Chapter 132 of the 1925 Session Laws, Relating to the Disability of Electors in Marking Their Ballots.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 92; nays, 13; absent and not voting, 8.

Those voting in the affirmative were:

Allen, Grand Forks	Haag	Ohnstad
Allen, Pierce	Halcrow	Ostgulen
Anderson	Halvorson	Peterson, Bottin'au
Arndt	Haugen	Peterson, Ransom
Bagge	Haugland	Pyle
Baumgartner	Heckman	Rohde
Belzer	Hegge	Rohrer
Benno	Hofstrand	Runck
Bergesen	Hogoboom	Sailer
Bjella	Holm	Sandness
Blair	Hovey	Saumur
Bolmeier	Iszler	Schwartz
Braun	Jennings	Schmalenberger
Bubel	Johnson, Richland	Schnell
Burau	Johnson, Rolette	Severson
Callahan	Kolpin	Sharpe
Carlson	Langley	Shure
Coghlan	Larson, Wells	Stair
Collette	Levin	Starck
Crockett	Lillehaugen	Sticka
Dahlen	McInnes	Twichell

Dalzell	Manstrom	Tuff
Devlin	Marks	Wambheim
Drovdal	Mittag	Welder
Falconer	Mollet	Williams, Richland
Fitch	Morland	Williams, Sargent
Forseth	Morrison	Williams, Stutsm'n
Fraser	Myers	Wolf, McIntosh
Gackle	Nelson	Wolf, Morton
Gainor	Nystrom	Mr. Speaker
Graham	Olson, Bowman	
Those voting in the negative were:		
Aker	Fuglestad	Sellens
Boulden	Leet	Stormon
Bymers	Lunde	Welk
Ekren	Moe	Westby
Fleck		
Absent and not voting:		
Bauer	Larson, Ward	Olson, Barnes
Hildre	Monson	Rettke
Johnson, Cass	Mortenson	

So the bill passed and the title was agreed to.

Rep. Carlson moved that the vote by which Senate Bill No. 41 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senate Bill No. 131. A Bill for an Act to Amend and Re-enact Section 27 of Chapter 148 of the Session Laws of North Dakota for 1931 Relating to County Auditors' Bonds, Reports and Fees and Repealing Chapter 160 of the Session Laws of North Dakota for 1941 and All Acts or Parts of Acts in Conflict Herewith.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 97; nays, 7; absent and not voting, 9.

Those voting in the affirmative were:

Allen, Grand Forks	Gainor	Ohnstad
Allen, Pierce	Graham	Ostgulen
Anderson	Haag	Peterson, Bottin'au
Arndt	Halcrow	Peterson, Ransom
Bagge	Halvorson	Pyle
Baumgartner	Haugen	Rohde
Belzer	Haugland	Rohrer
Benno	Heckman	Runck
Bergesen	Hegge	Sailer
Bjella	Hofstrand	Sandness
Blair	Holm	Saumur
Bolmeier	Hovey	Schwartz
Boulden	Iszler	Schmalenberger
Braun	Jennings	Schnell
Bubel	Johnson, Rolette	Sellens
Burau	Kolpin	Severson
Bymers	Langley	Sharpe
Callahan	Larson, Wells	Stair
Carlson	Leet	Starck
Coghlan	Lillehaugen	Sticka
Collette	Lunde	Stormon
Crockett	McInnes	Tuff



Dahlen	Manstrom	Wambheim
Dalzell	Marks	Welder
Devlin	Mittag	Welk
Drovdal	Mollet	Westby
Ekren	Morland	Williams, Richland
Falconer	Morrison	Williams, Sargent
Fleck	Myers	Williams, Stutsm'n
Forseth	Nelson	Wolf, McIntosh
Fraser	Nystrom	Wolf, Morton
Fuglestad	Olson, Bowman	Mr. Speaker
Gackle		
Those voting in the negative were:		
Aker	Levin	Shure
Fitch	Moe	Twichell
Hogoboom		
Absent and not voting:		
Bauer	Johnson, Richland	Mortenson
Hildre	Larson, Ward	Olson, Barnes
Johnson, Cass	Monson	Rettke

So the bill passed and the title was agreed to.

Rep. Graham moved that the vote by which Senate Bill No. 131 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senate Bill No. 96. A Bill for an Act to Amend and Re-enact Sub-section (b) of Section 5 of Chapter 235 of the Session Laws of North Dakota for the Year 1929, as Amended and Re-enacted by Chapter 297 of the Session Laws of North Dakota for the Year 1931, and as Amended and Re-enacted by Chapter 208 of the Session Laws of North Dakota for the Year 1935, and as Amended and Re-enacted by Chapter 175 of the Session Laws of North Dakota for the Year 1937, as Amended and Re-enacted by Chapter 210 of the Session Laws of North Dakota for the Year 1941, Relating to Tax Limitations of Cities.

Was read the second time.

Rep. Graham asked unanimous consent to amend Senate Bill No. 96, which consent was granted.

Rep. Graham moved that Senate Bill No. 96 be amended as follows:

In line 23 of the printed bill substitute the word "three" for the word "two".

In line 21 of the printed bill after the word "cities" insert "having a population of 25,000 or less", which motion prevailed.

Rep. Crockett moved that the rules be suspended and that Senate Bill No. 96 be considered properly engrossed and placed on second reading and final passage, which motion prevailed.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 99; nays, 2; absent and not voting, 12.

Those voting in the affirmative were:

Aker	Graham	Olson, Bowman
Allen, Grand Forks	Haag	Ohnstad
Allen, Pierce	Halcrow	Ostgulen
Anderson	Halvorson	Peterson, Bottin'au

Arndt	Haugen	Peterson, Ransom
Bagge	Haugland	Pyle
Baumgartner	Heckman	Rohde
Belzer	Hegge	Rohrer
Benno	Hofstrand	Runck
Bergesen	Hogboom	Sailer
Bjella	Holm	Sandness
Blair	Hovey	Saumur
Bolmeier	Iszler	Schwartz
Boulden	Jennings	Schmalenberger
Braun	Johnson, Rolette	Schnell
Bubel	Kolpin	Sellens
Bureau	Langley	Severson
Bymers	Larson, Wells	Sharpe
Callahan	Leet	Stair
Coghlan	Levin	Starck
Collette	Lillehaugen	Sticka
Crockett	Lunde	Stormon
Dahlen	McInnes	Tuff
Dalzell	Manstrom	Wambheim
Devlin	Marks	Welder
Drovdal	Mittag	Welk
Ekren	Moe	Westby
Fleck	Mollet	Williams, Richland
Forseth	Morland	Williams, Sargent
Fraser	Morrison	Williams, Stutsm'n
Fuglestad	Myers	Wolf, McIntosh
Gackle	Nelson	Wolf, Morton
Gainor	Nystrom	Mr. Speaker
Those voting in the	negative were:	
Shure	Twichell	
Absent and not voting:		
Bauer	Hildre	Monson
Carlson	Johnson, Cass	Mortenson
Falconer	Johnson, Richland	Olson, Barnes
Fitch	Larson, Ward	Rettke

So the bill passed as amended and the title was agreed to.

Rep. Crockett moved that the vote by which Senate Bill No. 96 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Rep. Rohde moved that Senate Bill No. 67 be placed in General Orders.

On a viva voce vote the Chair was in doubt.

A rising vote disclosed 21 voting for and 59 voting against so the motion was lost.

Rep. Myers moved that Senate Bill No. 67 be indefinitely postponed, which motion was lost.

Rep. Bergesen asked unanimous consent to amend Senate Bill No. 67, which consent was granted.

Rep. Bergesen moved that Senate Bill No. 67 be amended as follows:

That the words "for the purpose of plowing it up" be stricken out of the amendment previously adopted and as shown on page 730 of the House Journal, which motion prevailed.

Rep. Blair moved that the rules be suspended and that Senate Bill No. 67 be considered properly engrossed and placed on second reading and final passage, which motion prevailed.

Senate Bill No. 67. A Bill for an Act to Prohibit Cutting, Removing or Destroying Any Native Growing Fruit Bearing Shrubs, or Trees, Providing a Penalty and Creating an Emergency.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 86; nays, 16; absent and not voting, 10; passed, 1.

Those voting in the affirmative were:

Allen, Grand Forks	Gainor	Olson, Bowman
Allen, Pierce	Graham	Ohnstad
Arndt	Haag	Ostgulen
Bagge	Halcrow	Peterson, Ransom
Belzer	Halvorson	Pyle
Benno	Haugland	Rohrer
Bergesen	Heckman	Rurck
Bjella	Hegge	Sailer
Blair	Hofstrand	Sandness
Bolmeier	Hogoboom	Saumur
Boulden	Holm	Schwartz
Bureau	Hovey	Schmalenberger
Bymers	Iszler	Schnell
Callahan	Johnson, Richland	Sellens
Carlson	Johnson, Rolette	Severson
Coghlan	Kolpin	Sharpe
Collette	Langley	Shure
Dahlen	Larson, Wells	Stair
Dalzell	Leet	Starck
Devlin	Lillehaugen	Sticka
Drovdal	Lunde	Stormon
Ekren	McInnes	Twichell
Falconer	Marks	Wambheim
Fitch	Mittag	Westby
Fleck	Mollet	Williams, Richland
Forseth	Morland	Williams, Stutsm'n
Fraser	Morrison	Williams, Sargent
Fuglestad	Nelson	Wolf, Morton
Gackle	Nystrom	

Those voting in the negative were:

Aker	Levin	Rohde
Baumgartner	Manstrom	Tuff
Braun	Moe	Welder
Bubel	Myers	Welk
Haugen	Peterson, Bottina'u	Wolf, McIntosh
Jennings		

Absent and not voting:

Anderson	Johnson, Cass	Mortenson
Bauer	Larson, Ward	Olson, Barnes
Crockett	Monson	Rettke

Passed:

Mr. Speaker

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

Rep. Dalzell moved that the vote by which Senate Bill No. 67 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senate Bill No. 161. A Bill for an Act to Amend and Re-

enact Section 2 and Section 5 of Chapter 7 of the Session Laws of 1939; Relating to the Membership of the State Poultry Improvement 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, 100; nays, 4; absent and not voting, 9.

Those voting in the affirmative were:

Aker	Haag	Nystrom
Allen, Grand Forks	Halcrow	Olson, Bowman
Allen, Pierce	Halvorson	Ohnstad
Arndt	Haugen	Ostgulen
Bagge	Haugland	Peterson, Bottin'au
Baumgartner	Heckman	Peterson, Ransom
Belzer	Hegge	Pyle
Benno	Hofstrand	Rohde
Bergesen	Hogoboom	Rohrer
Bjella	Holm	Runck
Blair	Hovey	Sandness
Bolmeier	Iszler	Saumur
Boulden	Jennings	Schwartz
Braun	Johnson, Cass	Schmalenberger
Bubel	Johnson, Richland	Schnell
Burau	Johnson, Rolette	Sellens
Bymers	Kolpin	Severson
Callahan	Langley	Sharpe
Coghan	Larson, Ward	Shure
Collette	Larson, Wells	Starck
Crockett	Leet	Sticka
Dahlen	Levin	Stormon
Dalzell	Lillehaugen	Tuff
Devlin	Lunde	Twichell
Drovdal	McInnes	Wambheim
Falconer	Manstrom	Welk
Fitch	Marks	Westby
Fleck	Mittag	Williams, Richland
Forseth	Moe	Williams, Sargent
Fraser	Mollet	Williams, Stutsm'n
Fuglestad	Morland	Wolf, McIntosh
Gackle	Morrison	Wolf, Morton
Gainor	Nelson	Mr. Speaker
Graham		

Those voting in the negative were:

Ekren	Stair	Welder
Myers		

Absent and not voting:

Anderson	Hildre	Olson, Barnes
Bauer	Monson	Rettke
Carlson	Mortenson	Sailer

So the bill passed as amended and the title was agreed to.

Rep. Graham moved that the vote by which Senate Bill No. 161 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senate Bill No. 180. A Bill for an Act to Amend and Re-enact 2346a18 of the 1925 Supplement to the Compiled Laws of North Dakota, as Amended by Section 4 of Chapter

283, Session Laws of 1931, as Further Amended by Section 2 of Chapter 241, Session Laws of 1937, and as Further Amended by Section 1 of Chapter 228, Session Laws of 1939; Providing for Net Operating Loss Carry Over and Additional Deductions in Computing Net Income for Income Tax Purposes, and Declaring an Emergency.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 97; nays, 8; absent and not voting, 8.

Those voting in the affirmative were:

Allen, Grand Forks	Haag	Olson, Bowman
Allen, Pierce	Halcrow	Ohnstad
Anderson	Halvorson	Ostgulen
Arndt	Haugen	Peterson, Ransom
Bagge	Haugland	Pyle
Baumgartner	Heckman	Rettke
Benno	Hegge	Rohrer
Bergesen	Hildre	Runck
Bjella	Hofstrand	Sandness
Blair	Hogoboom	Saumur
Bolmeier	Holm	Schwartz
Boulden	Hovey	Schnell
Braun	Iszler	Sellens
Bubel	Jennings	Severson
Bureau	Johnson, Cass	Sharpe
Callahan	Johnson, Richland	Shure
Coghlan	Johnson, Rolette	Stair
Collette	Langley	Starck
Crockett	Larson, Wells	Sticka
Dahlen	Leet	Stormon
Dalzell	Lillehaugen	Twichell
Devlin	Lunde	Tuff
Drovdal	McInnes	Wambheim
Ekren	Manstrom	Welder
Falconer	Marks	Welk
Fitch	Mittag	Westby
Fleck	Moe	Williams, Richland
Forseth	Mollet	Williams, Sargent
Fraser	Morland	Williams, Stutsm'n
Fuglestad	Morrison	Wolf, McIntosh
Gackle	Nelson	Wolf, Morton
Gainor	Nystrom	Mr. Speaker
Graham		

Those voting in the negative were:

Aker	Kolpin	Sailer
Belzer	Levin	Schmalenberger
Bymers	Rohde	

Absent and not voting:

Bauer	Monson	Olson, Barnes
Carlson	Mortenson	Peterson, Bottin'au
Larson, Ward	Myers	

So the bill passed as amended and the title was agreed to.

Rep. Stormon moved that the vote by which Senate Bill No. 180 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

MESSAGES TO THE SENATE

House of Representatives

Bismarck, March 1, 1943

Mr. President: I have the honor to transmit:

House Bill No. 25. 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.

House Bill No. 84. A Bill for an Act Amending and Re-enacting Section 4 of Chapter 168 of the Laws of 1919 and Acts Amendatory Thereof, Pertaining to Salary of Clerical Help.

House Bill No. 136. A Bill for an Act to Amend and Re-enact Subsection 31 of Section 3514 of the 1913 Compiled Laws, Relating to the Fees to Be Charged by Sheriffs for Boarding Prisoners, and Declaring an Emergency.

House Bill No. 150. A Bill for an Act to Amend and Re-enact Section 1 of Chapter 207, Session Laws of 1935, as Amended by Section 1 of Chapter 209, Session Laws of 1941, Relating to Refunding Special Improvement Warrants, Validating Proceedings Heretofore Taken for Such Refunding and Warrants Issued Thereunder, and Declaring an Emergency.

House Joint Resolution "Z." Requesting the Legislature to Authorize Payment of Certain Employees in the Code Revision Commission.

House Concurrent Resolution "N." Memorializing Congress to Take Action for the Enactment Into Law of Senate Bill 574 Now Pending in United States Congress.

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

W. M. SMART, Chief Clerk.

House of Representatives

Bismarck, March 1, 1943

Mr. President: I have the honor to return:

Senate Bill No. 123. A Bill for an Act to Authorize the State Highway Commissioner to Cancel Certain Contracts for the Construction, Reconstruction, or Repair of Highways or Bridges Which Cannot Be Performed Because of War Conditions, and to Make Full Settlement with Such Contractors, and Declaring an Emergency.

Which the House has amended.

W. M. SMART, Chief Clerk.

House of Representatives

Bismarck, March 1, 1943

Mr. President: I have the honor to return:

Senate Bill No. 159. A Bill for an Act Prescribing the Method of Investing the Various Funds of the State of North Dakota and the Boards, Bureaus, Institutes and Industries of the State; to Eliminate the Confusion and Competition Between the Various Departments Now Selling and Buying Bonds; Provide Penalty for Violation of This Act, and Repealing All Acts in Conflict Herewith.

Which the House has indefinitely postponed.

W. M. SMART, Chief Clerk.

## House of Representatives

Bismarck, March 1, 1943

Mr. President: I have the honor to return:

Senate Concurrent Resolution "T." A Concurrent Resolution Memorializing Congress to Make No Further Extension of Game Reserves in the State of North Dakota.

Senate Concurrent Resolution "1-F." A Concurrent Resolution Providing for a Committee Consisting of the Lieutenant Governor and the Speaker of the House of Representatives to Supervise the Completion of the Codes; Permitting Them to Employ Proof-readers, and Providing for Remuneration.

Senate Bill No. 157. A Bill for an Act to Amend and Re-enact Chapter 190 of the Laws of North Dakota for the Year 1929, Providing That the Execution of a Specified Certificate and the Recording Thereof, Shall Constitute Prima Facie Evidence of the Termination of the Estate Held by a Deceased Person, Under an Estate in Joint Tenancy; Providing for the Recording of Such Certificate; Providing for the Transfer by an Owner to Himself and Others in Joint Tenancy With Right of Survivorship and Declaring Valid Transfers Heretofore Made by Owner to Himself and Others in Joint Tenancy with Right of Survivorship, and Declaring an Emergency.

Senate Bill No. 147. A Bill for an Act Making an Appropriation for the Purpose of Paying for Oleomargarine Stamps.

Senate Bill No. 132. A Bill for an Act to Amend and Re-enact Chapter 218 of the Session Laws of 1935 Giving Preference to North Dakota Bidders and Sellers; Defining Such North Dakota Bidders and Sellers, and Prescribing the Nature of Preference to Be Given.

Senate Bill No. 90. A Bill for an Act to Amend and Re-enact Sections 3369 and 3370 of the Compiled Laws of North Dakota for 1913, Relating to County Warrant Procedures, and Repealing Section 3289 of the Compiled Laws of North Dakota for 1913 and All Acts or Parts of Acts in Conflict Herewith.

Senate Bill No. 89. A Bill for an Act to Amend and Re-enact Section 2159 of the Compiled Laws of North Dakota for 1913, Relating to the Records of the County Treasurer, and Repealing All Acts or Parts of Acts in Conflict Herewith.

Senate Bill No. 88. A Bill for an Act to Amend and Re-enact Subsection (e) of Section 1 of Chapter 279 of the Session Laws of North Dakota for 1931, the Same Being an Amendment of Section 2166 of the Compiled Laws of North Dakota for 1913 as Amended and Re-enacted by Section 3 of Chapter 241 of the Session Laws of North Dakota for 1929, as Further Amended by Chapter 279 of the Session Laws of North Dakota for 1941, Relating to the Collection of Personal Property Taxes by the County Sheriff, and Repealing All Acts or Parts of Acts in Conflict Herewith.

Senate Bill No. 87. A Bill for an Act to Amend and Re-enact Section 2079b9 of the 1925 Supplement to the Compiled Laws of North Dakota for 1913, Relating to Records of Local Bond Issues, and Repealing All Acts or Parts of Acts in Conflict Herewith.

Senate Bill No. 86. A Bill for an Act Requiring Verification of Cash and Bank Balances in Hands of County Treasurer, and Repealing All Acts or Parts of Acts in Conflict Herewith.

Which the House has passed unchanged.

W. M. SMART, Chief Clerk.

House of Representatives

Bismarck, March 1, 1943

Mr. President: I have the honor to return:

Senate Bill No. 85. A Bill for an Act Requiring the Numbering of Forms by the Printer, Prescribing a Penalty for the Violation of the Act, and Repealing All Acts or Parts of Acts in Conflict Herewith.

Senate Bill No. 80. A Bill for an Act to Amend and Re-enact Section 3173 of the Compiled Laws of North Dakota for 1913, Relating to Newspapers Qualified to Do Legal Printing, Prescribing Methods Whereby Newspapers Suspending Publication During the War May Become Eligible to Publish Legal Publications.

Senate Bill No. 69. A Bill for an Act to Provide for the Transfer of a Part of the Unappropriated Surplus Now in the "Auto Transportation Fund" to the Credit of the "General Fund" in the State Treasury and Declaring an Emergency.

Senate Bill No. 62. A Bill for an Act to Encourage Rural Electrification; Classifying the Personal Property of Rural Electric Companies, and Imposing a Gross Receipts Tax on Such Cooperatives in Lieu of All Other Taxes on Such Personal Property; Providing for Reports of Gross Receipts; Prescribing the Duties of Tax Commissioner With Reference to Levying of the Tax and the Duties of the County Auditor and the County Treasurer With Reference to Allocation, Collection and Distribution of Such Tax; and Repealing Chapter 282, Laws of 1941 and All Acts and Parts of Acts in Conflict Herewith.

Senate Bill No. 54. A Bill for an Act Requiring and Compelling All Licensed Beer Dealers to Make Available Reports, Records, Books, Vouchers, and Other Pertinent Documents to the State Tax Commissioner; Providing for Examination; Providing Penalties for Delinquencies and for Violations.

Senate Bill No. 46. A Bill for an Act Making an Appropriation for a Pension for Patricia Ann Crites and Dennis Duane Crites, minor children of National Guardsman John E. Crites.

Senate Bill No. 39. A Bill for an Act Making an Appropriation to Make Up the Deficit in the Fund Known as "The Insurance Tax to Fire Departments" for the Purpose of Paying Insurance Tax to the Various Fire Departments of the State in Compliance with the Provisions of Sections 3993 to 3998 Inclusive of the Compiled Laws of 1913, and Declaring an Emergency.

Senate Bill No. 34. A Bill for an Act to Amend and Re-enact Sections 3, 4, 7, 8, 9 and 10 of Chapter 229, of the Session Laws of 1941, Relating to the North Dakota State Farm, and Making an Appropriation Therefor.

Senate Bill No. 14. A Bill for an Act Making an Appropriation to Defray the Expenses for the Bee Keepers Act.

Which the House has passed unchanged.

W. M. SMART, Chief Clerk.



## GENERAL ORDERS

Rep. Sticka moved that the House resolve itself into a committee of the whole for the consideration of general orders; which motion prevailed, and the House resolved itself into a committee of the whole.

The Speaker called Rep. Sticka to the chair.

When the committee arose it submitted the following report:

Mr. Speaker: The committee of the whole have had under consideration:

Senate Bill No. 118.

In line four, strike out the following words "the 15th day of April in the", and insert in lieu thereof the following: "twenty days before the end of".

In line 17, strike out "after April 15 in any" and insert in lieu thereof the following: "before 20 days before end of school".

In line 36 strike out "April 15" and insert in lieu thereof "20 days before the end of school year."

In line 47, strike out "Ten (10)" and insert in lieu thereof "twenty (20)".

And when so amended recommend the same do pass.

Senate Bill No. 53.

In the title of the bill, at the beginning of the third line of the title in the original bill, after the comma, following the figures 1941, insert the following:

"relative to limitations on hunting and fishing and the possession of game and fish, providing a penalty".

Then strike out all of Lines 1 and 2 and substitute the following:

Chapter 118 of the Session Laws of 1933 as amended by Section 2 of Chapter 158 of the Session Laws of 1941 is hereby amended and re-enacted to read as follows:

## SECTION 1. AMENDMENT.)

In Lines 3, 14, 17 and 26 of the original bill, strike out the word "Section".

In Line 32 of the original bill, strike out the numeral 5 and substitute the numeral 2.

In Line 12, following the word "the" in the printed bill, insert the word "open".

In Line 24, before the word "season", insert the word "open".

## (RENUMBER THE LINES)

And when so amended recommend the same do pass.

REP. STICKA, Chairman.  
Committee of the Whole.

Rep. Bolmeier moved that the report of the Committee of the Whole be adopted, which motion prevailed.

CONSIDERATION OF MESSAGES  
FROM THE SENATE

Amendment to House Bill No. 28:

In the engrossed bill, under Section 1 in line 4, strike out the figures \$197,315.00 and insert the figures \$204,475.00 in lieu thereof.

Under Section 1 in line 12, strike out the figures \$13,440.00 and insert the figures \$15,600.00 in lieu thereof.

Under Section 1, after line 23, insert lines 23a and 23b to read as follows:

23a Education and Rehabilitation (to be spent under the 23b direction of the Director of Voc. Ed. & Rehab.) \$5,000.00

Under Section 1 in line 24, strike out the figures \$197,315.00 and insert the figures \$204,475.00 in lieu thereof.

Rep. Johnson of Cass moved that the House do not concur in Senate amendments to House Bill No. 28, which motion prevailed.

Rep. Johnson of Cass moved that a Conference Committee be appointed on House Bill No. 28, which motion prevailed.

The Speaker appointed on the Conference Committee Reps. Johnson of Cass, Lillehaugen and Blair.

Amendment to House Bill No. 107:

In line 8 of the engrossed bill, strike out the word "October" and insert in lieu thereof, the word "November".

Rep. Aker moved that the House concur in the Senate amendment to House Bill No. 107, which motion prevailed.

Rep. Aker moved that the rules be suspended and House Bill No. 107 be considered properly engrossed and placed on second reading and final passage, which motion prevailed.

House Bill No. 107. A Bill for an Act to Amend and Re-enact Subsections 1 and 2 of Section 1, Chapter 273, Session Laws of North Dakota for the Year 1941; Providing for an Adjustment of Delinquent Taxes for 1939 and Prior Years, and Repealing All Acts or Parts of Acts in Conflict Therewith Including Certain Exceptions, 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, 84, nays, 1, absent and not voting, 28.

Those voting in the affirmative were:

Aker	Graham	Ohnstad
Allen, Grand Forks	Haag	Ostgulen
Allen, Pierce	Halcrow	Peterson, Ransom
Anderson	Halvorson	Pyle
Arndt	Haugen	Rohde
Bagge	Heckman	Rohrer
Baumgartner	Hegge	Runck
Belzer	Hofstrand	Sailer
Benno	Hovey	Sandness
Bergesen	Iszler	Saumur
Blair	Jennings	Schwartz
Bolmeier	Johnson, Cass	Schmalenberger
Braun	Johnson, Rolette	Schnell
Bubel	Kolpin	Severson
Bureau	Langley	Sharpe
Bymers	Larson, Ward	Shure
Callahan	Larson, Wells	Starck
Coghlan	Leet	Sticka
Collette	Levin	Twichell
Crockett	Lillehaugen	Tuff
Dahlen	Lunde	Welder

Dalzell	McInnes	Welk
Devlin	Manstrom	Westby
Droydal	Marks	Williams, Richland
Ekrén	Mittag	Williams, Sargent
Falconer	Mollet	Williams, Stutsm'n
Fuglestad	Morrison	Wolf, Morton
Gackle	Nelson	Mr. Speaker
Those voting in the negative were:		
Sellens		
Absent and not voting:		
Bauer	Hildre	Nystrom
Bjella	Hogboom	Olson, Barnes
Boulden	Holm	Olson, Bowman
Carlson	Johnson, Richland	Peterson, Bottin'au
Fitch	Moe	Rettke
Fleck	Monson	Stair
Forseth	Morland	Stormon
Fraser	Mortenson	Wambheim
Gainor	Myers	Wolf, McIntosh
Haugland		

So the bill passed as amended and the title was agreed to.

Rep. Mollet moved that the vote by which House Bill No. 107 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Rep. Twichell requested the House to return to unfinished business, which request was granted.

Rep. Twichell then approached the Chair stating he had been asked to present the Speaker with a gavel and considered this as "unfinished business" inasmuch as he thought the Speaker had a gavel. This gavel was made from wood from this capitol building and Mr. Twichell stated, "I have a great deal of love and respect for this building and I also have a great deal of respect for you. I hope you didn't wear the other gavel out rapping me down."

The Speaker graciously accepted the gavel stating he had for the first of the Session used a gavel belonging to Mr. C. R. Verry and at present was using one belonging to our former Lieutenant Governor Oscar Hagen. He stated, "I am most happy to now have a gavel of my own and especially one made from wood from our capital building. I shall take it home and believe me, I certainly will cherish it as I will also cherish the words our dean has just spoken."

Rep. Bergesen moved that the House recess for fifteen minutes, which motion prevailed.

The House re-convened pursuant to recess taken, Speaker Beede presiding.

Rep. Aker moved that five additional copies of Memorial Resolution "1-D" be enrolled, which motion prevailed.

Amendment to House Bill No. 138.

Strike out the period at the end of the title, insert a comma in lieu thereof, and add the following: "and providing that Chapter 165 of the Session Laws of North Dakota for the year 1913 as amended by Chapter 190 of the Session Laws of North Dakota for the year 1941 and this act, shall not be printed in the 1943 Revised Codes of North Dakota and shall continue in full force and effect notwithstanding any repeal statute that may be contained in such codes."

Insert a new section at the end of the bill. "Section 3. Chapter 165 of the 1939 Session Laws of the State of North Dakota as amended by Chapter 190 of the 1941 Session Laws of North Dakota and by this act, because of the emergency nature of such Chapter 165 and this act, shall not be printed in the 1943 Revised Codes of the State of North Dakota and shall continue in full force and effect as the law of the State upon the subject matter covered by such Chapter 165 and this act and shall not in any manner be affected by the failure to print the same in such 1943 Revised Codes or any repeal statute in such codes."

Rep. Bergesen moved that the House concur in the Senate amendments to House Bill No. 138, which motion prevailed.

Rep. Haugen moved that the rules be suspended and that House Bill No. 138 be considered properly engrossed and placed on second reading and final passage, which motion prevailed.

#### SECOND READING OF HOUSE BILLS

House Bill No. 138. A Bill for an Act to Amend and Re-enact Sections 5 and 8 of Chapter 165 of the Session Laws of 1939, as Amended and Re-enacted by Sections 1 and 2 of Chapter 190 of the Session Laws of 1941 of the State of North Dakota, 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 Providing that the Act Shall Not Be Applicable in Certain Cases Set Forth in This Act; and Repealing All Acts Inconsistent 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, 92; nays, 1; absent and not voting, 20.

Those voting in the affirmative were:

Aker	Haugen	Ostgulen
Allen, Grand Forks	Haugland	Peterson, Bottin'au
Allen, Pierce	Heckman	Peterson, Ransom
Anderson	Hegge	Pyle
Arndt	Hofstrand	Rohde
Bagge	Hogoboom	Runck
Baumgartner	Holm	Sailer
Benno	Hovey	Sandness
Bergesen	Iszler	Schwartz
Bjella	Johnson, Cass	Schmalenberger
Blair	Johnson, Richland	Schnell
Bolmeier	Johnson, Rolette	Sellens
Bubel	Kolpin	Severson
Burau	Langley	Sharpe
Bymers	Larson, Ward	Shure
Callahan	Larson, Wells	Stair
Carlson	Leet	Starck
Coghlan	Levin	Sticka

Collette	Lillehaugen	Stormon
Dahlen	Lunde	Twichell
Dalzell	McInnes	Tuff
Devlin	Manstrom	Wambheim
Drovdal	Marks	Welk
Ekren	Moe	Westby
Falconer	Mollet	Williams, Richland
Fitch	Morrison	Williams, Sargent
Fraser	Myers	Williams, Stutsm'n
Gainor	Nelson	Wolf, McIntosh
Graham	Nystrom	Wolf, Morton
Halcrow	Olson, Bowman	Mr. Speaker
Halvorson	Ohnstad	
Those voting in the negative were:		
Saumur		
Absent and not voting:		
Bauer	Fuglestad	Morland
Belzer	Gackle	Mortenson
Boulden	Haag	Olson, Barnes
Braun	Hildre	Rettke
Crockett	Jennings	Rohrer
Fleck	Mittag	Welder
Forseth	Monson	

So the bill passed as amended and the title was agreed to.

Amendment to House Bill No. 140:

Strike out the word "RESIDENT" in line 4 following the words "TERM OF" and insert in lieu thereof, the word "Residence".

Change the word "Island" in line 9 to the word "Islands".

Rep. Graham moved that the House do concur in the Senate amendments to House Bill No. 140, which motion prevailed.

Rep. Wolf of McIntosh moved that the rules be suspended and that House Bill No. 140 be considered properly engrossed and placed on second reading and final passage, which motion prevailed.

House Bill No. 140. A Bill for an Act to Amend and Re-enact Section 4398, of the 1925 Supplement Relating to the Residence Requirements for Dissolution of Marriage 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, 92; nays, 1; absent and not voting, 20.

Those voting in the affirmative were:

Aker	Haugen	Peterson, Bottina'u
Allen, Grand Forks	Haugland	Peterson, Ransom
Allen, Pierce	Heckman	Pyle
Anderson	Hegge	Rohde
Arndt	Hofstrand	Runk
Bagge	Hogoboom	Sailer
Baumgartner	Holm	Sandness
Benno	Hovey	Saumur
Bergesen	Iszler	Schwartz
Ejella	Johnson, Cass	Schmalenberger
Blair	Johnson, Richland	Schnell

Bolmeier	Johnson, Rolette	Sellens
Bubel	Kolpin	Sharpe
Bureau	Langley	Shure
Bymers	Larson, Ward	Stair
Callahan	Larson, Wells	Starck
Carlson	Leet	Sticka
Coghlan	Levin	Stormon
Collette	Lillehaugen	Twichell
Dahlen	Lunde	Tuff
Devlin	McInnes	Wambheim
Drovdal	Manstrom	Welder
Ekren	Marks	Welk
Falconer	Mollet	Westby
Fleck	Morrison	Williams, Richland
Fraser	Myers	Williams, Sargent
Gainor	Nelson	Williams, Stutsm'n
Graham	Nystrom	Wolf, McIntosh
Haag	Olson, Bowman	Wolf, Morton
Halcrow	Ohnstad	Mr. Speaker
Halvorson	Ostgulen	

Those voting in the negative were:

Moe

Absent and not voting:

Bauer	Forseth	Morland
Belzer	Fuglestad	Mortenson
Boulden	Gackle	Olson, Barnes
Braun	Hildre	Rettke
Crockett	Jennings	Rohrer
Dalzell	Mittag	Severson
Fitch	Monson	

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

Amendment to House Bill No. 166:

Strike out the period at the end of the title and insert the following: "and repeal all acts and parts of acts in conflict herewith".

Rep. Aker moved that the House do concur in the Senate amendments to House Bill No. 166, which motion prevailed.

Rep. Aker moved that the rules be suspended and that House Bill No. 166 be considered properly engrossed and placed on second reading and final passage, which motion prevailed.

House Bill No. 166. A Bill for an Act Authorizing Employers to Pay to the Surviving Spouse of a Deceased Employee, Wages Owning to the Deceased Employee for Work, Labor or Services Performed for the Employer to the Extent of Four Hundred Dollars (\$400.00) When No Executor or Administrator Has Been Appointed, and Providing for the Discharge of the Employer from Such Obligation by and to the Extent of Such Payment, and Providing That Such Payment Shall Apply in Diminution of Allowance to Family Under Section 8725 Compiled Laws of North Dakota, 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, 98; nays, 0; absent and not voting, 15.

Those voting in the affirmative were:

Aker	Haag	Ostgulen
Allen, Grand Forks	Halcrow	Peterson, Bottina'u
Allen, Pierce	Halvorson	Peterson, Ransom
Anderson	Haugen	Pyle
Arndt	Haugland	Rohde
Bagge	Heckman	Runck
Baumgartner	Hegge	Sailer
Belzer	Hofstrand	Sandness
Benno	Hogoboom	Saumur
Bergesen	Holm	Schwartz
Bjella	Iszler	Schmalenberger
Blair	Johnson, Cass	Schnell
Bolmeier	Johnson, Richland	Sellens
Bubel	Johnson, Rolette	Severson
Bureau	Kolpin	Sharpe
Bymers	Langley	Shure
Callahan	Larson, Ward	Stair
Carlson	Larson, Wells	Starck
Coghlan	Leet	Sticka
Collette	Levin	Stormon
Crockett	Lillehaugen	Twichell
Dahlen	Lunde	Tuff
Dalzell	McInnes	Wambheim
Devlin	Manstrom	Welder
Drovdal	Marks	Welk
Ekren	Moe	Westby
Falconer	Mollet	Williams, Richland
Fitch	Morrison	Williams, Sargent
Forseth	Myers	Williams, Stutsm'n
Fraser	Nelson	Wolf, McIntosh
Gackle	Nystrom	Wolf, Morton
Gainor	Olson, Bowman	Mr. Speaker
Graham	Ohnstad	

Absent and not voting:

Bauer	Hildre	Morland
Boulden	Hovey	Mortenson
Braun	Jennings	Olson, Barnes
Fleck	Mittag	Rettker
Fuglestad	Monson	Rohrer

So the bill passed as amended and the title was agreed to.

Rep. Aker moved that action on the Senate amendments to House Bill No. 16 be deferred one legislative day, which motion prevailed.

Amendment to House Bill No. 106:

In line 13 after the word "of" strike out the word "Eight" and insert in lieu thereof the word "Seven" and strike out the figure "\$8.00" and insert in lieu thereof "\$7.00".

Rep. Graham moved that the House do concur in the Senate amendments to House Bill No. 106, which motion prevailed.

Rep. Rohde moved that the rules be suspended and that House Bill No. 106 be considered properly engrossed and placed on second reading and final passage, which motion prevailed.

House Bill No. 106. A Bill for an Act to Amend and Re-enact Section 1 of Chapter 220 of the Session Laws of North Dakota for the Year 1935, Relating to Expense Accounts of Public Officers, Specifying the Amount to Be Allowed for Personal Sustenance of Officers, Agents and Employees, Exempting the Governor, of the State of North Dakota, or of Any of Its Subdivisions, While Upon Public Expense Account, 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, 96; nays, 1; absent and not voting, 16.

Those voting in the affirmative were:

Aker	Halcrow	Ostgulen
Allen, Grand Forks	Halvorson	Peterson, Bottin'au
Allen, Pierce	Haugen	Peterson, Ransom
Anderson	Haugland	Pyle
Arndt	Heckman	Rohde
Bagge	Hegge	Runk
Baumgartner	Hofstrand	Sailer
Belzer	Hogoboom	Sandness
Benno	Holm	Saumur
Bergesen	Hovey	Schmalenberger
Bjella	Iszler	Schnell
Bolmeier	Johnson, Richland	Schwartz
Bubel	Johnson, Rolette	Sellens
Burau	Kolpin	Severson
Bymers	Langley	Sharpe
Callahan	Larson, Ward	Shure
Carlson	Larson, Wells	Stair
Coghlan	Leet	Starck
Collette	Levin	Sticka
Crockett	Lillehaugen	Stormon
Dahlen	Lunde	Tuff
Dalzell	Manstrom	Twichell
Devlin	Marks	Wambheim
Drovdal	McInnes	Welder
Ekren	Moe	Welk
Fitch	Mollet	Westby
Forseth	Morrison	Williams, Richland
Fraser	Myers	Williams, Sargent
Gackle	Nelson	Williams, Stutsm'n
Gainor	Nystrom	Wolf, McIntosh
Graham	Ohnstad	Wolf, Morton
Haag	Olson, Bowman	Mr. Speaker

Those voting in the negative were:

Falconer

Absent and not voting:

Bauer	Hildre	Morland
Blair	Jennings	Mortenson
Boulden	Johnson, Cass	Olson, Barnes
Braun	Mittag	Rettke
Fleck	Monson	Rohrer
Fuglestad		

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



Rep. Crockett 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.

Amendment to House Bill No. 251:

In the title, strike the period at the end, insert a comma and the following language "and declaring an emergency".

At the end of the bill insert the emergency clause as Section 2.

Rep. Bergesen moved that the House do concur in the Senate amendments to House Bill No. 251, which motion prevailed.

Rep. Stormon moved that the rules be suspended and that House Bill No. 251 be considered properly engrossed and placed on second reading and final passage, which motion prevailed.

House Bill No. 251. A Bill for an Act Making an Appropriation for the Payment of Janitor Services of the House of Representatives of the 28th Legislative Assembly, and Declaring an Emergency.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 95; nays, 4; absent and not voting, 14.

Those voting in the affirmative were:

Aker	Gainor	Nystrom
Allen, Grand Forks	Graham	Olson, Bowman
Allen, Pierce	Haag	Ohnstad
Anderson	Halcrow	Peterson, Bottina'u
Arndt	Halvorson	Peterson, Ransom
Bagge	Haugen	Pyle
Baumgartner	Haugland	Rohde
Belzer	Heckman	Runck
Benno	Hegge	Sailer
Bergesen	Hofstrand	Sandness
Bjella	Hogoboom	Saumur
Blair	Holm	Schwartz
Bolmeier	Hovey	Schmalenberger
Bubel	Iszler	Schnell
Burau	Johnson, Cass	Sellens
Bymers	Johnson, Richland	Severson
Callahan	Johnson, Rolette	Sharpe
Carlson	Kolpin	Shure
Coghlan	Langley	Stair
Collette	Larson, Ward	Starck
Crockett	Larson, Wells	Sticka
Dahlen	Leet	Stormon
Dalzell	Levin	Wambheim
Devlin	Lillehaugen	Welk
Drovdal	Lunde	Westby
Ekren	McInnes	Williams, Richland
Falconer	Manstrom	Williams, Sargent
Fitch	Moe	Williams, Stutsm'n
Forseth	Mollet	Wolf, McIntosh
Fraser	Morland	Wolf, Morton
Fuglestad	Myers	Mr. Speaker
Gackle	Nelson	

Those voting in the negative were:

Marks	Ostgulen	Tuff
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Morrison

Absent and not voting:

Bauer	Jennings	Rettke
Boulden	Mittag	Rohrer
Braun	Monson	Twichell
Fleck	Mortenson	Welder
Hildre	Olson, Barnes	

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

Rep. Bolmeier moved that the vote by which House Bill No. 251 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Amendment to House Concurrent Resolution "R":

That it be amended to read that a copy of this resolution be sent to Prentice Brown, head of the OPA in Washington, D. C.

Rep. Bergesen moved that the House do concur in the Senate amendments to House Concurrent Resolution "R," which motion prevailed.

Rep. Bergesen moved that the rules be suspended and that the House do now adopt House Concurrent Resolution "R" as amended, which motion prevailed and the Resolution was adopted.

#### SECOND READING OF SENATE BILLS

Senate Bill No. 97. A Bill for an Act to Amend and Re-enact Section 1 of Chapter 132 of the Session Laws of 1933, Relating to the Investment of Funds of Domestic Insurance Companies, 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, 89; nays, 5; absent and not voting, 19.

Those voting in the affirmative were:

Aker	Gainor	Nelson
Allen, Grand Forks	Graham	Nystrom
Allen, Pierce	Haag	Olson, Bowman
Anderson	Halcrow	Ohnstad
Arndt	Halvorson	Ostgulen
Bagge	Haugen	Peterson, Ransom
Baumgartner	Haugland	Pyle
Belzer	Heckman	Rohde
Benno	Hegge	Runck
Bergesen	Hofstrand	Sailer
Bjella	Hogoboom	Sandness
Blair	Holm	Schmalenberger
Bolmeier	Hovey	Schnell
Braun	Iszler	Sellens
Bureau	Johnson, Cass	Severson
Bymers	Johnson, Rolette	Sharpe
Callahan	Kolpin	Starck
Carlson	Langley	Sticka
Coghlan	Larson, Ward	Stormon
Collette	Larson, Wells	Tuff
Dahlen	Leet	Wambheim

Dalzell	Lillehaugen	Welder
Devlin	Lunde	Welk
Drovdal	McInnes	Westby
Falconer	Manstrom	Williams, Sargent
Fitch	Marks	Williams, Stutsm'n
Forseth	Mittag	Wolf, McIntosh
Fraser	Moe	Wolf, Morton
Fuglestad	Mollet	Mr. Speaker
Gackle	Myers	
Those voting in the negative were:		
Crockett	Morland	Williams, Richland
Levin	Morrison	
Absent and not voting:		
Bauer	Johnson, Richland	Rohrer
Boulden	Monson	Saumur
Bubel	Mortenson	Schwartz
Ekren	Olson, Barnes	Shure
Fleck	Peterson, Bottin'au	Stair
Hildre	Rettke	Twichell
Jennings		

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

Rep: Rohde moved that the vote by which Senate Bill No. 97 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Rep. Johnson of Cass moved that Senate Bill No. 200 be placed on the calendar at this time, which motion prevailed.

Senate Bill No. 200. A Bill for an Act Making an Appropriation of Funds to Purchase Paper and Binding Material and to Pay for Printing and Binding and Supervision, and Declaring an Emergency.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 97; nays, 0; absent and not voting, 16.

Those voting in the affirmative were:

Aker	Halcrow	Olson, Bowman
Allen, Grand Forks	Halvorson	Ohnstad
Allen, Pierce	Haugen	Ostgulen
Arndt	Haugland	Peterson, Bottin'au
Bagge	Heckman	Peterson, Ransom
Baumgartner	Hegge	Pyle
Benno	Hofstrand	Rohde
Bergesen	Hogoboom	Runck
Bjella	Holm	Sailer
Blair	Hovey	Sandness
Bolmeier	Iszler	Saumur
Braun	Johnson, Cass	Schwartz
Bubel	Johnson, Rolette	Schmalenberger
Burau	Kolpin	Schnell
Bymers	Langley	Sellens
Callahan	Larson, Ward	Severson
Carlson	Larson, Wells	Sharpe
Coghlan	Leet	Starck
Collette	Levin	Sticka
Crockett	Lillehaugen	Stormon
Dahlen	Lunde	Tuff

Dalzell	McInnes	Twichell
Devlin	Manstrom	Wambheim
Drovdal	Marks	Welder
Falconer	Mittag	Welk
Fitch	Moe	Westby
Forseth	Mollet	Williams, Richland
Fraser	Morland	Williams, Sargent
Fuglestad	Morrison	Williams, Stutsm'n
Gackle	Myers	Wolf, McIntosh
Gainor	Nelson	Wolf, Morton
Graham	Nystrom	Mr. Speaker
Haag		

## Absent and not voting:

Anderson	Hildre	Olson, Barnes
Bauer	Jennings	Rettke
Belzer	Johnson, Richland	Rohrer
Boulden	Monson	Shure
Ekren	Mortenson	Stair
Fleck		

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

Rep. Rohde moved that the vote by which Senate Bill No. 200 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senate Bill No. 99. A Bill for an Act to Amend and Re-enact Section 4881a7 of the 1925 Supplement to the Compiled Laws of North Dakota, Relating to Incorporated Mutual Insurance Companies, and Declaring an Emergency.

Was read the second time.

## ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 89; nays, 8; absent and not voting, 16.

Those voting in the affirmative were:

Aker	Graham	Ostgulen
Allen, Grand Forks	Haag	Peterson, Bottin'au
Allen, Pierce	Halcrow	Peterson, Ransom
Arndt	Haugen	Pyle
Bagge	Haugland	Rohde
Baumgartner	Hegge	Runck
Belzer	Hofstrand	Sailer
Benno	Hogoboom	Sandness
Bergesen	Holm	Saumur
Bjella	Hovey	Schwartz
Blair	Iszler	Schmalenberger
Bolmeier	Johnson, Cass	Schnell
Braun	Johnson, Rolette	Sellens
Bubel	Kolpin	Severson
Burau	Langley	Sharpe
Callahan	Larson, Wells	Starck
Carlson	Leet	Sticka
Coghlan	Lillehaugen	Stormon
Collette	Lunde	Twichell
Crockett	McInnes	Tuff
Dahlen	Manstrom	Wambheim
Dalzell	Mittag	Welder
Devlin	Mollet	Welk
Drovdal	Morland	Westby

Falconer	Morrison	Williams, Sargent
Fitch	Myers	Williams, Stutsm'n
Fraser	Nelson	Wolf, McIntosh
Fuglestad	Nystrom	Wolf, Morton
Gackle	Olson, Bowman	Mr. Speaker
Gainor	Ohnstad	

Those voting in the negative were:

Bymers	Larson, Ward	Moe
Forseth	Levin	Williams, Richland
Halvorson	Marks	

Absent and not voting:

Anderson	Hildre	Olson, Barnes
Bauer	Jennings	Rettke
Boulden	Johnson, Richland	Rohrer
Ekren	Monson	Shure
Fleck	Mortenson	Stair
Heckman		

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

Rep. Mollet moved that the vote by which Senate Bill No. 99 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senate Bill No. 100. A Bill for an Act to Amend and Re-enact Section 5061 of the Compiled Laws of North Dakota for the Year 1913, Relating to the Government of Fraternal Benefit Societies, 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, 94; nays, 3; absent and not voting, 16.

Those voting in the affirmative were:

Allen, Grand Forks	Halcrow	Olson, Bowman
Allen, Pierce	Halvorson	Ohnstad
Arndt	Haugen	Ostgulen
Bagge	Haugland	Peterson, Bottin'au
Baumgartner	Hegge	Peterson, Ransom
Belzer	Hofstrand	Pyle
Benno	Hogoboom	Rohde
Bergesen	Holm.	Runk
Bjella	Hovev	Sailer
Blair	Iszler	Sandness
Bolmeier	Johnson, Cass	Saumur
Braun	Johnson, Rolette	Schwartz
Bubel	Kolpin	Schmalenberger
Burau	Langley	Schnell
Bymers	Larson, Ward	Sellens
Callahan	Larson, Wells	Severson
Carlson	Leet	Sharpe
Coghlan	Levin	Starck
Collette	Lillehaugen	Sticka
Dahlen	Lunde	Stormon
Dalzell	McInnes	Twichell
Devlin	Manstrom	Tuff
Drovdal	Marks	Wambheim
Falconer	Mittag	Welder
Fitch	Moe	Welk
Forseth	Mollet	Westby

Fraser	Morland	Williams, Sargent
Fuglestad	Morrison	Williams, Stutsm'n
Gackle	Myers	Wolf, McIntosh
Gainor	Nelson	Wolf, Morton
Graham	Nystrom	Mr. Speaker

Those voting in the negative were:

Aker	Crockett	Williams, Richland
Absent and not voting:		
Anderson	Hildre	Olson, Barnes
Bauer	Jennings	Rettke
Boulden	Johnson, Richland	Rohrer
Ekren	Monson	Shure
Fleck	Mortenson	Stair
Heckman		

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

Rep. Mollet moved that the vote by which Senate Bill No. 100 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

#### REPORTS OF STANDING COMMITTEES

Mr. Speaker: Your Committee on Public Health to whom was referred Senate Bill No. 77, have had the same under consideration and recommend that the same do pass.

REP. PETERSON OF RANSOM, Chairman.

Rep. Sailer moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: 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:

Line 4—Strike out the figures "\$593,090.00" and insert the figures "\$576,180.00" in lieu thereof.

Lines 14 and 15—Strike out in their entirety and renumber the lines.

Line 16—Strike out the figures "\$236,300.00" and insert the figures "\$211,950.00" in lieu thereof.

Line 18—Strike out the figures "\$121,140.00" and insert the figures "\$128,580.00" in lieu thereof.

Line 23—Strike out the figures "\$356,790.00" and insert the figures "\$364,230.00" in lieu thereof.

Line 24—Strike out the figures "\$593,090.00" and insert the figures "\$576,180.00" in lieu thereof.

And when so amended recommend the same do pass.

REP. JOHNSON OF CASS, Chairman.

Rep. Lillehaugen moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: 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:

Add the following Section:

"21 Section 2. Appropriation herein provided insofar  
22 as it is used for postage may be expended only on the  
23 direction of the Board of Administration, pursuant to

24 the rules and regulations provided for in Chapter 214,  
25 Session Laws of 1941."

And when so amended recommend the same do pass.

REP. JOHNSON OF CASS, Chairman.

Rep. Stormon moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Appropriations to whom was referred Senate Bill No. 12, have had the same under consideration and recommend that the same be amended as follows:

Line 3—Strike out the figures "\$35,907.00" and insert the figures "\$32,557.00" in lieu thereof.

Line 9—Strike out the figures "\$1,250.00" and insert the figures "\$900.00" in lieu thereof.

Line 12—Strike out the figures "\$20,000.00" and insert the figures "\$17,000.00" in lieu thereof.

Line 14—Strike out the figures "\$35,907.00" and insert the figures "\$32,557.00" in lieu thereof.

Add the following section:

"15 Section 2. Appropriation herein provided insofar  
16 as it is used for postage may be expended only on the  
17 direction of the Board of Administration, pursuant to  
18 the rules and regulations provided for in Chapter 214,  
19 Session Laws of 1941."

And when so amended recommend the same do pass.

REP. JOHNSON OF CASS, Chairman.

Rep. Haag moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Appropriations to whom was referred Senate Bill No. 19, have had the same under consideration and recommend that the same be amended as follows:

Line 2—Strike out the figures "\$267,500.00" and insert the figures "\$317,500.00" in lieu thereof.

Line 9—Strike out the figures "\$17,000.00" and insert the figures "\$20,000.00" in lieu thereof.

Line 11—Strike out the figures "\$90,000.00" and insert the figures "\$100,000.00" in lieu thereof.

Line 13—After the word "Miscellaneous" add the words "and Advertising", and strike out the figures "\$30,000.00" and insert the figures "\$17,000.00" in lieu thereof.

Line 20—Strike out the word and figures "Total—\$267,500.00" and insert the word and figures "Emergency—\$50,000.00".

Add line "21 Total.....\$317,500.00".

And when so amended recommend the same do pass.

REP. JOHNSON OF CASS, Chairman.

Rep. Mittag moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Education to whom was referred Senate Concurrent Resolution "H" have had the same under consideration and recommend that the same be amended as follows:

In line 19, beginning with the words "one-fifth" cross out

the remainder of the line, and cross out lines 20 to 31 inclusive. Insert in lieu thereof the following: "twenty (20) per cent of the purchase price at the time the contract is executed; the payments shall be not less than six (6) per cent of the original purchase price. An amount equal to not less than three (3) per cent of the unpaid principal shall be credited to interest and the balance shall be applied as payment on principal as credit on purchase price. The purchaser may pay all or any installment or installments not yet due to any interest paying date. If the purchaser so desires, he may pay the entire balance due on his contract with interest to date of payment at any time and he will then be entitled to proper conveyance." And re-number the lines.

And when so amended recommend the same do pass.

REP. HOFSTRAND, Chairman.

Rep. Heckman moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Game and Fish to whom was referred Senate Bill No. 55 have had the same under consideration and recommend that the same be amended as follows:

Following the enactment clause, strike out the following:

AMENDMENT:

That Section 57 of Chapter 154, Session Laws of 1941, be amended and re-enacted to read as follows:

and in lieu thereof insert the following:

SECTION 1. AMENDMENT.) Section 57 of Chapter 148 of the Session Laws of 1931 as amended by Chapter 154 of the Session Laws of 1941 is hereby amended and re-enacted to read as follows:

In Lines 2, 13, 29, 32, 39 and 45, strike out the word "Section".

In Line 50, following the word "Section", strike out the numeral "7", and substitute the numeral 2.

And when so amended recommend the same do pass.

REP. BENNO, Chairman.

Rep. Bolmeier moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Game and Fish to whom was referred Senate Bill No. 163 have had the same under consideration and recommend that the same do pass.

REP. BENNO, Chairman.

Rep. Starck moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Game and Fish to whom was referred Senate Bill No. 35 have had the same under consideration and recommend that the same be indefinitely postponed.

REP. BENNO, Chairman.

Rep. Arndt moved that the report be adopted, which motion prevailed and the report was adopted.

Rep. Benno moved that the vote by which Senate Bill No. 35 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. 42 made the following report:



Mr. Speaker: Your Conference Committee to whom was referred House Bill No. 42, have had the same under consideration and recommend:

That the Senate recede from all amendments and that the bill be amended as follows: In line 5 after the word "paid" insert a comma and after the word "purchased" insert the following: "after August first,".

Remember the lines accordingly.

For the House:  
 REP. MORLAND  
 REP. MYERS  
 REP. OLSON of Bowman  
 REP. HOGOBOOM

For the Senate:  
 SEN. BRANT  
 SEN. MORGAN of Richland  
 SEN. LYNCH

Rep. Morland moved that action on the report be deferred until after two o'clock tomorrow, which motion prevailed.

Rep. Bergesen moved that House Bill No. 42 as now amended be printed in the Journal, which motion prevailed.

#### HOUSE BILL NO. 42

Introduced by Representatives Hogoboom, Morland and Olson of Bowman

#### A BILL

For an Act to Amend and Re-enact Chapter 275 of the Session Laws of 1941, Relating to the Exemption of Farm Machinery from Personal Property Taxes for the First Year After Its Purchase, on which sales or use tax is paid and Declaring an Emergency.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF NORTH DAKOTA:

1 SECTION 1. AMENDMENT.) That Section 1 of  
 1a Chapter 275  
 2 of the Session Laws of 1941 be amended and re-enacted to  
 3 read as follows:  
 4 Section 1. FARM MACHINERY, TAXATION, EX-  
 4a EMPTION.) All  
 5 farm machinery, on which sales or use tax is paid, pur-  
 5a chased  
 6 after August first, to be used by the buyer in his farm-  
 6a ing operations,  
 7 shall be exempt to the buyer from the personal property  
 7a tax which  
 8 would be assessed and levied against it in the first year  
 8a after  
 9 its purchase, were this act not in force.  
 10 SECTION 2. EMERGENCY.) This Act is hereby  
 10a declared an  
 11 emergency measure and shall be in full force and effect  
 11a from  
 12 and after its passage and approval.

The Conference Committee on House Bill No. 95 made the following report:

Mr. Speaker: Your Conference Committee to whom was

referred House Bill No. 95, have had the same under consideration and recommend that the House concur with Senate amendments and further amend House Bill No. 95 in line 5 by striking out the word "biennium" and inserting the word "period" and in line 6, strike out the word "July" and insert the word "March" and when so amended recommend that same do pass.

For the House:

REP. JOHNSON of Cass  
REP. SAUMUR  
REP. WOLF of McIntosh

For the Senate:

SENATOR WATT  
SENATOR BLANK  
SENATOR MORGAN of Walsh

Rep. Saumur moved that the report be adopted, which motion prevailed and the report was adopted.

Rep. Johnson of Cass moved that the rules be suspended and House Bill No. 95 be considered properly engrossed and placed on second reading and final passage, which motion prevailed.

House Bill No. 95. A Bill for an Act Creating a Veterans' Emergency Fund, and Providing an Appropriation Therefor, and Providing for the Use of Such Fund by the Veterans' Service Commissioner, and the Manner of Its Disbursement.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 91; nays, 0; absent and not voting, 22.

Those voting in the affirmative were:

Aker	Haag	Olson, Bowman
Allen, Grand Forks	Halcrow	Ohnstad
Allen, Pierce	Halvorson	Ostgulen
Arndt	Haugen	Peterson, Bottin'au
Bagge	Haugland	Peterson, Ransom
Baumgartner	Hegge	Pyle
Belzer	Hofstrand	Runck
Benno	Hogoboom	Sailer
Bergesen	Holm	Sandness
Bjella	Hovey	Saumur
Blair	Johnson, Cass	Schwartz
Bolmeier	Johnson, Rolette	Schmalenberger
Braun	Kolpin	Schnell
Bubel	Langley	Sellens
Burau	Larson, Ward	Severson
Callahan	Larson, Wells	Sharpe
Carlson	Leet	Starck
Coghlan	Levin	Sticka
Collette	Lillehaugen	Stormon
Dahlen	McInnes	Twichell
Dalzell	Manstrom	Tuff
Devlin	Marks	Wambheim
Drovdal	Mittag	Welder
Falconer	Moe	Welk
Fitch	Mollet	Williams, Richland
Forseth	Morland	Williams, Sargent

Fraser	Morrison	Williams, Stutsm'n
Fuglestad	Myers	Wolf, McIntosh
Gackle	Nelson	Wolf, Morton
Gainor	Nystrom	Mr. Speaker
Graham		

## Absent and not voting:

Anderson	Hildre	Olson, Barnes
Bauer	Iszler	Rettke
Boulden	Jennings	Rohde
Bymers	Johnson, Richland	Rohrer
Crockett	Lunde	Shure
Ekren	Monson	Stair
Fleck	Mortenson	Westby
Heckman		

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

Rep. Aker moved that the vote by which House Bill No. 95 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Rep. Aker moved that the following names of deceased members of the House of Representatives, together with their years of service and date of death be added to the Memorial Resolution adopted February 25, 1943, and that an enrolled copy of such Resolution as amended be furnished the family of each deceased member, which motion prevailed.

February 26, 1943

Names of former members of the State House of Representatives who have died since adjournment of 1941 session, whose names were omitted yesterday:

Frank Gaulke, member in 1897, 7th district, died April 15, 1941.

Andrew Ostrem, member in 1933, Pierce County, died May 28, 1941.

Henry Klein, 1913, 31st district, died June 28, 1941.

John H. Frogen, 1927, 1929 and 1931, Dickey County, died July 25, 1941.

Burl Carr, 1917 and 1919, 15th district, died Sept. 26, 1941.

Howard Parkinson, 1935, 28th district, died Nov. 21, 1941.

Joseph Myers, 1895, 5th district, died Jan. 5, 1942.

J. T. Hoge, 1911 and 1913, 46th district, died Feb. 27, 1942.

Tallack Tallackson, 1905, 4th district, died March 6, 1942.

E. L. Richmond, 1903 and 1905, 20th district, died March 10, 1942.

Lafayette Parkhill, 1907, 12th district, died March, 1942.

M. G. Myhre, 1915 and 1917, 37th district, died Mar. 16, 1942.

C. H. Baker, 1903, 21st district, died March 30, 1942.

T. W. Allshouse, 1899 and 1901, 26th district, died April 9, 1942.

H. H. France, 1911 and 1913, 36th district, died Apr. 13, 1942.

E. W. Bowen, 1889, Sargent County, died April 18, 1942.

Joseph A. Kitchen, 1921, 39th district, died May 9, 1942.

O. K. Lageson, 1911, 7th district, died June 11, 1942.

George N. Varnum, 1917, 27th district, died July 6, 1942.

James H. Cooper, 1905, 23rd district, died July 11, 1942.

R. A. Nestos, 1911, 29th district, died July 15, 1942.

H. D. Hurley, 1897, 8th district, died Dec. 17, 1942.

Charles Weigel, 30th district, died Dec. 14, 1942.

F. Paul Smith, 1931 and 1933, 10th district, died May 29, 1941.

#### REPORTS OF STANDING COMMITTEES

The Committee on Enrollment and Engrossment respectfully reports that:

House Memorial Resolution "1-E."

Was delivered to the Secretary of State at the hour of 3:05 o'clock p. m., March 1, 1943.

REP. MORLAND, Chairman.

The Committee on Enrollment and Engrossment respectfully reports that:

House Bill No. 49.

House Bill No. 59.

Were delivered to the Governor for his approval at the hour of 3:45 o'clock p. m., March 1, 1943.

REP. BUBEL, Acting Chairman.

Rep. Graham moved that the House recess until 12:00 o'clock noon, tomorrow, which motion prevailed.

W. M. SMART, Chief Clerk.

FIFTY-SIXTH DAY AFTER RECESS AND THE  
FIFTY-SEVENTH DAY

Bismarck, March 2, 1943 .

The House convened at 12:00 o'clock noon pursuant to recess, Speaker Beede presiding.

The Speaker announced the House would be on the fifth order of business.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: Your Committee on Counties to whom was referred Senate Bill No. 114, have had the same under consideration and recommend that the same do pass.

REP. ROHDE, Chairman.

Rep. Holm moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Counties to whom was referred Senate Bill No. 113, have had the same under consideration and recommend that the same do pass.

REP. ROHDE, Chairman.

Rep. Wolf of McIntosh moved that the report be adopted, which motion prevailed and the report was adopted.

Rep. Falconer requested that the Committee on Military Affairs be excused for the purpose of acting on Senate Concurrent Resolution "1-C," Senate Bills Nos. 74, 108 and 203, which request was granted and the committee excused.

Mr. Speaker: Your Committee on Livestock to whom was referred Senate Bill No. 150, have had the same under consideration and recommend that the same do pass.

REP. HALVORSON, Chairman.

Rep. Schnell moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Livestock to whom was referred Senate Bill No. 51, have had the same under consideration and recommend that the same be indefinitely postponed.

REP. HALVORSON, Chairman.

Rep. Anderson moved that the report be adopted, which motion prevailed and the report was adopted.

Rep. Crockett moved that the vote by which Senate Bill No. 51 was indefinitely postponed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Mr. Speaker: Your Committee on Cities and Municipal Corporations to whom was referred Senate Bill No. 124, have

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

REP. WOLF OF MORTON, Chairman.

Rep. Shure moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Cities and Municipal Corporations to whom was referred Senate Bill No. 143, have had the same under consideration and recommend that the same be indefinitely postponed.

REP. WOLF OF MORTON, Chairman.

Rep. Heckman moved that the report be adopted, which motion prevailed and the report was adopted.

Rep. Saumur moved that the vote by which Senate Bill No. 143 was indefinitely postponed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Mr. Speaker: Your Committee on Cities and Municipal Corporations to whom was referred Senate Bill No. 173, have had the same under consideration and recommend that the same do pass.

REP. WOLF OF MORTON, Chairman.

Rep. Devlin moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Counties to whom was referred Senate Bill No. 68, have had the same under consideration and recommend that the same be amended as follows:

In line 18, strike out the word "fifteen" and insert in lieu thereof the word "sixteen".

In line 19, strike out the figure "\$1500.00" and insert in lieu thereof the figure "\$1600.00".

At the end of line 19, strike out the word "five" and insert in lieu thereof the word "three".

In line 20, beginning with the figures (5000), strike out the rest of line 20 as well as lines 21, 22, 23 and 24, up to and including the figures (7000) and insert in lieu thereof the following:

"(3000): Seventeen Hundred Dollars (\$1700.00) in counties having a population exceeding four thousand (4000) and not exceeding five thousand (5000); Eighteen Hundred Dollars (\$1800.00) in counties having a population exceeding five thousand (5000) and not exceeding seven thousand (7000)".

In line 27, strike out the word "Thirty" and insert in lieu thereof the word "forty".

In line 27, strike out the figures "\$30.00" and insert in lieu thereof the figures "\$40.00".

In line 30, strike out the word "Twenty-four" and insert in lieu thereof the word "Twenty-eight".

In line 30, strike out the figures "\$24.00" and insert in lieu thereof the figures "\$28.00".

In line 32, after the word "jurisdiction", strike out the balance of the line as well as all of lines 33, 34, 35, 36, 37 and 38, 39, 40, 41 and 42, and in lieu thereof insert the following:

"Provided, further, that the county commissioners may appoint one or more assistant States Attorneys or clerks and

fix their compensation in the same manner as in the case of deputies and clerks in other county offices."

In line 63, strike out the word "Twenty-four" and insert in lieu thereof, the word "Twenty-eight".

In line 63, strike out the figures "\$2400.00" and insert in lieu thereof the figures "\$2800.00".

Renumber the lines.

And when so amended recommend the same do pass.

REP. ROHDE, Chairman.

Rep. Coghlan moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Election and Election Privileges to whom was referred Senate Bill No. 189, have had the same under consideration and recommend that the same be indefinitely postponed.

REP. LEVIN, Chairman.

Rep. Morland moved that the report be adopted, which motion prevailed and the report was adopted.

Rep. Rohde moved that the vote by which Senate Bill No. 189 was indefinitely postponed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Mr. Speaker: Your Committee on Highways and Bridges to whom was referred Senate Bill No. 144, have had the same under consideration and recommend that the same do pass.

REP. CROCKETT, Chairman.

Rep. Carlson moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Highways and Bridges to whom was referred Senate Bill No. 149, have had the same under consideration and recommend that the same be amended as follows:

Amend the title after the word and figures "Section 51" insert the word and figures "of Chapter 162". In line 1 after the word and figure "Section 51" insert the word and figure "of Chapter 162".

And when so amended recommend the same do pass.

REP. CROCKETT, Chairman.

Rep. Haugen moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Highways and Bridges to whom was referred Senate Bill No. 104, have had the same under consideration and recommend that the same do pass.

REP. CROCKETT, Chairman.

Rep. Forseth moved that the report be adopted, which motion prevailed and the report was adopted.

#### SECOND READING OF SENATE BILLS

Senate Bill No. 101. A Bill for an Act to Amend and Re-enact Section 4863 of the 1925 Supplement to the Compiled Laws of North Dakota for the Year 1913, as Amended by Chapter 145 of the Session Laws of 1929, and Further Amended by Chapter 131 of the Session Laws of 1933, Relating to Capital Stock of Domestic and Other Insurance Companies, 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, 84; nays, 3; absent and not voting, 26.

Those voting in the affirmative were:

Allen, Grand Forks	Halcrow	Nelson
Allen, Pierce	Haugen	Nystrom
Bagge	Haugland	Olson, Barnes
Bauer	Heckman	Olson, Bowman
Baumgartner	Hofstrand	Ostgulen
Belzer	Hogoboom	Peterson, Bottina'u
Benno	Holm	Peterson, Ransom
Bergesen	Hovey	Pyle
Blair	Iszler	Rohde
Boulden	Johnson, Cass	Runck
Braun	Johnson, Richland	Sailer
Bubel	Johnson, Rolette	Sandness
Burau	Kolpin	Saumur
Bymers	Langley	Schwartz
Callahan	Larson, Ward	Schmalenberger
Coghlan	Larson, Wells	Sellens
Collette	Leet	Sharpe
Dalzell	Levin	Stair
Devlin	Lillehaugen	Sticka
Drovdal	Lunde	Stormon
Ekren	McInnes	Tuff
Fitch	Manstrom	Twichell
Fleck	Marks	Wambheim
Fraser	Mittag	Williams, Richland
Fuglestad	Moe	Williams, Stutsm'n
Gackle	Mollet	Wolf, McIntosh
Gainor	Morland	Wolf, Morton
Graham	Morrison	Mr. Speaker

Those voting in the negative were:

Forseth Halvorson Myers

Absent and not voting:

Aker	Haag	Schnell
Anderson	Hegge	Severson
Arndt	Hildre	Shure
Bjella	Jennings	Starck
Bolmeier	Monson	Welder
Carlson	Mortenson	Welk
Crockett	Ohnstad	Westby
Dahlen	Rettke	Williams, Sargent
Falconer	Rohrer	

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

Rep. Graham moved that the vote by which Senate Bill No. 101 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senate Bill No. 103. A Bill for an Act to Amend and Re-enact Section 4870 of the Compiled Laws of North Dakota for the Year 1913, Relating to the Organization of Domestic Mutual Life Insurance Companies, and Declaring an Emergency.

Was read the second time.

## ROLL CALL

The question being on the final passage of the bill, the



roll was called and there were ayes, 89; nays, 1; absent and not voting, 23.

Those voting in the affirmative were:

Allen, Grand Forks	Gainor	Nelson
Allen, Pierce	Graham	Nystrom
Arndt	Haag	Olson, Barnes
Bagge	Halcrow	Ohnstad
Bauer	Halvorson	Ostgulen
Baumgartner	Haugen	Peterson, Bottin'au
Belzer	Haugland	Peterson, Ransom
Benno	Heckman	Pyle
Bergesen	Hofstrand	Rohde
Blair	Hogoboom	Runk
Bolmeier	Holm	Sailer
Boulden	Iszler	Sandness
Braun	Jennings	Saumur
Bubel	Johnson, Richland	Schwartz
Bureau	Johnson, Rolette	Schmalenberger
Bymers	Kolpin	Sellens
Callahan	Langley	Sharpe
Coghlan	Larson, Ward	Stair
Collette	Leet	Sticka
Crockett	Levin	Stormon
Dalzell	Lillehaugen	Twichell
Devlin	Lunde	Tuff
Drovdal	McInnes	Wambheim
Ekren	Manstrom	Welder
Fitch	Marks	Williams, Richland
Fleck	Mittag	Williams, Stutsm'n
Forseth	Moe	Wolf, McIntosh
Fraser	Mollet	Wolf, Morton
Fuglestad	Morland	Mr. Speaker
Gackle	Morrison	

Those voting in the negative were:

Myers

Absent and not voting:

Aker	Hovey	Schnell
Anderson	Johnson, Cass	Severson
Ejella	Larson, Wells	Shure
Carlson	Monson	Starck
Dahlen	Mortenson	Welk
Falconer	Olson, Bowman	Westby
Hegge	Rettke	Williams, Sargent
Hildre	Rohrer	

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

Rep. Wambheim moved that the vote by which Senate Bill No. 103 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senate Bill No. 156. A Bill for an Act Relating to the Juvenile Court and the Protection, Control, and Custody of Children; and Amending and Re-enacting Chapter 23 of the Code of Criminal Procedure, Consisting of Sections 11402 to 11427, Inclusive, of the Compiled Laws of North Dakota of 1913; Sections 11412a, 11428a1, 11428a2, 11428,3, 11428a4 and 11428a5 of the Supplement to the 1913 Compiled Laws of North Dakota; and Chapter 113 of the Laws of 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, 93; nays, 1; absent and not voting, 19.

Those voting in the affirmative were:

Aker	Gackle	Morland
Allen, Grand Forks	Gainor	Morrison
Allen, Pierce	Graham	Myers
Anderson	Haag	Nelson
Arndt	Halcrow	Nystrom
Bagge	Halvorson	Olson, Barnes
Bauer	Haugen	Ohnstad
Baumgartner	Haugland	Ostgulen
Belzer	Heckman	Peterson, Bottin'au
Benno	Hofstrand	Peterson, Ransom
Bergesen	Hogoboom	Pyle
Blair	Holm	Rohde
Bolmeier	Iszler	Runk
Boulden	Jennings	Sailer
Braun	Johnson, Cass	Sandness
Bubel	Johnson, Richland	Saumur
Bureau	Johnson, Rolette	Schwartz
Bymers	Kolpin	Schmalenberger
Callahan	Langley	Sellens
Coghlan	Larson, Ward	Sharpe
Collette	Larson, Wells	Shure
Crockett	Leet	Sticka
Dalzell	Levin	Stormon
Devlin	Lillehaugen	Twichell
Drovdal	Lunde	Tuff
Ekren	McInnes	Wambheim
Fitch	Manstrom	Welder
Fleck	Marks	Williams, Richland
Forseth	Mittag	Williams, Stutsm'n
Fraser	Moe	Wolf, McIntosh
Fuglestad	Mollet	Wolf, Morton

Those voting in the negative were:

Mr. Speaker

Absent and not voting:

Bjella	Monson	Severson
Carlson	Mortenson	Stair
Dahlen	Olson, Bowman	Starck
Falconer	Rettke	Welk
Hegge	Rohrer	Westby
Hildre	Schnell	Williams, Sargent
Hovey		

So the bill passed as amended and the title was agreed to.

Rep. Graham moved that the vote by which Senate Bill No. 156 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Mr. Speaker: "I vote 'No' and I wish to say in explanation of my vote that this is a humanitarian law and I am heartily in accord with much that it provides for but I do not know where the money is coming from in some of our small counties to pay for some of our additional juvenile commissioners."

Senate Bill No. 136. A Bill for an Act to Limit the Time for Commencement of All Actions and Interposition of All Defenses and Counterclaims Grounded Upon Certain De-

facts in Proceedings for and Preliminary to Foreclosure of Real Estate Mortgages Where the Foreclosure Sales in Such Proceedings Were Had Prior to January 1st, 1943, and to Validate and Confirm Such Mortgage Foreclosure Sales.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 57; nays, 42; absent and not voting, 14.

Those voting in the affirmative were:

Aker	Fraser	Mollet
Allen, Pierce	Fuglestad	Nelson
Arndt	Gackle	Nystrom
Bagge	Graham	Olson, Barnes
Bauer	Halcrow	Ohnstad
Baumgartner	Hofstrand	Peterson, Ransom
Belzer	Hogoboom	Pyle
Bergesen	Holm	Saumur
Blair	Hovey	Schwartz
Boulden	Johnson, Cass	Sellens
Bymers	Johnson, Richland	Severson
Callahan	Johnson, Rolette	Sharpe
Coghlan	Kolpin	Shure
Collette	Langley	Stair
Crockett	Leet	Stormon
Dahlen	Lillehaugen	Twichell
Fitch	Lunde	Wambheim
Fleck	McInnes	Westby
Forseth	Manstrom	Williams, Stutsm'n

Those voting in the negative were:

Allen, Grand Forks	Larson, Ward	Runck
Anderson	Larson, Wells	Sailer
Braun	Levin	Schmalenberger
Bubel	Marks	Schnell
Bureau	Mittag	Starck
Devlin	Moe	Sticka
Ekren	Morland	Tuff
Falconer	Morrison	Welder
Haag	Myers	Welk
Hølvorson	Olson, Bowman	Williams, Richland
Haugen	Ostgulen	Williams, Sargent
Heckman	Peterson, Bottin'au	Wolf, McIntosh
Iszler	Rettke	Wolf, Morton
Jennings	Rohde	Mr. Speaker

Absent and not voting:

Benno	Drovdal	Monson
Bjella	Gainor	Mortenson
Bolmeier	Haugland	Rohrer
Carlson	Hegge	Sandness
Dalzell	Hildre	

So the bill passed as amended and the title was agreed to, and the emergency clause was declared lost.

Rep. Aker 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.

Rep. Bergesen moved that the rules be suspended for the purpose of amending the title to Senate Bill No. 200, which motion prevailed.

Rep. Bergesen moved that the title to Senate Bill No. 200 be amended in the third line following the word "supervision" strike out the comma and add the following words: "of the Completion of the North Dakota Revised Code for 1943," which motion prevailed.

Rep. Johnson of Cass requested that the Committee on Appropriations be excused until two o'clock. There being no objection, the request was granted.

SECOND READING OF SENATE BILLS

Senate Bill No. 185. A Bill for an Act Providing for the Disposition of Property Where There Is No Sufficient Evidence That Persons Having Died Otherwise Than Simultaneously, and to Make Uniform the Law With Reference Thereto.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 83; nays, 4; absent and not voting, 26.

Those voting in the affirmative were:

Aker	Haugland	Olson, Bowman
Allen, Pierce	Heckman	Ohnstad
Anderson	Hegge	Ostgulen
Arndt	Hofstrand	Peterson, Bottina'u
Bagge	Hogoboom	Peterson, Ransom
Bauer	Holm	Pyle
Baumgartner	Hovey	Rettke
Belzer	Iszler	Rohde
Benno	Jennings	Runck
Bergesen	Johnson, Richland	Saumur
Blair	Johnson, Rolette	Schwartz
Bolmeier	Kolpin	Schmalenberger
Braun	Langley	Schnell
Bubel	Larson, Ward	Sellens
Bymers	Larson, Wells	Sharpe
Callahan	Leet	Starck
Coghlan	Levin	Twichell
Dahlen	Lunde	Tuff
Dalzell	McInnes	Wambheim
Devlin	Manstrom	Welder
Ekren	Marks	Welk
Falconer	Mittag	Westby
Fitch	Mollet	Williams, Richland
Forseth	Morland	Williams, Sargent
Fraser	Morrison	Williams, Stutsm'n
Fuglestad	Myers	Wolf, McIntosh
Graham	Nelson	Mr. Speaker
Haugen	Nystrom	

Those voting in the negative were:

Fleck	Mbe	Shure
Halvorson		

Absent and not voting:

Allen, Grand Forks	Gainor	Rohrer
Bjella	Haag	Sailer
Boulden	Halcrow	Sandness
Burau	Hildre	Severson
Carlson	Johnson, Cass	Stair
Collette	Lillehaugen	Sticka

Crockett	Monson	Stormon
Drovdal	Mortenson	Wolf, Morton
Gackle	Olson, Barnes	

So the bill passed and the title was agreed to.

Rep. Ostgulen moved that the vote by which Senate Bill No. 185 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Rep. Rohde moved that further consideration of Senate Bill No. 188 be indefinitely postponed, which motion was lost.

Senate Bill No. 188. A Bill for an Act to Regulate the Practice in the District Courts and County Courts of Increased Jurisdiction, to Provide for Conferences in Advance of Trial, and the Simplification of Issues and Other Purposes; and Giving the Judge Power to Make Orders in Connection With Such Conferences.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 85; nays, 5; absent and not voting, 23.

Those voting in the affirmative were:

Aker	Halvorson	Ohnstad
Allen, Pierce	Haugen	Ostgulen
Anderson	Haugland	Peterson, Bottina'u
Arndt	Heckman	Peterson, Ransom
Bagge	Hegge	Pyle
Bauer	Hofstrand	Rettke
Baumgartner	Hogoboom	Rohrer
Belzer	Holm	Runck
Benno	Hovey	Sailer
Bergesen	Iszler	Sandness
Blair	Jennings	Saumur
Bolmeier	Johnson, Richland	Schwartz
Braun	Johnson, Rolette	Schmalenberger
Bymers	Kolpin	Schnell
Callahan	Langley	Sellens
Coghlan	Larson, Ward	Sharpe
Dahlen	Larson, Wells	Starck
Dalzell	Leet	Twichell
Devlin	Levin	Tuff
Drovdal	Lunde	Wambheim
Ekren	McInnes	Welder
Fitch	Manstrom	Welk
Fleck	Moe	Westb
Falconer	Morland	Williams, Richland
Forseth	Morrison	Williams, Sargent
Fraser	Myers	Williams, Stutsm'n
Fuglestad	Nystrom	Wolf, McIntosh
Gainor	Olson, Bowman	Mr. Speaker
Graham		

Those voting in the negative were:

Boulden	Mollet	Rohde
Crockett	Nelson	

Absent and not voting:

Allen, Grand Forks	Halcrow	Olson, Barnes
Bjella	Hildre	Severson
Bubel	Johnson, Cass	Shure
Burau	Lillehaugen	Stair

Carlson	Marks	Sticka
Collette	Mittag	Stormon
Gackle	Monson	Wolf, Morton
Haag	Mortenson	

So the bill passed and the title was agreed to.

Rep. Johnson of Richland moved that the vote by which Senate Bill No. 188 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

#### REPORTS OF STANDING COMMITTEES

Mr. Speaker: Your Committee on Military Affairs to whom was referred Senate Bill No. 108, have had the same under consideration and recommend that the same do pass.

REP. FALCONER, Chairman.

Rep. Starck moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Military Affairs to whom was referred Senate Bill No. 203, have had the same under consideration and recommend that the same do pass.

REP. FALCONER, Chairman.

Rep. Dahlen moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Military Affairs to whom was referred Senate Concurrent Resolution "1-C," have had the same under consideration and recommend that the same be indefinitely postponed.

REP. FALCONER, Chairman.

Rep. Starck moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Public Welfare to whom was referred Senate Bill No. 60, have had the same under consideration and recommend that the same do pass.

REP. HAUGLAND, Chairman.

Rep. Falconer moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Public Welfare to whom was referred Senate Concurrent Resolution "1-D," have had the same under consideration and recommend that the same do pass.

REP. HAUGLAND, Chairman.

Rep. Bergesen moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Public Welfare to whom was referred Senate Concurrent Resolution "P," have had the same under consideration and recommend that the same do pass.

REP. HAUGLAND, Chairman.

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

Mr. Speaker: Your Committee on Public Welfare to whom was referred Senate Bill No. 181, have had the same under consideration and recommend that the same be amended as follows:

In the title of the engrossed bill strike out everything after the word "Dakota" and up to and including the word "Law". Strike out sections 3 and 4 and renumber the sections.

And when so amended recommend the same do pass.

REP. HAUGLAND, Chairman.

Rep. Bergesen moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Tax and Tax Laws to whom was referred Senate Bill No. 48, have had the same under consideration and recommend that the same do pass.

REP. McINNES, Chairman.

Rep. Wolf of McIntosh moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Tax and Tax Laws to whom was referred Senate Bill No. 1, have had the same under consideration and recommend that the same be returned to the House without recommendation.

REP. McINNES, Chairman.

Rep. Fitch moved that Senate Bill No. 1 be placed on the calendar, which motion prevailed.

Rep. Crockett moved that the absent members be excused, which motion prevailed.

Rep. Crockett moved that the House do now adjourn, which motion prevailed.

W. M. SMART, Chief Clerk.

#### FIFTY-SEVENTH DAY

Bismarck, March 2, 1943

The House convened pursuant to adjournment, Speaker Beede presiding.

Prayer was offered by Rev. Laten E. Teare.

Roll call: All members were present except Reps. Carlson, Hildre, Monson and Mortenson.

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

Mr. Speaker: Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the fifty-fourth day after recess and the fifty-sixth day and recommends that the same be corrected as follows:

In line 19 page 821 insert a period at the end of the line and strike out line 20. In line 11 page 824 change "Concurrent" to "Memorial".

In line 12 on page 824 substitute "Secretary of State" for "Governor".

And when so corrected recommend that the same be approved.

REP. WELDER, Chairman.

Rep. Holm moved that the report be adopted, which motion prevailed and the report was adopted.

#### PETITIONS AND COMMUNICATIONS

Mott, N. Dak., Feb. 28, 1943.

Honorable Geo. Schwartz and former associate members of the House of Representatives:

Your thoughtful and sympathetic message for the recent loss of our son and soldier, Richard, is very much appreciated, and will long be cherished in our memory.

Our hopes and prayers are that the reports of each loss as they come over the radio, through the newspapers, or by

direct mail, should form a closer tie among the people here at home and strengthen our resolve to co-operate more closely in winning the gigantic struggle; that the Supreme Sacrifices Made Over There, shall not have been made in vain.

Sincerely,

S. K. SKARTVEDT

Mr. and Mrs. S. K. Skartvedt

Ellen Jane and Robert

Rep. Schwartz moved that the communication from S. K. Skartvedt, a former member of this House, be printed in the Journal, which motion prevailed.

A telegram from the Board of Education of Edgeley, North Dakota, urging a higher school levy, was read from the desk.

A telegram from the North Dakota Health Officers Association urging passage of Senate Bill No. 77 was read from the desk.

#### MESSAGES FROM THE SENATE

Senate Chamber

Bismarck, March 2, 1943

Mr. Speaker: I have the honor to return:

House Bill No. 26. 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.

House Bill No. 30. A Bill for an Act Making an Appropriation and an Additional 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 Declaring an Emergency.

House Bill No. 75. 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.

House Bill No. 109. A Bill for an Act to Amend and Re-enact Section 3610 of Article 7, of Chapter 44 of the 1913 Compiled Laws, by Adding Thereto a Provision that in Cities that Have Adopted the City Manager Form of Government, the City Manager Shall Appoint and Remove the City Treasurer with the Approval of the City Council, and that in Cities Having Adopted the Provisions of Chapter 173 of the Session Laws of North Dakota for the Year 1937, Known as the Civil Service Act, the City Treasurer Shall Be Appointed as Other Full-time City Employees, and Providing that Such City Treasurer May Be Included Within and Under the Provisions of the Civil Service Act, and Repealing All Acts and Parts of Acts in Conflict Herewith.

House Bill No. 126. A Bill for an Act to Amend and Re-enact Section 2 of Chapter 237 of the 1939 Session Laws, Relating to the Terms of Lease by Counties of Real Property Acquired by Tax-Deed, and Declaring an Emergency.

House Bill No. 139. A Bill for an Act to Regulate the Practice of Professional Engineering; Creating a State Board of Registration for Professional Engineers; Defining Its Powers and Duties; Providing for Registration of Profes-



sional Engineers; Fixing Fees Therefor; Imposing Certain Duties Upon the State and the Political Subdivisions Thereof in Connection with Public Works; and Providing Penalties for Violation of Its Provisions.

House Bill No. 144. A Bill for an Act to Regulate the Sale of Anti-Freeze; to Provide for the Inspection Thereof; to Prevent Fraud and Deception in the Sale of Anti-Freeze; to Prevent Adulteration and Misbranding Thereof; to Provide for the Enforcement of the Provisions of the Act; to Provide Licensing, Payment and Disposition of License Fees; and Provide Penalties for Violation Thereof.

House Bill No. 145. A Bill for an Act to Provide for the Dissolution of Village Park Districts, and Outlining the Procedure to Be Followed.

House Bill No. 167. A Bill for an Act to Amend and Re-enact Section 5, Chapter 5 of the Session Laws of the State of North Dakota for the Year 1937, Relating to Dealers in Livestock; Authorizing the Public Service Commission to Appoint Inspectors With Powers of Peace Officers for the Enforcement of the Provisions of Said Act.

House Bill No. 201. A Bill for an Act to Amend and Re-enact Section 5 of Chapter 276 of the Session Laws of 1931 Providing for Abatements of Real and Personal Property Taxes, Due to Depreciation or Other Cause, and Declaring an Emergency.

House Bill No. 235. A Bill for an Act Making it a Criminal Offense for a Parent or Other Person Legally Responsible for the Care or Support of a Child to Abandon Such Child; Providing for Penalty; Repealing All Acts in Conflict Herewith, and Declaring an Emergency.

House Bill No. 248. A Bill for an Act Providing for the Recording of Discharge Papers from the National Guard, the Army, Navy, Marine Corps and Other Branches of the Military Forces, and Declaring an Emergency.

House Concurrent Resolution "V." Memorializing Congress and the President to Authorize the Indians to Elect Their Commissioner of Indian Affairs and Other Administrative Officials and That Treaty Rights and Claims be Promptly Adjudicated and Paid.

Which the Senate has passed unchanged.

W. J. TROUT, Secretary.

Senate Chamber

Bismarck, March 2, 1943

Mr. Speaker: I have the honor to return:

House Bill No. 25. 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.

House Bill No. 84. A Bill for an Act Amending and Re-enacting Section 4 of Chapter 168 of the Laws of 1919 and Acts Amendatory Thereof, Pertaining to Salary of Clerical Help.

House Bill No. 136. A Bill for an Act to Amend and Re-enact Subsection 31 of Section 3514 of the 1913 Compiled Laws, Relating to the Fees to Be Charged by Sheriffs for Boarding Prisoners, and Declaring an Emergency.

House Bill No. 150. A Bill for an Act to Amend and Re-enact Section 1 of Chapter 207, Session Laws of 1935, as Amended by Section 1 of Chapter 209, Session Laws of 1941, Relating to Refunding Special Improvement Warrants, Validating Proceedings Heretofore Taken for Such Refunding and Warrants Issued Thereunder, and Declaring an Emergency.

House Concurrent Resolution "N." Memorializing Congress to Take Action for the Enactment Into Law of Senate Bill 574 Now Pending in United States Congress.

House Joint Resolution "Z." Requesting the Legislature to Authorize Payment of Certain Employees in the Code Revision Commission.

Which the President has signed.

W. J. TROUT, Secretary.

Senate Chamber

Bismarck, March 2, 1943

Mr. Speaker: I have the honor to return:

House Bill No. 61. A Bill for an Act Providing for the Filing in Duplicate of Certain Instruments in the County Court, Providing a Method for Preserving the Original Instrument, and Repealing Paragraph (3) of Section 8540 of the Compiled Laws of North Dakota for the Year 1913; Repealing All Acts or Parts of Acts in Conflict Herewith.

House Bill No. 122. A Bill for an Act Providing for Acknowledgments by Persons in Military or Naval Service, and Declaring an Emergency.

House Bill No. 135. A Bill for an Act Relating to the Registration of Brands on Dairy Product Containers and to the Use and Possession of Said Containers, Repealing Section 2863a1 of the 1925 Supplement to the 1913 Compiled Laws of North Dakota, and Repealing All Acts or Parts of Acts in Conflict Therewith; Providing for the Enforcement of the Provisions of This Act and for Penalties for the Violation Thereof and Declaring an Emergency.

House Bill No. 151. A Bill for an Act Providing for the Retirement of Supreme and District Court Judges, Providing the Manner of Making Application, Compensation in Case of Retirement, Method of Filling Such Vacancy, and Declaring an Emergency.

House Bill No. 157. A Bill for an Act to Amend and Re-enact Section 1 of Chapter 140 of the Session Laws of 1919, Being Section 2618 of the Supplement to the Compiled Laws of 1913 as Amended by Chapter 4 of the Session Laws of 1931, as Amended by Chapter 17 of the Session Laws of 1941, Relating to Herd Law Suspension.

House Bill No. 208. A Bill for an Act to Amend and Re-enact Sub-sections (a), (b) and (f) of Section 18 of Chapter 139 of the Session Laws of North Dakota for 1937, as Amended and Re-enacted by Section 4 of Chapter 175 of the Session Laws of North Dakota for 1941, Relating to the Authority, Powers and Duties of the Members of Division of Highway Safety and Patrol.

House Bill No. 168. A Bill for an Act Requiring Owners of Dogs to Keep Them Under Control at Any and All Times when Such Dogs Are Away from the Premises of the Owner Outside the Limits of Cities or Villages; Defining Stray

Dogs, and Premises, as Used in This Act; Declaring Stray Dogs a Predatory Animal and Allowing the Killing of Same, and Declaring an Emergency.

Which the Senate has indefinitely postponed.

W. J. TROUT, Secretary.  
Senate Chamber

Bismarck, March 2, 1943

Mr. Speaker: I have the honor to return:

House Bill No. 10. A Bill for an Act Making an Appropriation to the State Historical Society, for Salary and General Expenses and Maintenance of State Parks.

House Bill No. 98. A Bill for an Act to Provide for Participation in the North Dakota Teachers' Insurance and Retirement Fund by Members of the Armed Forces of the United States During the Period of Their Service, and Fixing the Period Within Which Such Persons May Withdraw from Participation and Receive Refund.

House Bill No. 100. A Bill for an Act Creating a Veterans' Post-War Rehabilitation Reserve Fund, and Providing for the Transfer of Monies Thereto and for the Maintenance and Investment Thereof.

House Bill No. 102. A Bill for an Act to Repeal Section 2 of Chapter 255 of the Session Laws of North Dakota for 1941, Relating to High School Correspondence Work, and to Amend and Re-enact Section 6 of Chapter 255 of the Session Laws of North Dakota for 1941, Relating to High School Tuition and Fixing the Amounts of Such Tuition.

House Bill No. 110. A Bill for an Act Fixing the Salaries or Compensation of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, Attorney General, Superintendent of Public Instruction, Commissioner of Insurance, Commissioner of Agriculture and Labor, and Each Commissioner of the Public Service Commission to Be Elected After the Effective Date of This Act and All Subsequent Elections and Amending and Re-enacting the Initiated Act Known as, Reduction Salaries of State Officials, Approved by the People of the State of North Dakota November 8, 1932.

House Bill No. 127. A Bill for an Act to Amend and Re-enact Sections 18, 19, and 20 of Chapter 286 of the 1941 Session Laws, Relating to the Terms of Private Sale and Redemption and Repurchase of County Tax Deed Land, Distribution of the Proceeds, Rights of Owner to Repurchase, Disposition of Rental and Landlord's Share of the Crop, Time of Assessment for Taxation, and Declaring an Emergency.

House Bill No. 153. A Bill for an Act Making It a Felony for an Official or Employee in Any Penal, Correctional, or Eleemosynary Institution to Have Sexual Intercourse With an Inmate of Such Institution in Which Such Officer or Other Person Is Employed; Making It a Felony for a Guardian or Person Administering Public Relief or Welfare to Induce a Female Ward Under His Care to Have Illicit Sexual Intercourse With Him, by Threatening to Withhold from Such Female or Her Family, the Necessities of Life, or Threatening Physical Violence; Providing Penalty.

House Bill No. 243. A Bill for an Act Appropriating the Balance Remaining in "The State Public Welfare Fund"

Created by Section 25, Chapter 249, Session Laws of 1937.

House Bill No. 252. A Bill for an Act Making an Appropriation for Expenses of the 28th Legislative Assembly.

House Concurrent Resolution "T." Memorializing the Congress of the United States to Abandon Further Acquisition of Land and the Extension of Game Refuges in the State of North Dakota; Urging Legislation to Provide for Making Payments in Lieu of Taxes Where Refuges Are Located, or Providing for Return of Such Lands to Private Ownership; and Payment of Claims of Landowners in Locality of Such Game Refuges, Whose Crops Have Been Destroyed by Game Birds and Predatory Animals Found on Such Reserves.

House Concurrent Resolution "1-A." Memorializing the Congress of the United States; His Excellency, the President of the United States; the Vice President of the United States; the Honorable, the Secretary of Agriculture of the United States; the Bureau of Animal Industry of the Department of Agriculture of the United States, and the Office of Price Administration of the United States, to Oppose any modification of the Existing Sanitary Pacts Provided for Embargo Against the Importation of Fresh and Frozen Meats from Countries Known to be Infested with Foot and Mouth Disease.

Which the Senate has amended.

W. J. TROUT, Secretary.  
Senate Chamber  
Bismarck, March 2, 1943

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 14. A Bill for an Act Making an Appropriation to Defray the Expenses for the Bee Keepers Act.

Senate Bill No. 34. A Bill for an Act to Amend and Re-enact Sections 3, 4, 7, 8, 9 and 10 of Chapter 229, of the Session Laws of 1941, Relating to the North Dakota State Farm, and Making an Appropriation Therefor.

Senate Bill No. 39. A Bill for an Act Making an Appropriation to Make Up the Deficit in the Fund Known as "The Insurance Tax to Fire Departments" for the Purpose of Paying Insurance Tax to the Various Fire Departments of the State in Compliance with the Provisions of Sections 3993 to 3998 Inclusive of the Compiled Laws of 1913, and Declaring an Emergency.

Senate Bill No. 46. 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. 54. A Bill for an Act Requiring and Compelling All Licensed Beer Dealers to Make Available Reports, Records, Books, Vouchers, and Other Pertinent Documents to the State Tax Commissioner; Providing for Examination; Providing Penalties for Delinquencies and for Violations.

Senate Bill No. 62. A Bill for an Act to Encourage Rural Electrification; Classifying the Personal Property of Rural Electric Companies, and Imposing a Gross Receipts Tax on Such Cooperatives in Lieu of All Other Taxes on Such Personal Property; Providing for Reports of Gross Receipts; Prescribing the Duties of Tax Commissioner With Reference to Levying of the Tax and the Duties of the County Auditor and the County Treasurer With Reference to Alloca-

tion, Collection and Distribution of Such Tax; and Repealing Chapter 282, Laws of 1941 and All Acts and Parts of Acts in Conflict Herewith.

Senate Bill No. 69. A Bill for an Act to Provide for the Transfer of a Part of the Unappropriated Surplus Now in the "Auto Transportation Fund" to the Credit of the "General Fund" in the State Treasury and Declaring an Emergency.

Senate Bill No. 80. A Bill for an Act to Amend and Re-enact Section 3173 of the Compiled Laws of North Dakota for 1913, Relating to Newspapers Qualified to Do Legal Printing, Prescribing Methods Whereby Newspapers Suspending Publication During the War May Become Eligible to Publish Legal Publications.

Senate Bill No. 85. A Bill for an Act Requiring the Numbering of Forms by the Printer, Prescribing a Penalty for the Violation of the Act, and Repealing All Acts or Parts of Acts in Conflict Herewith.

Senate Bill No. 86. A Bill for an Act Requiring Verification of Cash and Bank Balances in Hands of County Treasurer, and Repealing All Acts or Parts of Acts in Conflict Herewith.

Senate Bill No. 87. A Bill for an Act to Amend and Re-enact Section 2079b9 of the 1925 Supplement to the Compiled Laws of North Dakota for 1913, Relating to Records of Local Bond Issues, and Repealing All Acts or Parts of Acts in Conflict Herewith.

Senate Bill No. 88. A Bill for an Act to Amend and Re-enact Subsection (e) of Section 1 of Chapter 279 of the Session Laws of North Dakota for 1931, the Same Being an Amendment of Section 2166 of the Compiled Laws of North Dakota for 1913 as Amended and Re-enacted by Section 3 of Chapter 241 of the Session Laws of North Dakota for 1929, as Further Amended by Chapter 279 of the Session Laws of North Dakota for 1941, Relating to the Collection of Personal Property Taxes by the County Sheriff, and Repealing All Acts or Parts of Acts in Conflict Herewith.

Senate Bill No. 89. A Bill for an Act to Amend and Re-enact Section 2159 of the Compiled Laws of North Dakota for 1913, Relating to the Records of the County Treasurer, and Repealing All Acts or Parts of Acts in Conflict Herewith.

Senate Bill No. 90. A Bill for an Act to Amend and Re-enact Sections 3369 and 3370 of the Compiled Laws of North Dakota for 1913, Relating to County Warrant Procedures, and Repealing Section 3289 of the Compiled Laws of North Dakota for 1913 and All Acts or Parts of Acts in Conflict Herewith.

Senate Bill No. 132. A Bill for an Act to Amend and Re-enact Chapter 218 of the Session Laws of 1935 Giving Preference to North Dakota Bidders and Sellers; Defining Such North Dakota Bidders and Sellers, and Prescribing the Nature of Preference to Be Given.

Senate Bill No. 137. A Bill for an Act Providing for Acknowledgements by Persons Serving in or with the Armed Forces of the United States Within or Without the United States, and Validating Acknowledgements Made Since

September 16, 1940 in Accordance with the Provisions of This Act and Declaring an Emergency.

Senate Bill No. 147. A Bill for an Act Making an Appropriation for the Purpose of Paying for Oleomargarine Stamps.

Senate Bill No. 157. A Bill for an Act to Amend and Re-enact Chapter 190 of the Laws of North Dakota for the Year 1929, Providing That the Execution of a Specified Certificate and the Recording Thereof, Shall Constitute Prima Facie Evidence of the Termination of the Estate Held by a Deceased Person, Under an Estate in Joint Tenancy; Providing for the Recording of Such Certificate; Providing for the Transfer by an Owner to Himself and Others in Joint Tenancy With Right of Survivorship and Declaring Valid Transfers Heretofore Made by Owner to Himself and Others in Joint Tenancy with Right of Survivorship, and Declaring an Emergency.

Senate Concurrent Resolution "T." A Concurrent Resolution Memorializing Congress to Make No Further Extension of Game Reserves in the State of North Dakota.

Senate Concurrent Resolution "1-F." A Concurrent Resolution Providing for a Committee Consisting of the Lieutenant Governor and the Speaker of the House of Representatives to Supervise the Completion of the Codes; Permitting Them to Employ Proof-readers, and Providing for Remuneration.

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

W. J. TROUT, Secretary.

#### REPORT OF STANDING COMMITTEE

The question before the House was the adoption of the substitute motion previously made by Rep. Haugen that Senate Bill No. 166 be indefinitely postponed, action having been deferred until after two o'clock today.

Rep. Devlin moved the previous question.

The question was on the substitute motion of Rep. Haugen.

Rep. Aker demanded a roll call.

A roll call was granted.

#### ROLL CALL

The question being on the substitute motion of Rep. Haugen, the roll was called and there were ayes, 56; nays, 54; absent and not voting, 3.

Those voting in the affirmative were:

Anderson	Heckman	Rettke
Bauer	Hegge	Rohde
Baumgartner	Hofstrand	Rohrer
Belzer	Iszler	Schwartz
Braun	Jennings	Schmalenberger
Bubel	Kolpin	Schnell
Bureau	Larson, Ward	Stair
Bymers	Larson, Wells	Starck
Crockett	Levin	Sticka
Devlin	Lillehaugen	Tuff
Drovdal	Marks	Wambheim
Falconer	Mittag	Welder
Fitch	Mollet	Welk
Forseth	Morrison	Williams, Richland
Fraser	Myers	Williams,argent

Graham	Nelson	Wolf, McIntosh
Haag	Ohnstad	Wolf, Morton
Halvorson	Ostgulen	Mr. Speaker
Haugen	Peterson, Bottina'u	
Those voting in the	negative were:	
Aker	Fuglestad	Morland
Allen, Grand Forks	Gackle	Nystrom
Allen, Pierce	Gainor	Olson, Barnes
Arndt	Halcrow	Olson, Bowman
Bagge	Haugland	Peterson, Ransom
Benno	Hildre	Pyle
Bergesen	Hogoboom	Runk
Blair	Holm	Sailer
Bolmeier	Hovey	Sandness
Boulden	Johnson, Cass	Saumur
Callahan	Johnson, Richland	Sellens
Carlson	Johnson, Rolette	Severson
Coghlan	Langley	Sharpe
Collette	Leet	Shure
Dahlen	Lunde	Stormon
Dalzell	McInnes	Twichell
Ekren	Manstrom	Westby
Fleck	Moe	Williams, Stutsm'n
Absent and not voting:		
Bjella	Monson	Mortenson

So the bill was indefinitely postponed.

Rep. Haugen moved that the vote by which Senate Bill No. 166 was indefinitely postponed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Rep. Aker: "I wish to explain my vote. When we pay out in reinsurance over \$598,354.66 and recover on that same premium only \$97,066.96 there is some reason for continuing the investigation."

#### MESSAGES TO THE SENATE

House of Representatives

Bismarck, March 2, 1943

Mr. President: I have the honor to return:

Senate Bill No. 75. A Bill for an Act Amending and Re-enacting Section 3 of Chapter 163 of the Session Laws of 1939, Relating to Safety Rules.

Senate Bill No. 76. A Bill for an Act Amending and Re-enacting Section 5 of Chapter 168 of the Session Laws of the State of North Dakota for the Year 1919 and Acts Amendatory Thereof, Relating to Inspection of Mines.

Senate Bill No. 61. A Bill for an Act to Amend and Re-enact Section 8 of Chapter 241, Laws of 1937, Pertaining to Field Auditors.

Senate Bill No. 78. A Bill for an Act Providing for Reimbursement for Living Expenses of the Members of the State Legislature While in Attendance at the Session, Making an Appropriation Therefor; and Declaring an Emergency.

Senate Bill No. 125. A Bill for an Act to Amend and Re-enact Section 15, Chapter 187, Session Laws of 1941, Providing for the Issuance of Temporary Permits, and Declaring an Emergency.

Senate Bill No. 197. A Bill for an Act to Amend and Re-

enact Section 819 of the Compiled Laws of North Dakota for 1913 and to Provide for Keeping Jury Lists Filed With Names of Qualified Jurors.

Senate Concurrent Resolution "B." Authorizing the Secretary of State to Supply 1942 North Dakota Blue Books Free of Charge to New Members of the Twenty-eighth Legislative Assembly.

Senate Concurrent Resolution "1-E." A Concurrent Resolution Calling for the Appointment of a Committee from Both Houses of the North Dakota Legislature to Study and Examine the Work of the Interim Legislative Committee on Code Revision, to Prepare Necessary Contracts, and Present the Same to the Legislature for Its Ratification.

Senate Concurrent Resolution "1-B." A Concurrent Resolution Protesting Favoritism for Youth of Japanese Ex-traction, in the Advantages of Higher Education.

Which the House has passed unchanged.

W. M. SMART, Chief Clerk.

House of Representatives

Bismarck, March 2, 1943

Mr. President: I have the honor to return:

Senate Bill No. 47. A Bill for an Act to Amend and Re-enact Section 3 of Chapter 267 of the Session Laws of 1927, as Amended by Chapter 282 of the Session Laws of 1931 and Chapter 251 of the Session Laws of 1933, Pertaining to the Estate Tax.

Which the House has indefinitely postponed.

W. M. SMART, Chief Clerk.

House of Representatives

Bismarck, March 2, 1943

Mr. President: I have the honor to return:

Senate Concurrent Resolution "R." A Concurrent Resolution in Appreciation for His Invaluable Services Rendered by the Honorable Fred B. Fancher in the Organization and Starting on Its Way, the Government of the State of North Dakota.

Senate Concurrent Resolution "S." For His Invaluable Services Rendered by the Honorable Henry M. Peterson, in the Organization and Starting on Its Way, the Government of the State of North Dakota.

Senate Concurrent Resolution "Q." For His Invaluable Services Rendered by the Honorable E. W. Camp, in the Organization and the Starting on Its Way, the Government of the State of North Dakota.

Which the House has amended.

W. M. SMART, Chief Clerk.

House of Representatives

Bismarck, March 2, 1943

Mr. President: I have the honor to return:

Senate Bill No. 41. A Bill for an Act to Amend and Re-enact Section 988 of the Compiled Laws of the State of North Dakota for the Year of 1913, as Amended and Re-enacted by Chapter 201 of the 1923 Session Laws and Chapter 132 of the 1925 Session Laws, Relating to the Disability of Electors in Marking Their Ballots.



Senate Bill No. 84. A Bill for an Act to Amend and Re-enact Section 3276 of the Compiled Laws of North Dakota for 1913 Relating to Supervision of Fiscal Affairs by the County Commissioners, and Repealing All Acts or Parts of Acts in Conflict Herewith.

Senate Bill No. 97. A Bill for an Act to Amend and Re-enact Section 1 of Chapter 132 of the Session Laws of 1933, Relating to the Investment of Funds of Domestic Insurance Companies, and Declaring an Emergency.

Senate Bill No. 99. A Bill for an Act to Amend and Re-enact Section 4881a7 of the 1925 Supplement to the Compiled Laws of North Dakota, Relating to Incorporated Mutual Insurance Companies, and Declaring an Emergency.

Senate Bill No. 100. A Bill for an Act to Amend and Re-enact Section 5061 of the Compiled Laws of North Dakota for the Year 1913, Relating to the Government of Fraternal Benefit Societies, and Declaring an Emergency.

Senate Bill No. 120. A Bill for an Act Making an Appropriation for the General Maintenance, Administration, Salaries and Other Expenses for the State Hospital for the Insane at Jamestown, North Dakota, and Prescribing a Limitation as to the Availability of the Same.

Senate Bill No. 131. A Bill for an Act to Amend and Re-enact Section 27 of Chapter 148 of the Session Laws of North Dakota for 1931 Relating to County Auditors' Bonds, Reports and Fees and Repealing Chapter 160 of the Session Laws of North Dakota for 1941 and All Acts or Parts of Acts in Conflict Herewith.

Which the House has passed unchanged.

W. M. SMART, Chief Clerk.

House of Representatives

Bismarck, March 2, 1943

Mr. President: I have the honor to return:

Senate Bill No. 35. A Bill for an Act to Repeal Section 10322a51 of Chapter 158 of the Session Laws of 1941.

Senate Bill No. 105. A Bill for an Act to Provide Revenue for the Enforcement of the Paint and Varnish Laws of This State; to Prevent Fraud and Deception in the Sale of Paints and Varnishes; to Prevent Adulteration and Misbranding Thereof; to Provide Licensing, Payment and Disposition of License Fees; and Provide Penalties for Violations Thereof.

Senate Concurrent Resolution "W." A Concurrent Resolution Providing for the Amendment of Section 45 of the Constitution of the State of North Dakota.

Senate Bill No. 193. A Bill for an Act to Amend and Re-enact Section 994 of the Compiled Laws of North Dakota, 1913, Providing for Preparing and Printing Absent Voter Ballots.

Which the House has indefinitely postponed.

W. M. SMART, Chief Clerk.

#### REPORTS OF STANDING COMMITTEES

Action on the committee report on Senate Bill No. 192 which had previously been deferred was before the House.

Rep. Morland moved that Senate Bill No. 192 be placed in General Orders, which motion was lost.

Division was asked for and disclosed 47 voting for and 43

voting against so the motion prevailed and Senate Bill No. 192 was placed in General Orders.

Mr. Speaker: Your Committee on Agriculture to whom was referred Senate Bill No. 175, have had the same under consideration and recommend that the same be amended as follows:

Strike out all of the title and insert in lieu thereof "For an Act amending and re-enacting Section 17 of Chapter 258 of the Session Laws of 1931 as amended by Section 4 of Chapter 14 of the Session Laws of 1941 relating to the State Seed Department. BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF NORTH DAKOTA:".

Strike out all of Section 1, lines 1, 2, and 3, and insert in lieu thereof "Section 1. AMENDMENT.) That Section 17 of Chapter 258 of the Session Laws of 1931 as amended by Section 4 of Chapter 14 of the Session Laws of 1931 be amended and re-enacted to read as follows:".

In Section 17:

Add the second paragraph: "In the event of the shipment into this state from any point outside thereof, of any seed, it shall be the duty of the purchaser or vendor or any person receiving such seed to have same labeled in accordance with and conforming to the requirements of this act; provided, however, that certain standardized grades and labeling of seed in use elsewhere may be permitted by the Commissioner, in connection with shipments of seed into this state from points outside thereof, in lieu of the labeling provided for in this act; provided, further, that the provisions of this act shall not apply to any common carrier in respect to any seed transported or delivered for transportation in the ordinary course of its business as a common carrier; and provided further, that no person, excepting common carriers as herein provided, shall knowingly distribute, sell, offer, expose or have in possession with intent for sale for sowing or planting purposes, any seed included in Section 3, sub-section (a) of this act, or any garden vegetable seed or any other kind or nature of seed that is falsely represented by labeling or in any form of advertising or in any other way as to quality, condition, grade, viability, purity, character, nature, variety or any other description." And renumber the lines.

And when so amended recommend the same do pass.

REP. OLSON of Bowman, Chairman.

Rep. Fuglestad moved that the report be adopted, which motion prevailed and the report was adopted.

#### HOUSE COMMITTEE ON ENROLLMENT AND ENGROSSMENT

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

- House Bill No. 42.
- House Bill No. 95.
- House Bill No. 106.
- House Bill No. 107.
- House Bill No. 140.
- House Bill No. 138.

House Bill No. 166.

House Bill No. 251.

And find the same correctly Engrossed:

REP. MORLAND, Chairman.

Rep. Stair moved that the report be adopted, which motion prevailed, and the report was adopted.

HOUSE COMMITTEE ON ENROLLMENT AND  
ENGROSSMENT

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

House Bill No. 8.

House Bill No. 13.

House Bill No. 99.

House Bill No. 105.

House Bill No. 106.

House Bill No. 107.

House Bill No. 118.

House Bill No. 123.

House Bill No. 124.

House Bill No. 140.

House Bill No. 166.

House Bill No. 170.

House Bill No. 251.

House Concurrent Resolution "X."

Five copies of Memorial Resolution "1-D."

And find the same correctly Enrolled.

REP. MORLAND, Chairman.

Rep. Stair moved that the report be adopted, which motion prevailed, and the report was adopted.

Rep. Graham moved that the report of the Joint House and Senate Committee appointed to investigate the methods of the administration of the Old Age Assistance Laws as printed in the Journal, be approved by roll call.

Rep. Shure moved that the report be amended by striking out all of Section 9.

Rep. Sellens moved that further action on the adoption of the report of the Select Committee be deferred one legislative day, which motion prevailed.

Rep. Leet moved that a committee be appointed to confer with the Board of Administration and arrange to have the loud speaker system put in condition and ready for use at the time the next Legislative Assembly convenes, which motion prevailed.

The Speaker appointed to serve on such Committee, Reps. Leet, Dahlen, Levin and Myers.

CONSIDERATION OF MESSAGES FROM THE SENATE

Rep. Johnson of Cass moved that the House do concur in the Senate amendments to House Bill No. 16, which motion prevailed.

Rep. Johnson of Cass moved that the rules be suspended and that House Bill No. 16 be considered properly engrossed and placed on second reading and final passage, which motion prevailed.

## SECOND READING OF HOUSE BILLS

House Bill No. 16. A Bill for an Act Making an Appropriation for the Operating and Maintenance Expenses of the Public Health Department, Public Health Laboratories and Division of Child Hygiene.

Was read the second time.

## ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 80; nays, 24; absent and not voting, 9.

Those voting in the affirmative were:

Aker	Fuglestad	Morland
Allen, Grand Forks	Gackle	Myers
Allen, Pierce	Gainor	Nelson
Arndt	Graham	Nystrom
Bagge	Haag	Olson, Barnes
Bauer	Halcrow	Olson, Bowman
Baumgartner	Halvorson	Ohnstad
Belzer	Haugen	Peterson, Bottina'u
Benno	Haugland	Peterson, Ransom
Braun	Heckman	Pyle
Bergesen	Hegge	Rettke
Bjella	Hildre	Rohrer
Boulden	Hofstrand	Runck
Bubel	Hogoboom	Sailer
Burau	Hovey	Saumur
Bymers	Jennings	Schwartz
Callahan	Johnson, Cass	Sellens
Carlson	Johnson, Richland	Sharpe
Collette	Johnson, Rolette	Shure
Dahlen	Kolpin	Stair
Devlin	Langley	Stormon
Drovdal	Larson, Ward	Wambheim
Ekren	Larson, Wells	Westby
Falconer	Leet	Williams, Stutsm'n
Fitch	Lunde	Wolf, Morton
Fleck	McInnes	Mr. Speaker
Fraser	Manstrom	

Those voting in the negative were:

Blair	Mollet	Starck
Crockett	Morrison	Sticka
Holm	Ostgulen	Tuff
Levin	Rohde	Welder
Lillehaugen	Sandness	Welk
Marks	Schmalenberger	Williams, Richland
Mittag	Schnell	Williams, Sargent
Moe	Severson	Wolf, McIntosh

Absent and not voting:

Anderson	Dalzell	Monson
Bolmeier	Forseth	Mortenson
Coghlan	Iszler	Twichell

So the bill passed as amended and the title was agreed to.

Rep. Westby moved that the vote by which House Bill No. 16 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Rep. Bauer: "I want my remarks recorded. I believe that this is a good bill for my district and especially for my colleagues in Sioux. I vote 'Aye'."

## REPORTS OF SELECT COMMITTEES

Action on House Bill No. 42 having been delayed until after two o'clock today, the same was before the House at this time.

Rep. Bubel moved that the report of the Conference Committee on House Bill No. 42 be rejected.

Rep. Hogoboom offered as a substitute motion that the report of the Conference Committee on House Bill No. 42 be adopted, which motion prevailed.

Division was asked for which disclosed 52 voting for and 42 against so the motion prevailed.

Rep. Hogoboom moved that the rules be suspended and House Bill No. 42 be considered properly engrossed and placed on second reading and final passage, which motion prevailed.

House Bill No. 42. A Bill for an Act to Amend and Re-enact Chapter 275 of the Session Laws of 1941, Relating to the Exemptions of Farm Machinery from Personal Property Taxes for the First Year After Its Purchase, on Which Sales or Use Tax Is 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, 55; nays, 51; absent and not voting, 7.

Those voting in the affirmative were:

Allen, Grand Forks	Gackle	Nystrom
Allen, Pierce	Gainor	Olson, Barnes
Arndt	Halcrow	Olson, Bowman
Bagge	Haugland	Ohnstad
Bauer	Hildre	Peterson, Ransom
Benno	Hogoboom	Pyle
Bergesen	Holm	Runk
Bjella	Hovey	Sailer
Blair	Johnson, Cass	Saumur
Bolmeier	Johnson, Richland	Sellens
Boulden	Johnson, Rolette	Severson
Bymers	Langley	Sharpe
Callahan	Leet	Shure
Carlson	Lunde	Stormon
Coghlan	McInnes	Twichell
Collette	Manstrom	Wambheim
Dahlen	Moe	Westby
Fitch	Morland	Williams, Stutsm'n
Fleck		

Those voting in the negative were:

Baumgartner	Hegge	Rohde
Belzer	Hofstrand	Rohrer
Braun	Jennings	Sandness
Bubel	Kolpin	Schwartz
Burau	Larson, Ward	Schmalenberger
Crockett	Larson, Wells	Schnell
Devlin	Levin	Stair
Drovdal	Lillehaugen	Starck
Ekren	Marks	Sticka
Falconer	Mittag	Tuff
Forseth	Mollet	Welder
Fraser	Morrison	Welk

Graham	Myers	Williams, Richland
Haag	Nelson	Williams, Sargent
Halvorson	Ostgulen	Wolf, McIntosh
Haugen	Peterson, Bottin'au	Wolf, Morton
Heckman	Rettke	Mr. Speaker
Absent and not voting:		
Aker	Fuglestad	Monson
Anderson	Iszler	Mortenson
Dalzell		

So the bill was declared lost.

Rep. Wolf of McIntosh moved that the vote by which House Bill No. 42 was lost be reconsidered and the motion to reconsider be laid on the table.

A rising vote disclosed 46 for and 52 against, so the motion was declared lost.

Rep. Johnson of Cass moved that the House do not concur in the Senate amendments to House Bill No. 10.

Rep. Stormon offered as a substitute motion that the House do concur in the Senate amendments to House Bill No. 10, which motion was lost.

The question was on the motion of Rep. Johnson of Cass, which motion prevailed.

Rep. Johnson of Cass moved that a Conference Committee be appointed on House Bill No. 10, which motion prevailed.

The Speaker appointed on the Conference Committee Reps. Stair, Sticka and Marks.

Amendments to House Bill No. 98:

Strike out the period after the word "refund" in the title of the printed bill and insert "and repealing all acts or parts of acts in conflict herewith."

Rep. Johnson of Richland moved that the House do concur in the Senate amendments to House Bill No. 98, which motion prevailed.

Rep. Blair moved that the rules be suspended and that House Bill No. 98 be considered properly engrossed and placed on second reading and final passage, which motion prevailed.

House Bill No. 98. A Bill for an Act to Provide for Participation in the North Dakota Teachers' Insurance and Retirement Fund by Members of the Armed Forces of the United States During the Period of Their Service, and Fixing the Period Within Which Such Persons May Withdraw from Participation and Receive Refund.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 87; nays, 1; absent and not voting, 25.

Those voting in the affirmative were:

Aker	Gackle	Olson, Bowman
Allen, Grand Forks	Graham	Ostgulen
Allen, Pierce	Haag	Peterson, Ransom
Anderson	Halcrow	Pyle
Arndt	Halvorson	Rohrer
Bagge	Haugen	Rettke
Bauer	Heckman	Runck
Baumgartner	Hegge	Sailer
Belzer	Hofstrand	Sandness
Benno	Hogoboom	Saumur

Bergesen	Holm	Schmalenberger
Bjella	Hovey	Schnell
Blair	Jennings	Schwartz
Bolmeier	Johnson, Cass	Sharpe
Braun	Johnson, Richland	Shure
Bubel	Kolpin	Starck
Burau	Larson, Ward	Sticka
Callahan	Larson, Wells	Stormon
Carlson	Leet	Twichell
Coghlan	Lillehaugen	Tuff
Collette	Lunde	Welder
Dahlen	Manstrom	Welk
Devlin	Marks	Westby
Droydal	Mittag	Williams, Richland
Falconer	Moe	Williams, Sargent
Fitch	Mollet	Williams, Stutsm'n
Forseth	Morrison	Wolf, McIntosh
Fraser	Myers	Wolf, Morton
Fuglestad	Nelson	Mr. Speaker

Those voting in the negative were:

Crockett

Absent and not voting:

Boulden	Johnson, Rolette	Olson, Barnes
Bymers	Langley	Ohnstad
Dalzell	Levin	Peterson, Bottin'au
Ekren	McInnes	Rohde
Fleck	Monson	Sellens
Gainor	Morland	Severson
Haugland	Mortenson	Stair
Hildre	Nystrom	Wambheim
Iszler		

So the bill passed as amended and the title was agreed to.

#### MESSAGE TO THE SENATE

House of Representatives

Bismarck, March 2, 1943

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 and the Speaker has appointed as a Conference Committee, Reps. Stair, Sticka and Marks.

Very respectfully,

W. M. SMART, Chief Clerk.

Rep. Moe moved that the House recess for fifteen minutes, which motion prevailed.

The House reconvened pursuant to recess taken, Speaker Beede presiding.

Amendment to House Bill No. 102:

In the title of the bill after the word "Act" in the first line, strike the balance of line 1, all of line 2, and the words "Correspondence Work, and" in line 3.

Strike out all of Section 1 of the engrossed bill and renumber the lines and sections accordingly.

In line 13, after the word "certified", strike out the following "by the State Superintendent of Public Instruction".

In line 21, after the words "Training Schools" strike out the words "and Model High Schools".

Rep. Hofstrand moved that the House do not concur in the

Senate amendments to House Bill No. 102, which motion prevailed.

Rep. Hofstrand moved that a Conference Committee be appointed on House Bill No. 102, which motion prevailed.

The Speaker appointed on the Conference Committee Reps. Hofstrand, Langley and Haugen.

Amendment to House Bill No. 100:

Under Section 3 in line 11, strike out the figures \$750,000.00 and insert the figures \$500,000.00 in lieu thereof.

Rep. Sandness moved that the House do concur in the Senate amendments to House Bill No. 100, which motion prevailed.

Rep. Sandness moved that the rules be suspended and that House Bill No. 100 be considered properly engrossed and placed on second reading and final passage, which motion prevailed.

House Bill No. 100. A Bill for an Act Creating a Veterans' Post-War Rehabilitation Reserve Fund, and Providing for the Transfer of Monies Thereto and for the Maintenance and Investment 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, 94; nays, 0; absent and not voting, 19.

Those voting in the affirmative were:

Allen, Pierce	Graham	Nystrom
Anderson	Haag	Olson, Barnes
Arndt	Halcrow	Ostgulen
Bagge	Haugen	Peterson, Bottin'au
Bauer	Haugland	Peterson, Ransom
Baumgartner	Heckman	Pyle
Bjella	Hegge	Rettke
Benno	Hildre	Rohrer
Bergesen	Hofstrand	Runck
Blair	Holm	Sailer
Bolmeier	Hovey	Sandness
Braun	Iszler	Saumur
Bubel	Jennings	Schmalenberger
Burau	Johnson, Cass	Schnell
Bymers	Johnson, Richland	Schwartz
Callahan	Johnson, Rolette	Sellens
Carlson	Kolpin	Severson
Coghlan	Langley	Sharpe
Collette	Larson, Ward	Shure
Crockett	Larson, Wells	Starck
Dahlen	Leet	Sticka
Devlin	Lillehaugen	Tuff
Drovdal	Lunde	Wambheim
Ekren	McInnes	Welder
Falconer	Manstrom	Welk
Fitch	Marks	Westby
Fleck	Moe	Williams, Stutsm'n
Forseth	Morrison	Williams, Richland
Fraser	Morland	Wolf, McIntosh
Fuglestad	Myers	Wolf, Morton
Gackle	Nelson	Mr. Speaker
Gainor		



## Absent and not voting:

Aker	Levin	Ohnstad
Allen, Grand Forks	Mittag	Rohde
Belzer	Mollet	Stair
Boulden	Monson	Stormon
Dalzell	Mortenson	Twichell
Halvorson	Olson, Bowman	Williams, Sargent
Hogoboom		

So the bill passed as amended and the title was agreed to.

Rep. Falconer: "I wish to explain my vote. House Bill No. 100 is one that is drawn by the American Legion group who are interested in the well-being of those who will be able to get back after this great conflict is over. I am going to vote for the bill for \$500,000, but I think that those fellows who originally drew the bill knew more about what the purpose was and what money it would take and I think it is a poor place for this legislature to economize in expenditure of money. I vote 'Aye'."

Amendment to House Bill No. 110:

In line 6, strike out the figure "\$5,000.00" and insert in lieu thereof the figure "\$7,500.00".

In line 8 of the printed bill, strike the figure "\$3,600.00" and insert the figure "\$4,500.00".

At the end of the title, strike the period, insert a comma and the following language "and repealing all Acts or parts of Acts in conflict herewith".

## MESSAGES TO THE SENATE

House of Representatives  
Bismarck, March 2, 1943

Mr. President: I have the honor to inform you that the House has refused to concur in the Senate amendment to House Bill No. 28 and the Speaker has appointed as a Conference Committee, Reps. Johnson of Cass, Lillehaugen and Blair.

Very respectfully,

W. M. SMART, Chief Clerk.  
House of Representatives  
Bismarck, March 2, 1943

Mr. President: I have the honor to inform you that the House has refused to concur in the Senate amendment to House Bill No. 102 and the Speaker has appointed as a Conference Committee, Reps. Hofstrand, Langley and Haugen.

Very respectfully,

W. M. SMART, Chief Clerk.

Rep. Schnell moved that the House do not concur in the Senate amendments to House Bill No. 110, which motion prevailed.

Rep. Schnell moved that a Conference Committee be appointed on House Bill No. 110, which motion prevailed.

The Speaker appointed on the Conference Committee, Reps. Schnell, Fitch and Bagge.

Amendment to House Bill No. 127:

In line 13 of the engrossed bill, strike out the word "original", and the balance of the line, and insert the following:

"Former owner his executor or administrator or any member of his immediate family".

In line 15 & 16 of the engrossed bill, strike out these words, "owner or his successor in interest", and insert in lieu thereof the following: "former owner his executor or administrator or any member of his immediate family".

In line 17 of the engrossed bill, after the word "auditor", insert the following: "To his last known post office address or if the post office address is not known, then to the post office nearest the land".

In lines 17 & 18 of the engrossed bill, strike out these words, "original owner or his successor in interest", and insert in lieu thereof the following: "former owner his executor or administrator or any member of his immediate family".

In line 20 of the engrossed bill, after the word estate, strike out the period and add the following: "or the proposed sale price, whichever may be the lesser".

In line 21 of the engrossed bill, strike out these words "original owner or his successor in interest", and insert in lieu thereof the following: "Former owner his executor or administrator or any member of his immediate family".

Strike out all of line 48 to the word shall, and insert the following: "The former owner his executor or administrator or any member of his immediate family".

In line 53 & 54, strike out the words "owner or his successor in interest", and insert in lieu thereof the following: "former owner his executor or administrator or any member of his immediate family".

In line 64 of the engrossed bill, strike out the word "owner" and insert the following: "former owner his executor or administrator or any member of his immediate family".

In line 106 of the engrossed bill, after the period insert the following: "It is further provided that it shall be the duty of the County Auditor to immediately send a copy of the said resolution to the State Hail Insurance Department and to notify the County Treasurer of the cancellation of such taxes", and renumber all lines accordingly.

Rep. Aker moved that the House do concur in the Senate amendments to House Bill No. 127, which motion prevailed.

Rep. Aker moved that the rules be suspended and that House Bill No. 127 be considered properly engrossed and placed on second reading and final passage, which motion prevailed.

House Bill No. 127. A Bill for an Act to Amend and Re-enact Sections 18, 19, and 20 of Chapter 286 of the 1941 Session Laws, Relating to the Terms of Private Sale and Redemption and Repurchase of County Tax Deed Land, Distribution of the Proceeds, Rights of Owner to Repurchase, Disposition of Rental and Landlord's Share of the Crop, Time of Assessment for Taxation, and Declaring an Emergency.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 101; nays, 1; absent and not voting, 11.

Those voting in the affirmative were:

Aker

Haag

Ohnstad

Allen, Pierce	Halvorson	Ostgulen
Anderson	Haugen	Peterson, Bottin'au
Arndt	Haugland	Peterson, Ransom
Bagge	Heckman	Pyle
Bauer	Hegge	Rohrer
Baumgartner	Hildre	Rettke
Belzer	Hofstrand	Runck
Benno	Holm	Sailer
Bergesen	Hovey	Sandness
Bjella	Iszler	Saumur
Blair	Jennings	Schwartz
Bolmeier	Johnson, Cass	Schmalenberger
Braun	Johnson, Richland	Schnell
Bubel	Johnson, Rolette	Sellens
Bureau	Kolpin	Severson
Bymers	Langley	Sharpe
Callahan	Larson, Ward	Shure
Carlson	Larson, Wells	Stair
Coghlan	Leet	Starck
Collette	Levin	Sticka
Dahlen	Lillehaugen	Stormon
Dalzell	Lunde	Twitchell
Devlin	McInnes	Tuff
Drovdal	Manstrom	Wambheim
Falconer	Marks	Welder
Fitch	Mittag	Welk
Forseth	Mollet	Williams, Richland
Fraser	Morland	Williams, Sargent
Fuglestad	Morrison	Williams, Stutsm'n
Gackle	Myers	Wolf, McIntosh
Gainor	Nelson	Wolf, Morton
Graham	Nystrom	Mr. Speaker
Halcrow	Olson, Bowman	

Those voting in the negative were:

Moe

Absent and not voting:

Allen, Grand Forks	Fleck	Olson, Barnes
Boulden	Hogoboom	Rohde
Crockett	Monson	Westby
Ekren	Mortenson	

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

#### MESSAGE TO THE SENATE

House of Representatives

Bismarck, March 2, 1943

Mr. President: I have the honor to inform you that the House has refused to concur in the Senate amendment to House Bill No. 110 and the Speaker has appointed as a Conference Committee, Reps. Schnell, Fitch and Bagge.

Very respectfully,

W. M. SMART, Chief Clerk.

Amendments to House Bill No. 153:

Strike out the comma after the word "who" in line 6 of Section 1 of the engrossed bill and all the balance of line 6 and all of line 7 down to and including the word "employee" and insert in lieu thereof the following: "has illicit sexual intercourse with any female person who is an inmate."

Strike out all of line 9 after the word "state" in said section and all of line 10 and the words "intercourse with him" in line 11.

Strike out the word "induces" in line 13 of said section and insert in lieu thereof the following: "has illicit sexual intercourse with".

Strike out the words "to have illicit sexual intercourse" in line 16 and all of line 17, 18 and 19 of such section.

Rep. Graham moved that the House do concur in the Senate amendments to House Bill No. 153.

Rep. Starck offered as a substitute motion that action on the Senate amendments to House Bill No. 153 be deferred one legislative day, which motion prevailed.

Amendments to House Bill No. 243:

Strike out all of lines 1 to 11 inclusive and renumber the following lines accordingly.

Rep. Haugen moved that the House do concur in the Senate amendments to House Bill No. 243, which motion prevailed.

Rep. Haugen moved that the rules be suspended and that House Bill No. 243 be considered properly engrossed and placed on second reading and final passage, which motion prevailed.

House Bill No. 243. A Bill for an Act Appropriating the Balance Remaining in "The State Public Welfare Fund" Created by Section 25, Chapter 249, Session Laws of 1927.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 103; nays, 0; absent and not voting, 10.

Those voting in the affirmative were:

Aker	Graham	Nystrom
Allen, Pierce	Haag	Olson, Bowman
Anderson	Halcrow	Ohnstad
Arndt	Halvorson	Ostgulen
Bagge	Haugen	Peterson, Bottin'au
Bauer	Haugland	Peterson, Ransom
Baumgartner	Heckman	Pyle
Belzer	Hegge	Rettke
Benno	Hildre	Rohrer
Bergesen	Hofstrand	Runck
Bjella	Holm	Sailer
Blair	Hovey	Sandness
Bolmeier	Iszler	Saumur
Braun	Jennings	Schwartz
Bubel	Johnson, Cass	Schmalenberger
Burau	Johnson, Richland	Schnell
Bymers	Johnson, Rolette	Sellens
Callahan	Kolpin	Severson
Carlson	Langley	Sharpe
Coghlan	Larson, Ward	Shure
Collette	Larson, Wells	Starck
Crockett	Leet	Sticka
Dahlen	Levin	Stormon
Dalzell	Lillehaugen	Tuff
Devlin	Lunde	Wambheim
Drovdal	McInnes	Welder

Ekren	Manstrom	Welk
Falconer	Marks	Westby
Fitch	Mittag	Williams, Richland
Fleck	Moe	Williams, Sargent
Forseth	Mollet	Williams, Stutsm'n
Fraser	Morland	Wolf, McIntosh
Fuglestad	Morrison	Wolf, Morton
Gackle	Myers	Mr. Speaker
Gainor		

Absent and not voting:

Allen, Grand Forks	Mortenson	Rohde
Boulden	Nelson	Stair
Hogoboom	Olson, Barnes	Twichell
Monson		

So the bill passed as amended and the title was agreed to.

Amendments to House Bill No. 252:

In the title of the bill, strike out the period at the end of the title and insert a comma and the following language: "and declaring an emergency."

Add another section as follows: "Section 2. EMERGENCY.) This act is hereby declared to be an emergency measure and shall be in full force and effect from and after the date of its passage and approval."

Rep. Wolf of McIntosh moved that the House do concur in the Senate amendments to House Bill No. 252, which motion prevailed.

Rep. Wolf of McIntosh moved that the rules be suspended and that House Bill No. 252 be considered properly engrossed and placed on second reading and final passage, which motion prevailed.

House Bill No. 252. A Bill for an Act Making an Appropriation for Expenses of the 28th Legislative Assembly, and Declaring an Emergency.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 101; nays, 0; absent and not voting, 12.

Those voting in the affirmative were:

Aker	Haag	Olson, Bowman
Allen, Pierce	Halcrow	Ohnstad
Anderson	Halvorson	Ostgulen
Arndt	Haugen	Peterson, Bottin'au
Bagge	Haugland	Peterson, Ransom
Bauer	Heckman	Pyle
Baumgartner	Hegge	Rettke
Belzer	Hildre	Rohrer
Benno	Hofstrand	Runck
Bergesen	Holm	Sailer
Bjella	Hovey	Sandness
Blair	Iszler	Saumur
Bolmeier	Jennings	Schwartz
Braun	Johnson, Cass	Schmalenberger
Burau	Johnson, Richland	Schnell
Bymers	Johnson, Rolette	Severson
Callahan	Kolpin	Sharpe
Carlson	Langley	Shure

Coghlan	Larson, Ward	Stair
Collette	Larson, Wells	Starck
Crockett	Leet	Sticka
Dahlen	Levin	Stormon
Dalzell	Lillehaugen	Tuff
Devlin	Lunde	Wambheim
Drovdal	McInnes	Welder
Ekren	Manstrom	Welk
Falconer	Marks	Westby
Fitch	Mittag	Williams, Richland
Forseth	Moe	Williams, Sargent
Fraser	Mollet	Williams, Stutsm'n
Fuglestad	Morland	Wolf, McIntosh
Gackle	Morrison	Wolf, Morton
Gainor	Myers	Mr. Speaker
Graham	Nystrom	
Absent and not voting:		
Allen, Grand Forks	Hogoboom	Olson, Barnes
Boulden	Monson	Rohde
Bubel	Mortenson	Sellens
Fleck	Nelson	Twichell

So the bill passed as amended and the title was agreed to.

Amendments to House Concurrent Resolution "T":

In line 14 of the printed resolution, strike out the words, "Game birds" and insert in lieu thereof "migratory water fowl", and in line 38 strike out the words "game birds" and insert in lieu thereof "migratory water fowl".

Rep. Benno moved that the House do concur in the Senate amendments to House Concurrent Resolution "T," which motion prevailed.

Rep. Benno moved that House Concurrent Resolution "T," as amended, be adopted, which motion prevailed and the Resolution was adopted.

Amendment to House Concurrent Resolution "1-A":

In line 20, after the word "States", strike out the comma, insert a period and strike out the balance of the paragraph.

Rep. Halvorson moved that the House do not concur in the Senate amendments to House Concurrent Resolution "1-A," which motion prevailed.

Rep. Halvorson moved that a Conference Committee be appointed on House Concurrent Resolution "1-A," which motion prevailed.

The Speaker appointed on the Conference Committee Reps. Halvorson, Gackle and Haugland.

#### MESSAGE TO THE SENATE

House of Representatives

Bismarck, March 2, 1943

Mr. President: I have the honor to inform you that the House has refused to concur in the Senate amendment to House Concurrent Resolution "1-A" and the Speaker has appointed as a Conference Committee, Reps. Halvorson, Gackle and Haugland.

Very respectfully,

W. M. SMART, Chief Clerk.

Rep. Bergesen moved that Senate Bill No. 140 be made a special order of business at nine o'clock tonight, which motion prevailed.

Rep. Bergesen moved that Senate Bills Nos. 206, 133 and 134 be made a special order of business tonight immediately after action taken on Senate Bill No. 140, which motion prevailed.

Rep. Fitch moved that the House recess until 7:30 o'clock tonight, which motion prevailed.

The House reconvened at 7:30 o'clock pursuant to recess taken, Speaker Beede presiding.

The Speaker announced the House would be on the fifth order of business.

#### REPORTS OF STANDING COMMITTEES

Mr. Speaker: Your Committee on Appropriations to whom was referred Senate Bill No. 18, have had the same under consideration and recommend that the same do pass.

REP. JOHNSON of Cass, Chairman.

Rep. Haag moved that the report be adopted, which motion prevailed and the report was adopted.

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

REP. JOHNSON of Cass, Chairman.

Rep. Gackle moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Appropriations to whom was referred Senate Bill No. 21, have had the same under consideration and recommend that the same be amended as follows:

Line 2—After the words "out of the" insert the words "Institutional Collections and".

Line 3—Strike out the figures "\$33,424.00" and insert the figures "\$34,363.00" in lieu thereof.

Line 12—Strike out the figures "\$12,680.00" and insert the figures "\$13,319.00" in lieu thereof.

Line 32—Strike out the figures "\$52,674.00" and insert the figures "\$53,313.00".

Line 43—Strike out the figures "\$56,424.00" and insert the figures "\$57,363.00".

And when so amended recommend the same do pass.

REP. JOHNSON of Cass, Chairman.

Rep. Lillehaugen moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Appropriations to whom was referred Senate Bill No. 29, have had the same under consideration and recommend that the same do pass.

REP. JOHNSON of Cass, Chairman.

Rep. Mittag moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Appropriations to whom was referred Senate Bill No. 30, have had the same under consideration and recommend that the same do pass.

REP. JOHNSON of Cass, Chairman.

Rep. Stormon moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Appropriations to

whom was referred Senate Bill No. 31, have had the same under consideration and recommend that the same do pass.

REP. JOHNSON of Cass, Chairman.

Rep. Lillehaugen moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Appropriations to whom was referred Senate Bill No. 32, have had the same under consideration and recommend that the same do pass.

REP. JOHNSON of Cass, Chairman.

Rep. Mittag moved that the report be adopted, which motion prevailed and the report was adopted.

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

REP. JOHNSON of Cass, Chairman.

Rep. Allen moved that the report be adopted, which motion prevailed and the report was adopted.

#### HOUSE COMMITTEE ON ENROLLMENT AND ENGROSSMENT

The Committee on Enrollment and Engrossment respectfully reports that:

House Concurrent Resolution "N."

House Joint Resolution "Z."

Were delivered to the Secretary of State at the hour of 3:15 o'clock P. M., March 2, 1943.

REP MORLAND, CHAIRMAN.

The Committee on Enrollment and Engrossment respectfully reports that:

House Bill No. 25.

House Bill No. 84.

House Bill No. 136.

House Bill No. 150.

Were delivered to the Governor for his approval at the hour of 3:15 o'clock P. M., March 2, 1943.

REP MORLAND, CHAIRMAN.

Rep. Ohnstad moved that action on Senate Bill No. 204 be deferred one legislative day, which motion prevailed.

Rep. Ohnstad moved that action of Senate Bill No. 205 be deferred one legislative day, which motion prevailed.

#### SECOND READING OF SENATE BILLS

Senate Bill No. 146. A Bill for an Act to Legalize the Operation of Bowling Alleys During Certain Hours on the First Day of the Week; Permitting Labor and Services to Be Performed in Connection Therewith; Permitting Municipalities by Ordinance to Prohibit Operation; 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, 59; nays, 39; absent and not voting, 15.

Those voting in the affirmative were:

Aker	Fleck	Ohnstad
Allen, Grand Forks	Gackle	Pyle



Allen, Pierce	Gainor	Rettke
Anderson	Graham	Rohde
Bagge	Halvorson	Rohrer
Bauer	Hegge	Runck
Baumgartner	Hildre	Saumur
Belzer	Hogboom	Schwartz
Benno	Hovey	Sellens
Bergesen	Johnson, Cass	Severson
Boulden	Johnson, Rolette	Sharpe
Bubel	Kolpin	Shure
Bureau	Larson, Ward	Stair
Rymers	Larson, Wells	Starck
Callahan	McInnes	Twichell
Carlson	Morrison	Tuff
Collette	Myers	Wambheim
Dalzell	Nelson	Welk
Devlin	Nystrom	Wolf, Morton
Falconer	Olson, Bowman	
Those voting in the negative were:		
Bjella	Haugland	Morland
Blair	Heckman	Ostgulen
Braun	Holm	Peterson, Ransom
Coghlan	Iszler	Sailer
Dahlen	Jennings	Sticka
Drovdal	Langley	Stormon
Ekren	Leet	Welder
Fitch	Levin	Westby
Fraser	Lillehaugen	Williams, Richland
Fuglestad	Lunde	Williams, Sargent
Haag	Mittag	Williams, Stutsm'n
Halcrow	Moe	Wolf, McIntosh
Haugen	Mollet	Mr. Speaker
Absent and not voting:		
Arndt	Johnson, Richland	Olson, Barnes
Bolmeier	Manstrom	Peterson, Bottin'au
Crockett	Marks	Sandness
Forseth	Monson	Schmalenberger
Hofstrand	Mortenson	Schnell

So the bill passed as amended and the title was agreed to, and the emergency clause was declared lost.

Rep. Fitch moved that the vote by which Senate Bill No. 146 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Rep. Fitch: "I change my vote from 'Aye' to 'Nay' for the purpose of reconsideration."

Senate Bill No. 109. A Bill for an Act to Amend and Re-enact Section 3271 of the Compiled Laws of North Dakota for 1913, Relating to the Record of Proceedings of the Board of County Commissioners, and Repealing All 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, 92; nays, 7; absent and not voting, 14.

Those voting in the affirmative were:

Aker	Gainor	Nystrom
Allen, Grand Forks	Graham	Ohnstad

Allen, Pierce	Haag	Ostgulen
Anderson	Halcrow	Peterson, Ransom
Bagge	Halvorson	Pyle
Bauer	Haugen	Rettke
Baumgartner	Haugland	Rohde
Belzer	Heckman	Rohrer
Benno	Hegge	Runk
Bergesen	Hildre	Sailer
Bjella	Hofstrand	Saumur
Blair	Hogoboom	Schwartz
Boulden	Holm	Schnell
Braun	Hovey	Sellens
Bubel	Iszler	Severson
Burau	Jennings	Sharpe
Bymers	Johnson, Cass	Shure
Callahan	Johnson, Rolette	Stair
Carlson	Kolpin	Starck
Coghlan	Langley	Sticka
Collette	Larson, Ward	Stormon
Dahlen	Larson, Wells	Twichell
Dalzell	Leet	Tuff
Devlin	Lunde	Wambheim
Drovdal	McInnes	Williams, Richland
Ekren	Marks	Williams, Sargent
Falconer	Mittag	Williams, Stutsm'n
Fitch	Moe	Wolf, McIntosh
Fleck	Morland	Wolf, Morton
Fuglestad	Morrison	Mr. Speaker
Gackle	Nelson	

Those voting in the negative were:

Levin	Myers	Welder
Lillehaugen	Olson, Bowman	Weik
Mollet		

Absent and not voting:

Arndt	Johnson, Richland	Peterson, Bottin'au
Bolmeier	Manstrom	Sandness
Crockett	Monson	Schmalenberger
Forseth	Mortenson	Westby
Fraser	Olson, Barnes	

So the bill passed and the title was agreed to.

Senate Bill No. 92. A Bill for an Act to Amend and Re-enact Section 3267 of the Compiled Laws of North Dakota for 1913, Relating to the Duties of the Chairman of the Board of County Commissioners 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, 96; nays, 7; absent and not voting, 10.

Those voting in the affirmative were:

Aker	Fuglestad	Olson, Bowman
Allen, Grand Forks	Gackle	Ohnstad
Allen, Pierce	Gainor	Ostgulen
Anderson	Graham	Peterson, Ransom
Bagge	Haag	Pyle
Bauer	Halcrow	Rettke
Baumgartner	Halvorson	Rohde

Belzer	Haugen	Rohrer
Benno	Haugland	Runck
Bergesen	Heckman	Sailer
Bjella	Hegge	Saumur
Blair	Hildre	Schwartz
Boulden	Hofstrand	Schnell
Braun	Hogoboom	Sellens
Bubel	Holm	Severson
Burau	Hovey	Sharpe
Bymers	Iszler	Shure
Callahan	Jennings	Starck
Carlson	Johnson, Cass	Sticka
Coghan	Johnson, Rolette	Stormon
Collette	Kolpin	Twichell
Crockett	Langley	Tuff
Dahlen	Larson, Ward	Wambheim
Dalzell	Larson, Wells	Welder
Devlin	Leet	Welk
Drovdal	Lunde	Westby
Ekren	McInnes	Williams, Richland
Falconer	Marks	Williams, Sargent
Fitch	Mittag	Williams, Stutsm'n
Fleck	Morland	Wolf, McIntosh
Forseth	Nelson	Wolf, Morton
Fraser	Nystrom	Mr. Speaker
Those voting in the	negative were:	
Levin	Mollet	Myers
Lillehaugen	Morrison	Stair
Moe		
Absent and not voting:		
Arndt	Monson	Peterson, Bottin'au
Bolmeier	Mortenson	Sandness
Johnson, Richland	Olson, Barnes	Schmalenberger
Manstrom		

So the bill passed and the title was agreed to.

Senate Bill No. 93. A Bill for an Act to Amend and Re-enact Section 3349 of the Compiled Laws of North Dakota for 1913, Relating to the Treasurer's Record of Warrants Paid, 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, 98; nays, 6; absent and not voting, 9.

Those voting in the affirmative were:

Aker	Gackle	Olson, Bowman
Allen, Grand Forks	Gainor	Ohnstad
Allen, Pierce	Graham	Ostgulen
Anderson	Haag	Peterson, Ransom
Arndt	Halcrow	Pyle
Bagge	Haugen	Rettke
Bauer	Haugland	Rohde
Baumgartner	Heckman	Rohrer
Belzer	Hegge	Runck
Benno	Hildre	Sailer
Bergesen	Hofstrand	Saumur
Bjella	Hogoboom	Schwartz
Boulden	Holm	Schnell
Braun	Hovey	Sellens

Bubel	Iszler	Severson
Burau	Jennings	Sharpe
Bymers	Johnson, Cass	Shure
Callahan	Johnson, Rolette	Starck
Carlson	Kolpin	Sticka
Coghlan	Langley	Stormon
Collette	Larson, Ward	Twichell
Crockett	Larson, Wells	Tuff
Dahlen	Leet	Wambheim
Dalzell	Lillehaugen	Welder
Devlin	Lunde	Welk
Drovdal	McInnes	Westby
Ekren	Manstrom	Williams, Richland
Falconer	Marks	Williams, Sargent
Fitch	Mittag	Williams, Stutsm'n
Fleck	Moe	Wolf, McIntosh
Forseth	Morland	Wolf, Morton
Fraser	Nelson	Mr. Speaker
Fuglestad	Nystrom	
Those voting in the negative were:		
Halvorson	Mollet	Myers
Levin	Morrison	Stair
Absent and not voting:		
Blair	Monson	Peterson, Bottin'au
Bolmeier	Mortenson	Sandness
Johnson, Richland	Olson, Barnes	Schmalenberger

So the bill passed and the title was agreed to.

Senate Bill No. 94. A Bill for an Act to Amend and Re-enact Section 3367 of the Compiled Laws of North Dakota for 1913 and Repealing Section 2161 of the Compiled Laws of North Dakota for 1913, Both Sections Relating to the Duties of the County Auditor.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 94; nays, 10; absent and not voting, 9.

Those voting in the affirmative were:

Aker	Fuglestad	Nelson
Allen, Grand Forks	Gackle	Nystrom
Allen, Pierce	Gainor	Olson, Bowman
Anderson	Graham	Ohnstad
Arndt	Halcrow	Ostgulen
Bagge	Haugen	Peterson, Ransom
Bauer	Haugland	Pyle
Baumgartner	Heckman	Rettke
Belzer	Hegge	Rohde
Benno	Hildre	Rohrer
Bergesen	Hofstrand	Runck
Bjella	Hogoboom	Sailer
Blair	Holm	Saumur
Boulden	Hovey	Schwartz
Braun	Iszler	Schnell
Bubel	Jennings	Sellens
Burau	Johnson, Cass	Severson
Bymers	Johnson, Rolette	Sharpe
Callahan	Kolpin	Shure
Carlson	Langley	Starck
Coghlan	Larson, Ward	Sticka

Collette	Larson, Wells	Stormon
Crockett	Leet	Twichell
Dahlen	Lillehaugen	Wambheim
Dalzell	Lunde	Welk
Devlin	McInnes	Williams, Richland
Drovdal	Manstrom	Williams, Sargent
Ekren	Marks	Williams, Stutsman
Falconer	Mittag	Wolf, McIntosh
Fitch	Moe	Wolf, Morton
Fleck	Morland	Mr. Speaker
Fraser		
Those voting in the negative were:		
Haag	Morrison	Tuff
Halvorson	Myers	Welder
Levin	Stair	Westby
Mollet		

Absent and not voting:

Bolmeier	Monson	Peterson, Bottina'u
Forseth	Mortenson	Sandness
Johnson, Richland	Olson, Barnes	Schmalenberger

So the bill passed and the title was agreed to.

Rep. Aker moved that Senate Concurrent Resolution "1-A" be adopted.

Rep. Twichell moved that the rules be suspended for the purpose of offering an amendment, which motion prevailed.

Rep. Twichell moved that Senate Concurrent Resolution "1-A" be amended by striking out all of lines 20 to 30 inclusive of the printed Resolution and renumber the lines, which motion prevailed.

Rep. Twichell moved that Senate Concurrent Resolution "1-A" be adopted as amended, which motion prevailed and the Resolution was adopted.

Senate Bill No. 168. A Bill for an Act Regulating the Expenditure of Monies Appropriated by the Legislative Assembly of the State of North Dakota for Emergency Purposes, Fixing the Methods for Obtaining Approval for Such Expenditures, Providing Penalties for Violation Hereof, 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, 68; nays, 40; absent and not voting, 5.

Those voting in the affirmative were:

Aker	Fuglestad	Olson, Barnes
Allen, Grand Forks	Gackle	Olson, Bowman
Allen, Pierce	Gainor	Ohnstad
Arndt	Halcrow	Peterson, Ransom
Bagge	Haugland	Pyle
Benno	Heckman	Rohrer
Bergesen	Hegge	Runck
Bjella	Hildre	Sailer
Blair	Hofstrand	Saumur
Boulden	Hogoboom	Schmalenberger
Bymers	Holm	Schnell
Callahan	Hovey	Sellens
Carlson	Johnson, Cass	Severson
Coghlan	Johnson, Rolette	Sharpe

Collette	Langley	Shure
Crockett	Leet	Sticka
Dahlen	Lillehaugen	Stormon
Dalzell	Lunde	Twichell
Devlin	McInnes	Wambheim
Ekren	Manstrom	Westby
Fitch	Moe	Williams, Stutsm'n
Fleck	Morland	Mr. Speaker
Forseth	Nystrom	
Those voting in the negative were:		
Anderson	Iszler	Peterson, Bottin'au
Bauer	Jennings	Rettke
Baumgartner	Kolpin	Rohde
Belzer	Larson, Ward	Schwartz
Braun	Larson, Wells	Stair
Bubel	Levin	Starck
Burau	Marks	Tuff
Drovdal	Mittag	Welder
Falconer	Mollet	Welk
Fraser	Morrison	Williams, Richland
Graham	Myers	Williams, Sargent
Haag	Nelson	Wolf, McIntosh
Halvorson	Ostgulen	Wolf, Morton
Haugen		
Absent and not voting:		
Bolmeier	Monson	Sandness
Johnson, Richland	Mortenson	

So the bill passed as amended and the title was agreed to.

Rep. Moe moved that the vote by which Senate Bill No. 168 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Rep. Graham moved that Senate Bill No. 190 be indefinitely postponed.

Rep. Bergesen moved that consideration of Rep. Graham's motion be deferred until after consideration of Senate Bill No. 134.

A rising vote disclosed 54 voting for and 50 against so the motion prevailed.

Senate Bill No. 162. A Bill for an Act Making an Appropriation of \$5,000.00 Each for the Completion of the Armories at Carrington, North Dakota, and Bottineau, North Dakota, and Providing for the Manner of Disbursing Said Funds, 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, 106; nays, 0; absent and not voting, 7.

Those voting in the affirmative were:		
Anderson	Haag	Olson, Barnes
Allen, Grand Forks	Halcrow	Olson, Bowman
Allen, Pierce	Halvorson	Ohnstad
Arndt	Haugen	Ostgulen
Bagge	Haugland	Peterson, Bottin'au
Bauer	Heckman	Peterson, Ransom
Baumgartner	Hegge	Pyle
Belzer	Hildre	Rettke
Benno	Hofstrand	Rohrer

Bergesen	Hogoboom	Runck
Bjella	Holm	Sailer
Blair	Hovey	Saumur
Boulden	Iszler	Schwartz
Braun	Jennings	Schmalenberger
Bubel	Johnson, Cass	Schnell
Burau	Johnson, Rolette	Sellens
Bymers	Kolpin	Severson
Callahan	Langley	Sharpe
Carlson	Larson, Ward	Shure
Coghlan	Larson, Wells	Stair
Collette	Leet	Starck
Crockett	Levin	Sticka
Dahlen	Lillehaugen	Stormon
Dalzell	Lunde	Twichell
Devlin	McInnes	Tuff
Drovdal	Manstrom	Wambheim
Ekren	Marks	Welder
Falconer	Mittag	Welk
Fitch	Moe	Westby
Fleck	Mollet	Williams, Richland
Forseth	Morland	Williams, Sargent
Fraser	Morrison	Williams, Stutsman
Fuglestad	Myers	Wolf, McIntosh
Gackle	Nelson	Wolf, Morton
Gainor	Nystrom	Mr. Speaker
Graham		
Absent and not voting:		
Aker	Monson	Rohde
Bolmeier	Mortenson	Sandness
Johnson, Richland		

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

Rep. Johnson of Cass moved that the vote by which Senate Bill No. 162 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senate Bill No. 65. A Bill for an Act Making an Appropriation to Defray Expenses of the Delegates to National Political Conventions as Prescribed by Section 916 of the Compiled Laws of 1913.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 83; nays, 24; absent and not voting, 6.

Those voting in the affirmative were:

Aker	Fuglestad	Mittag
Allen, Grand Forks	Gackle	Mollet
Allen, Pierce	Gainor	Morrison
Arndt	Graham	Nystrom
Bagge	Halcrow	Olson, Barnes
Bauer	Halvorson	Ohnstad
Baumgartner	Haugen	Peterson, Bottin'au
Belzer	Haugland	Peterson, Ransom
Benno	Heckman	Pyle
Bergesen	Hegge	Rohrer
Bjella	Hildre	Runck
Blair	Hofstrand	Sailer
Bubel	Hogoboom	Saumur

Burau	Holm	Schmalenberger
Callahan	Hovey	Schnell
Carlson	Jennings	Sellens
Coghlan	Johnson, Cass	Severson
Collette	Johnson, Rolette	Sharpe
Crockett	Kolpin	Stair
Dahlen	Langley	Starck
Dalzell	Larson, Ward	Sticka
Devlin	Leet	Stormon
Ekren	Levin	Twichell
Falconer	Lillehaugen	Wambheim
Fitch	Lunde	Williams, Richland
Fleck	McInnes	Williams, Stuts'm'n
Forseth	Manstrom	Wolf, Morton
Fraser	Marks	
Those voting in the negative were:		
Anderson	Moe	Schwartz
Boulden	Morland	Tuff
Braun	Myers	Welder
Bymers	Nelson	Welk
Drovdal	Olson, Bowman	Westby
Haag	Ostgulen	Williams, Sargent
Iszler	Rettke	Wolf, McIntosh
Larson, Wells	Rohde	Mr. Speaker
Absent and not voting:		
Bolmeier	Monson	Sandness
Johnson, Richland	Mortenson	Shure

So the bill passed as amended and the title was agreed to.

Rep. Lillehaugen moved that the vote by which Senate Bill No. 65 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senate Bill No. 172. A Bill for an Act to Amend and Re-enact Section 17 of Chapter 96 of the Session Laws of North Dakota for the Year 1931 as Amended by Chapter 93 of the Session Laws of 1935, Also Sections 4, 25, 31, and 35 of Chapter 96 of the Session Laws of 1931, Also Section 30 of Chapter 96 of the Session Laws of 1931 as Amended by Chapter 96 of the Session Laws of 1931 as Amended by Chapter 96 of the Session Laws of North Dakota for the Year 1937 and Further Amended by Chapter 102 of the Session Laws of North Dakota for the Year 1941 and Repealing Section 57 of Chapter 96 of the Session Laws of North Dakota for the Year 1931; All Relating to the Regulation of the State Banking Associations.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 93; nays, 13; absent and not voting, 7.

Those voting in the affirmative were:		
Aker	Fuglestad	Nystrom
Allen, Grand Forks	Gackle	Olson, Barnes
Allen, Pierce	Gainor	Olson, Bowman
Anderson	Graham	Ohnstad
Arndt	Halcrow	Peterson, Bottina'u
Bagge	Haugen	Peterson, Ransom
Bauer	Haugland	Pyle
Belzer	Heckman	Rettke
Benno	Hegge	Rohrer
Bergesen	Hildre	Runck



Blair	Hofstrand	Sailer
Bolmeier	Hogboom	Saumur
Boulden	Holm	Schmalenberger
Braun	Hovey	Schnell
Burau	Iszler	Sellens
Bymers	Johnson, Cass	Sevenson
Callahan	Johnson, Rolette	Sharpe
Carlson	Kolpin	Shure
Coghlan	Langley	Stair
Collette	Larson, Ward	Starck
Crockett	Leet	Sticka
Dahlen	Levin	Stormon
Dalzell	Lillehaugen	Twichell
Devlin	Lunde	Wambheim
Drovdal	McInnes	Westby
Ekren	Manstrom	Williams, Richland
Falconer	Mittag	Williams, Sargent
Fitch	Moe	Williams, Stutsm'n
Fleck	Mollet	Wolf, McIntosh
Forseth	Morland	Wolf, Morton
Fraser	Nelson	Mr. Speaker
Those voting in the	negative were:	
Bjella	Marks	Rohde
Bubel	Morrison	Tuff
Haag	Myers	Welder
Halvorson	Ostgulen	Welk
Larson, Wells		
Absent and not voting:		
Baumgartner	Monson	Sandness
Jennings	Mortenson	Schwartz
Johnson, Richland		

So the bill passed and the title was agreed to.

Rep. Crockett 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.

Rep. Graham moved that Senate Bill No. 171 be indefinitely postponed.

On a viva voce vote the chair was in doubt.

A rising vote disclosed 51 for and 55 against so the motion was lost.

Senate Bill No. 171. A Bill for an Act to Amend and Re-enact Sections 2, 5, 6, 8, 9, 10, 13, 15, 16, and 22 of Chapter 71 of the Session Laws of North Dakota for the Year 1933, Relating to the State Banking Board, and Making an Appropriation for the Expense Incident Thereto 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, 58; nays, 54; absent and not voting, 1.

Those voting in the affirmative were:

Aker	Fuglestad	Nystrom
Aller, Grand Forks	Gackle	Olson, Barnes
Allen, Pierce	Gainor	Ohnstad
Bagge	Halcrow	Peterson, Ransom
Bauer	Haugland	Pyle
Benno	Hildre	Runck

Bergesen	Hogoboom	Sailer
Bjella	Holm	Sandness
Blair	Hovey	Saumur
Bolmeier	Jennings	Sellens
Boulden	Johnson, Cass	Severson
Callahan	Johnson, Richland	Sharpe
Carlson	Johnson, Rolette	Shure
Coghlan	Langley	Sticka
Collette	Leet	Stormon
Dahlen	Lunde	Twichell
Dalzell	McInnes	Wambheim
Ekren	Manstrom	Westby
Fitch	Morland	Williams, Stutsm'n
Fleck		

Those voting in the negative were:

Anderson	Heckman	Ostgulen
Arndt	Hegge	Peterson, Bottina'u
Baumgartner	Hofstrand	Rettke
Belzer	Iszler	Rohde
Braun	Kolpin	Rohrer
Bubel	Larson, Ward	Schwartz
Burau	Larson, Wells	Schmalenberger
Bymers	Levin	Schnell
Crockett	Lillehaugen	Stair
Devlin	Marks	Starck
Drovdal	Mittag	Tuff
Falconer	Moe	Welder
Forseth	Mollet	Welk
Fraser	Monson	Williams, Richland
Graham	Morrison	Williams, Sargent
Haag	Myers	Wolf, McIntosh
Halvorson	Nelson	Wolf, Morton
Haugen	Olson, Bowman	Mr. Speaker

Absent and not voting:

Mortenson

So the bill passed as amended and the title was agreed to.

Rep. Callahan moved that the vote by which Senate Bill No. 171 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Rep. Moe: "Mr. Speaker: I haven't got any money in banks and I don't expect to have any; therefore I vote 'No.'"

Rep. Schnell moved that action on Senate Bill No. 140 be deferred one legislative day, which motion prevailed.

Senate Bill No. 206. A Bill for an Act to Amend and Re-enact Section 19 of the Session Laws of North Dakota for 1927 as Amended and Re-enacted by Chapter 150 of the Session Laws of North Dakota for 1939, Relating to the Regulation of the Occupation of Hairdressers and Cosmetologists, 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, 83; nays, 27; absent and not voting, 2; passed, 1.

Those voting in the affirmative were:

Aker	Fraser	Olson, Bowman
Allen, Grand Forks	Gackle	Ohnstad

Allen, Pierce	Gainor	Ostgulen
Anderson	Graham	Peterson, Bottin'au
Arndt	Haag	Peterson, Ransom
Bagge	Halcrow	Pyle
Bauer	Haugland	Runck
Baumgartner	Heckman	Sandness
Benno	Hegge	Saumur
Bergesen	Hildre	Schwartz
Bjella	Hogoboom	Schmalenberger
Blair	Hovey	Schnell
Boulden	Jennings	Sellens
Bubel	Johnson, Cass	Sharpe
Bymers	Johnson, Richland	Shure
Callahan	Kolpin	Starck
Carlson	Langley	Sticka
Coghlan	Larson, Ward	Stormon
Collette	Larson, Wells	Twichell
Dahlen	Leet	Tuff
Dalzell	Levin	Welder
Devlin	Lunde	Westby
Drovdal	McInnes	Williams, Richland
Ekren	Mollet	Williams, Sargent
Falconer	Myers	Williams, Stutsm'n
Fitch	Nelson	Wolf, McIntosh
Fleck	Nystrom	Wolf, Morton
Forseth	Olson, Barnes	
Those voting in the negative were:		
Bolmeier	Johnson, Rolette	Rettke
Burau	Lillehaugen	Rohde
Crockett	Manstrom	Rohrer
Fuglestad	Marks	Sailer
Halvorson	Mittag	Severson
Haugen	Moe	Stair
Hofstrand	Monson	Wambheim
Holm	Morland	Welk
Iszler	Morrison	Mr. Speaker
Absent and not voting:		
Braun	Mortenson	
Passed		
Belzer		

So the bill passed and the title was agreed to.

Rep. Lillehaugen moved that the vote by which Senate Bill No. 206 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Rep. Crockett: "I am going to explain my vote and I want it recorded. I am voting 'No' for the reasons Mr. Graham stated. There are only two beauty schools still operating in the State. If this bill is passed in another year you will not have any, for the reason they will have to charge 60% of the regular price. Our women are not going to sit in a beauty school shop twice as long and pay up to 60% of the cost of getting their work done by experienced operators."

Senate Bill No. 133. A Bill for an Act to Regulate and Control the Barber Shop Business of the State of North Dakota; Conferring Upon the State Board of Barber Examiners Powers and Jurisdiction with Relation Thereto, Defining Such Powers, Jurisdiction and Duties; Authorizing the Said Board to Approve Price Schedules and to Make Orders

Fixing Minimum Prices for Barber Services; Providing for Judicial Review of Such Acts of Said Board; Providing Penalties for the Violation of This Act.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 87; nays, 22; absent and not voting, 4.

Those voting in the affirmative were:

Aker	Fraser	Olson, Bowman
Allen, Grand Forks	Gackle	Ohnstad
Allen, Pierce	Graham	Ostgulen
Anderson	Halcrow	Peterson, Bottin'au
Arndt	Haugland	Peterson, Ransom
Bagge	Heckman	Pyle
Bauer	Hegge	Rettke
Baumgartner	Hildre	Rohrer
Belzer	Hofstrand	Runk
Benno	Hogoboom	Sailer
Bergesen	Hovey	Sandness
Biella	Jennings	Saumur
Blair	Johnson, Cass	Schwartz
Boulden	Johnson, Richland	Schmalenberger
Braun	Kolpin	Schnell
Bubel	Langley	Sellens
Bymers	Larson, Ward	Severson
Callahan	Larson, Wells	Sharpe
Carlson	Leet	Stair
Collette	Levin	Starck
Crockett	Lillehaugen	Sticka
Dahlen	McInnes	Twichell
Dalzell	Manstrom	Tuff
Devlin	Mittag	Westby
Drovdal	Mollet	Williams, Richland
Ekren	Myers	Williams, Stutsm'n
Fitch	Nelson	Wolf, McIntosh
Fleck	Nystrom	Wolf, Morton
Forseth	Olson, Barnes	Mr. Speaker
Those voting in the negative were:		
Bolmeier	Haugen	Morrison
Burau	Holm	Rohde
Coghlan	Iszler	Shure
Falconer	Johnson, Rolette	Wambheim
Fuglestad	Marks	Welder
Gainor	Monson	Welk
Haag	Morland	Williams, Sargent
Halvorson		
Absent and not voting:		
Lunde	Mortenson	Stormon
Moe		

So the bill passed as amended and the title was agreed to.

Rep. Bauer moved that the vote by which Senate Bill No. 133 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Rep. Bergesen moved that action on Senate Bill No. 134 be deferred one legislative day, which motion was lost.

Rep. Rohde moved that further consideration of Senate Bill No. 134 be laid on the table, which motion prevailed.

A division was asked for which disclosed 49 for and 43 against so the motion prevailed and Senate Bill No. 134 was indefinitely postponed.

Senate Bill No. 190 was before the House.

The question being on the previous motion of Rep. Graham that Senate Bill No. 190 be indefinitely postponed.

Rep. Bergesen demanded a call of the house.

A call of the house was granted and the Sergeant-at-Arms instructed to permit no member to leave the House Chamber.

The roll was called and revealed all members present except Rep. Mortenson.

The Speaker informed the House that Rep. Mortenson had been called home on account of illness.

Rep. Bergesen moved that the call of the House be dispensed with, which motion prevailed.

The question being on the motion of Rep. Graham.

On a viva voce vote the chair was in doubt.

A rising vote disclosed 56 voting for and 56 against so the motion was lost.

Senate Bill No. 190. A Bill for an Act to Amend and Re-enact Section 2 of Chapter 216 of the Session Laws of 1941 so as to Extend the Term of Office of Members of the Governmental Survey Commission Until January 1, 1945, Appropriating for the Use of the Commission the Balance Remaining Unexpended in the Governmental Survey Commission Fund Created Pursuant to Section 14 of Said Chapter 216 of the Session Laws of 1941, 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, 57; nays, 55; absent and not voting, 1.

Those voting in the affirmative were:

Aker	Fleck	Morland
Allen, Grand Forks	Fuglestad	Nystrom
Allen, Pierce	Gackle	Olson, Barnes
Arndt	Gainor	Olson, Bowman
Bagge	Halcrow	Peterson, Ransom
Benno	Haugland	Pyle
Bergesen	Hildre	Runk
Bjella	Hogoboom	Sailer
Blair	Holm	Sandness
Bolmeier	Hovey	Saumur
Boulden	Johnson, Cass	Sellens
Callahan	Johnson, Richland	Severson
Carlson	Johnson, Rolette	Sharpe
Coghlan	Langley	Shure
Collette	Leet	Stormon
Dahlen	Lunde	Twichell
Dalzell	McInnes	Wambheim
Ekren	Manstrom	Westby
Fitch	Moe	Williams, Stutsm'n

Those voting in the negative were:

Anderson	Hegge	Peterson, Bottin'au
Bauer	Hofstrand	Rettke
Baumgartner	Iszler	Rohde
Belzer	Jennings	Rohrer
Braun	Kolpin	Schwartz
Bubel	Larson, Ward	Schmalenberger
Burau	Larson, Wells	Schnell
Bymers	Levin	Stair
Crockett	Lillehaugen	Starck
Devlin	Marks	Sticka
Drovdal	Mittag	Tuff
Falconer	Mollet	Welder
Forseth	Monson	Welk
Fraser	Morrison	Williams, Richland
Graham	Myers	Williams, Sargent
Haag	Nelson	Wolf, McIntosh
Halvorson	Ohnstad	Wolf, Morton
Haugen	Ostgulen	Mr. Speaker
Heckman		

Absent and not voting:

Mortenson

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

Rep. Twichell moved that the vote by which Senate Bill No. 190 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senate Bill No. 170. A Bill for an Act Regulating the Business of Receiving Monies as Agent for Another for the Purpose of Depositing the Same in a Bank, Requiring a License Therefor, and Providing 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, 89; nays, 10; absent and not voting, 14.

Those voting in the affirmative were:

Allen, Grand Forks	Haag	Nystrom
Allen, Pierce	Halcrow	Olson, Barnes
Anderson	Halvorson	Olson, Bowman
Arndt	Haugen	Ohnstad
Bagge	Haugland	Ostgulen
Bauer	Heckman	Peterson, Ransom
Baumgartner	Hegge	Pyle
Benno	Hildre	Rohrer
Bergesen	Hofstrand	Runck
Bjella	Hogoboom	Sailer
Blair	Holm	Sandness
Boulden	Hovey	Saumur
Braun	Iszler	Schmalenberger
Bubel	Jennings	Schwartz
Burau	Johnson, Richland	Schnell
Bymers	Kolpin	Sellens
Callahan	Langley	Severson
Carlson	Larson, Ward	Starck
Coghlan	Larson, Wells	Sticka
Collette	Leet	Stormon

Crockett	Levin	Twichell
Dahlen	Lillehaugen	Wambheim
Dalzell	Lunde	Welder
Devlin	Manstrom	Welk
Drovdal	Mittag	Westb <sup>v</sup>
Forseth	Moe	Williams, Stutsm'n
Fuglestad	Monson	Wolf, McIntosh
Gackle	Morland	Wolf, Morton
Gainor	Morrison	Mr. Speaker
Graham	Nelson	
Those voting in the negative were:		
Ekren	Myers	Rohde
Fraser	Peterson, Bottina'u	Stair
Marks	Rettke	Tuff
Mollet		
Absent and not voting:		
Aker	Fleck	Sharpe
Belzer	Johnson, Cass	Shure
Bolmeier	Johnson, Rolette	Williams, Richland
Falconer	McInnes	Williams, Sargent
Fitch	Mortenson	

So the bill passed and the title was agreed to.

Rep. Callahan moved that the vote by which Senate Bill No. 170 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

#### REPORTS OF STANDING COMMITTEES

Mr. Speaker: 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:

Add the following Section:

"16 Section 2. Appropriation herein provided insofar  
17 as it is used for postage may be expended only on the  
18 direction of the Board of Administration, pursuant to  
19 the rules and regulations provided for in Chapter 214,  
20 Session Laws of 1941".

And when so amended recommend the same do pass.

REP. JOHNSON OF CASS, Chairman.

Rep. Collette moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Appropriations to whom was referred Senate Bill No. 15, have had the same under consideration and recommend that the same be amended as follows:

Add the following Section:

"15 Section 2. Appropriation herein provided insofar  
16 as it is used for postage may be expended only on the  
17 direction of the Board of Administration, pursuant to  
18 the rules and regulations provided for in Chapter 214,  
19 Session Laws of 1941".

And when so amended recommend the same do pass.

REP. JOHNSON OF CASS, Chairman.

Rep. Allen of Grand Forks moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Appropriations to whom was referred Senate Bill No. 16, have had the same under

consideration and recommend that the same be amended as follows:

Add the following Section:

"16 Section 2. Appropriation herein provided insofar  
17 as it is used for postage may be expended only on the  
18 direction of the Board of Administration, pursuant to  
19 the rules and regulations provided for in Chapter 214,  
20 Session Laws of 1941".

And when so amended recommend the same do pass.

REP. JOHNSON OF CASS, Chairman.

Rep. Bjella moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Appropriations to whom was referred Senate Bill No. 17, have had the same under consideration and recommend that the same be amended as follows:

Add the following Section:

"14 Section 2. Appropriation herein provided insofar  
15 as it is used for postage may be expended only on the  
16 direction of the Board of Administration, pursuant to  
17 the rules and regulations provided for in Chapter 214,  
18 Session Laws of 1941".

And when so amended recommend the same do pass.

REP. JOHNSON OF CASS, Chairman.

Rep. Stormon moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Appropriations to whom was referred Senate Bill No. 20, have had the same under consideration and recommend that the same be amended as follows:

In line 2 after the words "out of the". insert the words "Institutional Collections and".

Line 3—Strike out the figures "\$190,651.32" and insert the figures "\$184,651.32" in lieu thereof.

Line 15—Strike out the figures "\$17,000.00" and insert the figures "\$16,000.00" in lieu thereof.

Line 33—Strike out the figures "\$189,991.32" and insert the figures "\$188,991.32" in lieu thereof.

Line 36—Strike out the figures "\$2,000.00" and insert the figures "\$1,000.00" in lieu thereof.

Line 38—Strike out the figures "\$8,000.00" and insert the figures "\$4,000.00" in lieu thereof.

Line 51—Strike out the figures "\$215,651.32" and insert the figures "\$209,651.32" in lieu thereof.

And when so amended recommend the same do pass.

REP. JOHNSON OF CASS, Chairman.

Rep. Stormon moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Appropriations to whom was referred Senate Bill No. 22, have had the same under consideration and recommend that the same be amended as follows:

Line 2—Strike out the figures "\$374,000.00" and insert the figures "\$345,000.00" in lieu thereof.

Line 4—Strike out the figures "\$270,074.00" and insert the figures "\$317,114.00" in lieu thereof.



Line 16—Strike out the figures “\$1,800.00” and insert the figures “\$2,000.00” in lieu thereof.

Line 24—Strike out the figures “\$10,000.00” and insert the figures “\$8,300.00” in lieu thereof.

Line 31—Strike out the figures “\$7,000.00” and insert the figures “\$8,000.00” in lieu thereof.

Line 32—Strike out the figures “\$4,000.00” and insert the figures “\$4,500.00” in lieu thereof.

Line 45—Strike out the figures “\$1,000.00” and insert the figures “\$2,000.00” in lieu thereof.

Line 49—Strike out the word and figures “Total \$644,-074.00” and insert the words and figures “7. Air Compressor \$340.00” in lieu thereof.

Add the following:

“Line 50 8. Truck Exchange .....	\$ 1,700.00
Line 51 Emergency Available March 1, 1943 .....	15,000.00

Line 52	Total .....	\$662,114.00”
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And when so amended recommend the same do pass.

REP. JOHNSON OF CASS, Chairman.

Rep. Bjella moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Appropriations to whom was referred Senate Bill No. 70, have had the same under consideration and recommend that the same be amended as follows:

Lines 3 and 4—After the words “School Lands shall” the balance of the words stricken out in their entirety and the words “be thirty-six hundred (\$3,600.00) dollars.” be inserted in lieu thereof.

And when so amended recommend the same do pass.

REP. JOHNSON OF CASS, Chairman.

Rep. Haag moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Appropriations to whom was referred Senate Bill No. 154, have had the same under consideration and recommend that the same be amended as follows:

In the seventh line of the title, after the word therefor, strike out the period and insert a comma in lieu thereof and add the following words “and declaring an Emergency.” and add the following Section:

“51 SECTION 6. An emergency is hereby declared to exist 52 and this act shall be in full force and effect from and after 53 its passage and approval.”

And when so amended recommend the same do pass.

REP. JOHNSON OF CASS, Chairman.

Rep. Lillehaugen moved that the report be adopted, which motion prevailed and the report was adopted.

Rep. Graham moved that the House recess until 12:30 p. m. o'clock tomorrow, which motion prevailed.

W. M. SMART, Chief Clerk.

FIFTY-SEVENTH DAY AFTER RECESS AND THE  
FIFTY-EIGHTH DAY

Bismarck, March 3, 1943.

The House convened at 12:30 o'clock P. M., pursuant to recess, Speaker Beede presiding.

The Speaker announced the House would be on the fifth order of business.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: Your Committee on Temperance to whom was referred Senate Bill No. 83, have had the same under consideration and recommend that the same be amended as follows:

In line 11 after the colon add "or with the written consent of such parent or guardian."

And when so amended recommend the same do pass.

REP. WILLIAMS of Richland, Chairman.

Rep. Lillehaugen moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on State Affairs to whom was referred Senate Bill No. 183, have had the same under consideration and recommend that the same do pass.

REP. TWICHELL, Chairman.

Rep. Haugen moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on State Affairs to whom was referred Senate Bill No. 210, have had the same under consideration and recommend that the same do pass.

REP. TWICHELL, Chairman.

Rep. Sandness moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on State Affairs to whom was referred Senate Bill No. 211, have had the same under consideration and recommend that the same be amended as follows:

After the word "State" at the end of Line 3 on Page 2 of the printed bill, strike out the semicolon, insert a comma, and add the following words:

"or to propel motor vehicles used in the construction, reconstruction or repair of state or county highways, but shall not include fuel purchased by the State or any municipality as defined in House Bill No. 244 for use in any State or municipally owned vehicle where public funds are directly expended in purchasing such fuel for use in the construction,

reconstruction, repair or maintenance of any public highway, street or airport."

After the words "rate of" in Line 23 in Section 2, strike out the word "three", and insert the word "four".

After the words "Section 2" at the end of Line 78 in Sub-section 2 of Section 4, strike out the period, insert a comma and add the following words:

"who shall receipt therefor and pay all such money to the State Treasurer. The State Treasurer shall credit three-fourths of all money so received to the State Highway Fund, and such money is hereby appropriated to be used for the construction, reconstruction, maintenance or repair of highways or roads under the jurisdiction of the State Highway Department. One-fourth of such money so received shall be credited by the State Treasurer to the County Highway Aid Fund, and be distributed to the counties in the manner, at the times and for the purposes provided for in Chapter 168 of the Session Laws of North Dakota for 1937."

And when so amended recommend the same do pass.

REP. TWICHELL, Chairman.

Rep. Sandness moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on School and Public Lands to whom was referred Senate Bill No. 142, have had the same under consideration and recommend that the same do pass.

REP. ANDERSON, Chairman.

Rep. Belzer moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Public Health to whom was referred Senate Bill No. 57, have had the same under consideration and recommend that the same be indefinitely postponed.

REP. PETERSON OF RANSOM, Chairman.

Rep. Fraser moved that the report be adopted, which motion prevailed and the report was adopted.

Rep. Benno moved that the vote by which Senate Bill No. 57 was indefinitely postponed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Mr. Speaker: Your Committee on Appropriations to whom was referred Senate Bill No. 43, have had the same under consideration and recommend that the same be indefinitely postponed.

REP. JOHNSON OF CASS, Chairman.

Rep. Mittag moved that the report be adopted, which motion prevailed and the report was adopted.

Rep. Sticka moved that the vote by which Senate Bill No. 43 was indefinitely postponed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

#### GENERAL ORDERS

Rep. Langley moved that the House resolve itself into a committee of the whole for the consideration of general orders; which motion prevailed, and the House resolved itself into a committee of the whole.

The Speaker called Rep. Langley to the chair.

When the committee arose it submitted the following report:

Mr. Speaker: The committee of the whole have had under consideration Senate Bill No. 102.

In the last line of the Title of the Bill strike out everything after the word "Insurance" and insert a period after the word "Insurance."

And when so amended recommend the same do pass.

Senate Bill No. 209.

In Line 6 of the title of the original bill after the word "publication", strike out the comma, put in a semicolon and add the words:

"and providing for the sale of said code".

Add a new Section 6 as follows:

"SECTION 6. The secretary of state shall sell the published volumes of said code at the price of forty dollars per set to the residents of the state of North Dakota and fifty dollars per set to the non-residents, and the proceeds thereof shall be paid into the general fund of the state."

In Line 71, change the numeral 6 to the numeral 7 after the word Section, and renumber the lines.

And when so amended recommend the same do pass.

Senate Bill No. 112.

In line 14, insert the word conflict before the word herewith.

And when so amended recommend the same do pass.

Senate Bill No. 56.

In line 1 of the title strike out the words and figures "twenty thousand, (\$20,000.00)" and insert in lieu thereof the words and figures "fifteen thousand, (\$15,000.00)" and in line 37 strike out the words and figures "twenty thousand, (\$20,000.00)" and insert in lieu thereof the words and figures "fifteen thousand, (\$15,000.00)".

And when so amended recommend the same do pass.

Senate Bill No. 110.

In line three of the title, before the figures 1929, insert the words North Dakota of the year of.

In line 3 of Section 1, before the figures 1929, insert the words North Dakota of the year of.

In line 18, before the word taxes, strike out the words half of and insert the word instalment.

In line 18, after the word or, strike out the word last and insert the word second.

In line 19, before the word taxes, strike out the word half of and insert the word instalment.

And when so amended recommend the same do pass.

Senate Bill No. 5.

Add the following Section:

"21 Section 2. Appropriation herein provided insofar  
22 as it is used for postage may be expended only on the  
23 direction of the Board of Administration, pursuant to  
24 the rules and regulations provided for in Chapter 214,  
25 Session Laws of 1941."

And when so amended recommend the same do pass.

Senate Bill No. 3.

Line 4—Strike out the figures “\$593,090.00” and insert the figures “\$576,180.00” in lieu thereof.

Lines 14 and 15—Strike out in their entirety and renumber the lines.

Line 16—Strike out the figures “\$236,300.00” and insert the figures “\$211,950.00” in lieu thereof.

Line 18—Strike out the figures “\$121,140.00” and insert the figures “\$128,580.00” in lieu thereof.

Line 23—Strike out the figures “\$356,790.00” and insert the figures “\$364,230.00” in lieu thereof.

Line 24—Strike out the figures “\$593,090.00” and insert the figures “\$576,180.00” in lieu thereof.

And when so amended recommend the same do pass.

Senate Bill No. 12.

Line 3—Strike out the figures “\$35,907.00” and insert the figures “\$32,557.00” in lieu thereof.

Line 9—Strike out the figures “\$1,250.00” and insert the figures “\$900.00” in lieu thereof.

Line 12—Strike out the figures “\$20,000.00” and insert the figures “\$17,000.00” in lieu thereof.

Line 14—Strike out the figures “\$35,907.00” and insert the figures “\$32,557.00” in lieu thereof.

Add the following section:

“15 Section 2. Appropriation herein provided insofar  
16 as it is used for postage may be expended only on the  
17 direction of the Board of Administration, pursuant to  
18 the rules and regulations provided for in Chapter 214,  
19 Session Laws of 1941.”

And when so amended recommend the same do pass.

Senate Bill No. 19.

Line 2—Strike out the figures “\$267,500.00” and insert the figures “\$317,500.00” in lieu thereof.

Line 9—Strike out the figures “\$17,000.00” and insert the figures “\$20,000.00” in lieu thereof.

Line 11—Strike out the figures “\$90,000.00” and insert the figures “\$100,000.00” in lieu thereof.

Line 13—After the word “Miscellaneous” add the words “and Advertising”, and strike out the figures “\$30,00.00” and insert the figures “\$17,000.00” in lieu thereof.

Line 20—Strike out the word and figures “Total—\$267,500.00” and insert the word and figures “Emergency—\$50,000.00”.

Add line “21 Total.....\$317,500.00”.

And when so amended recommend the same do pass.

Senate Bill No. 55.

Following the enactment clause, strike out the following:

AMENDMENT:

That Section 57 of Chapter 154, Session Laws of 1941, be amended and re-enacted to read as follows:

and in lieu thereof insert the following:

SECTION 1. AMENDMENT.) Section 57 of Chapter 148 of the Session Laws of 1931 as amended by Chapter 154 of the

Session Laws of 1941 is hereby amended and re-enacted to read as follows:

In Lines 2, 13, 29, 32, 39 and 45, strike out the word "Section".

In Line 50, following the word "Section", strike out the numeral "7", and substitute the numeral 2.

And when so amended recommend the same do pass.

Senate Bill No. 68.

In line 18, strike out the word "fifteen" and insert in lieu thereof the word "sixteen".

In line 19, strike out the figure "\$1500.00" and insert in lieu thereof the figure "\$1600.00".

At the end of line 19, strike out the word "five" and insert in lieu thereof the word "three".

In line 20, beginning with the figures (5000), strike out the rest of line 20 as well as lines 21, 22, 23 and 24, up to and including the figures (7000) and insert in lieu thereof the following:

"(3000): Seventeen Hundred Dollars (\$1700.00) in counties having a population exceeding three thousand (3000) and not exceeding five thousand (5000); Eighteen Hundred Dollars (\$1800.00) in counties having a population exceeding five thousand (5000) and not exceeding seven thousand (7000)".

In line 27, strike out the word "Thirty" and insert in lieu thereof the word "forty".

In line 27, strike out the figures "(\$30.00)" and insert in lieu thereof the figures "(\$40.00)".

In line 30, strike out the word "Twenty-four" and insert in lieu thereof the word "Twenty-eight".

In line 30, strike out the figures "(\$2400.00)" and insert in lieu thereof the figures "(\$2800.00)".

In line 32, after the word "jurisdiction", strike out the balance of the line as well as all of lines 33, 34, 35, 36, 37 and 38, 39, 40, 41 and 42, and in lieu thereof insert the following:

"Provided, further, that the county commissioners may appoint one or more assistant States Attorneys or clerks and fix their compensation in the same manner as in the case of deputies and clerks in other county offices."

In line 63, strike out the word "Twenty-four" and insert in lieu thereof, the word "Twenty-eight".

In line 63, strike out the figures "(\$2400.00)" and insert in lieu thereof the figures "(\$2800.00)".

Renumber the lines.

And when so amended recommend the same do pass.

Senate Bill No. 149.

Amend the title after the word and figures "Section 51" insert the word and figures "of Chapter 162". In line 1 after the word and figure "Section 51" insert the word and figure "of Chapter 162".

And when so amended recommend the same do pass.

Senate Bill No. 181.

In the title of the engrossed bill strike out everything after the word "Dakota" and up to and including the word "Law".

Strike out sections 3 and 4 and renumber the sections.

And when so amended recommend the same do pass.

Senate Bill No. 192.

And recommend that Sections 7 and 8 be stricken from the bill and the title be amended accordingly.

And when so amended recommend the same do pass.

Senate Concurrent Resolution "H".

In line 19, beginning with the words "one-fifth" cross out the remainder of the line, and cross out lines 20 to 31 inclusive. Insert in lieu thereof the following: "twenty (20) per cent of the purchase price at the time the contract is executed; thereafter annual payments shall be made of not less than six (6) per cent of the original purchase price. An amount equal to not less than three (3) per cent per annum of the unpaid principal shall be credited to interest and the balance shall be applied as payment on principal as credit on purchase price. The purchaser may pay all or any installment or installments not yet due to any interest paying date. If the purchaser so desires, he may pay the entire balance due on his contract with interest to date of payment at any time and he will then be entitled to proper conveyance." And renumber the lines.

And when so amended recommend the same do pass.

Senate Bill No. 175.

Strike out all of the title and insert in lieu thereof "For an Act amending and re-enacting Section 17 of Chapter 258 of the Session Laws of 1931 as amended by Section 4 of Chapter 14 of the Session Laws of 1941 relating to the State Seed Department. BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF NORTH DAKOTA:".

Strike out all of Section 1, lines 1, 2, and 3, and insert in lieu thereof "Section 1. AMENDMENT.) That Section 17 of Chapter 258 of the Session Laws of 1931 as amended by Section 4 of Chapter 14 of the Session Laws of 1931 be amended and re-enacted to read as follows:".

In Section 17:

Add the second paragraph: "In the event of the shipment into this state from any point outside thereof, of any seed, it shall be the duty of the purchaser or vendor or any person receiving such seed to have same labeled in accordance with and conforming to the requirements of this act; provided, however, that certain standardized grades and labeling of seed in use elsewhere may be permitted by the Commissioner, in connection with shipments of seed into this state from points outside thereof, in lieu of the labeling provided for in this act; provided, further, that the provisions of this act shall not apply to any common carrier in respect to any seed transported or delivered for transportation in the ordinary course of its business as a common carrier; and provided further, that no person, excepting common carriers as herein provided, shall knowingly distribute, sell, offer, expose or have in possession with intent for sale for sowing or planting purposes, any seed included in Section 3, sub-section (a) of this act, or any garden vegetable seed or any other kind or nature of seed that is falsely represented by labeling or in any form of advertising or in any other way as to

quality, condition, grade, viability, purity, character, nature, variety or any other description." And renumber the lines.

And when so amended recommend the same do pass.

Senate Bill No. 21.

Line 2—After the words "out of the" insert the words "Institutional Collections and".

Line 3—Strike out the figures "\$33,424.00" and insert the figures "\$34,363.00" in lieu thereof.

Line 12—Strike out the figures "\$12,680.00" and insert the figures "\$13,319.00" in lieu thereof.

Line 32—Strike out the figures "\$52,674.00" and insert the figures "\$53,313.00".

Line 43—Strike out the figures "\$56,424.00" and insert the figures "\$57,363.00".

And when so amended recommend the same do pass.

Senate Bill No. 7.

Add the following Section:

"16 Section 2. Appropriation herein provided insofar  
17 as it is used for postage may be expended only on the  
18 direction of the Board of Administration, pursuant to  
19 the rules and regulations provided for in Chapter 214,  
20 Session Laws of 1941".

And when so amended recommend the same do pass.

Senate Bill No. 15.

Add the following Section:

"15 Section 2. Appropriation herein provided insofar  
16 as it is used for postage may be expended only on the  
17 direction of the Board of Administration, pursuant to  
18 the rules and regulations provided for in Chapter 214,  
19 Session Laws of 1941".

And when so amended recommend the same do pass.

Senate Bill No. 16.

Add the following Section:

"16 Section 2. Appropriation herein provided insofar  
17 as it is used for postage may be expended only on the  
18 direction of the Board of Administration, pursuant to  
19 the rules and regulations provided for in Chapter 214,  
20 Session Laws of 1941".

And when so amended recommend the same do pass.

Senate Bill No. 17.

Add the following Section:

"14 Section 2. Appropriation herein provided insofar  
15 as it is used for postage may be expended only on the  
16 direction of the Board of Administration, pursuant to  
17 the rules and regulations provided for in Chapter 214,  
18 Session Laws of 1941".

And when so amended recommend the same do pass.

Senate Bill No. 20.

In line 2 after the words "out of the" insert the words "Institutional Collections and".

Line 3—Strike out the figures "\$190,651.32" and insert the figures "\$184,651.32" in lieu thereof.

Line 15—Strike out the figures "\$17,000.00" and insert the figures "\$16,000.00" in lieu thereof.



Line 33—Strike out the figures “\$189,991.32” and insert the figures “\$188,991.32” in lieu thereof.

Line 36—Strike out the figures “\$2,000.00” and insert the figures “\$1,000.00” in lieu thereof.

Line 38—Strike out the figures “\$8,000.00” and insert the figures “\$4,000.00” in lieu thereof.

Line 51—Strike out the figures “\$215,651.32” and insert the figures “\$209,651.32” in lieu thereof.

And when so amended recommend the same do pass.

Senate Bill No. 70.

Lines 3 and 4—After the words “School Lands shall” the balance of the words stricken out in their entirety and the words “be thirty-six hundred (\$3,600.00) dollars.” be inserted in lieu thereof.

And when so amended recommend the same do pass.

Senate Bill No. 154.

In the seventh line of the title, after the word therefor, strike out the period and insert a comma in lieu thereof and add the following words “and declaring an Emergency.” and add the following Section:

“51 SECTION 6. An emergency is hereby declared to exist  
52 and this act shall be in full force and effect from and  
52a after  
53 its passage and approval.”

And when so amended recommend the same do pass.

And recommend the following further amendments.

In line 13 after the word “appoint” strike out the balance of the line and insert in lieu thereof “one citizen of the State primarily interested in agriculture and one citizen of the State primarily interested in the State’s natural resources as”.

After Section 4 insert a new Section as follows:

SECTION 5. PATENTS AND PROFITS.) Any and all patents for equipment, processes, methods, designs or developments based upon reasearch conducted under this Act shall inure and be taken out or assigned to the State of North Dakota, and any and all profits from such patents, developments or research made under this Act shall inure to the benefit of the North Dakota Research Foundation.

Reñumber Sections and lines to conform with the rest of the Bill.

And when so amended recommend the same do pass.

Senate Bill No. 22.

Line 2—Strike out the figures “\$374,000.00” and insert the figures “\$345,000.00” in lieu thereof.

Line 4—Strike out the figures “\$270,074.00” and insert the figures “\$317,114.00” in lieu thereof.

Line 16—Strike out the figures “\$1,800.00” and insert the figures “\$2,000.00” in lieu thereof.

Line 24—Strike out the figures “\$10,000.00” and insert the figures “\$8,300.00” in lieu thereof.

Line 31—Strike out the figures “\$7,000.00” and insert the figures “\$8,000.00” in lieu thereof.

Line 32—Strike out the figures “\$4,000.00” and insert the figures “\$4,500.00” in lieu thereof.

Line 45—Strike out the figures “\$1,000.00” and insert the figures “\$2,000.00” in lieu thereof.

Line 49—Strike out the word and figures “Total \$644,-074.00” and insert the words and figures “7. Air Compressor \$340.00” in lieu thereof.

Add the following:

“Line 50 8. Truck Exchange .....\$ 1,700.00  
Line 51 Emergency Available March 1, 1943 ..... 15,000.00

Line 52 Total .....\$662,114.00”

And when so amended recommend the same do pass.

REP. LANGLEY, Chairman.  
Committee of the Whole.

Rep. Morland moved that the report of the Committee of the Whole be adopted, which motion prevailed.

#### REPORTS OF STANDING COMMITTEES

Mr. Speaker: 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:

On the engrossed bill:

Line 22, Subdivision 1—Strike out the figures “\$10,735.00” and insert the figures “\$10,467.00”.

Line 29, Subdivision 1—Strike out the figures “\$35,295.00” and insert the figures “\$35,027.00”.

Line 38, Subdivision 3—Strike out the figures “\$4,725.00” and insert the figures “\$4,607.00”.

Line 39, Subdivision 3—Strike out the figures “\$14,200.00” and insert the figures “\$13,845.00”.

Line 43, Subdivision 3—Strike out the figures “\$72,405.00” and insert the figures “\$71,932.00”.

Line 55, Subdivision 5—Strike out the figures “\$12,000.00” and insert the figures “\$15,000.00”.

Line 56, Subdivision 5—Strike out the figures “\$117,000.00” and insert the figures “\$120,000.00”.

Line 60, Subdivision 6a—Strike out the figures “\$19,270.00” and insert the figures “\$18,788.00”.

Line 61, Subdivision 6a—Strike out the figures “\$4,250.00” and insert the figures “\$3,750.00”.

Line 65, Subdivision 6a—Strike out the figures “\$29,420.00” and insert the figures “\$28,438.00”.

Line 70, Subdivision 6b—Strike out the figures “\$3,000.00” and insert the figures “\$4,000.00”.

Line 74, Subdivision 6b—Strike out the figures “\$12,200.00” and insert the figures “\$13,200.00”.

Line 78, Subdivision 7a—Strike out the figures “\$33,960.00” and insert the figures “\$33,111.00”.

Line 83, Subdivision 7a—Strike out the figures “\$47,410.00” and insert the figures “\$46,561.00”.

Line 87, Subdivision 7b—Strike out the figures “\$35,650.00” and insert the figures “\$34,759.00”.

Line 91, Subdivision 7b—Strike out the figures “\$55,530.00” and insert the figures “\$54,639.00”.

Line 95, Subdivision 8a—Strike out the figures “\$38,540.00” and insert the figures “\$37,577.00”.

Line 102, Subdivision 8a—Strike out the figures “\$51,396.00” and insert the figures “\$50,433.00”.

Line 106, Subdivision 9a—Strike out the figures “\$19,815.00” and insert the figures “\$19,320.00”.

Line 112, Subdivision 9a—Strike out the figures “\$35,615.00” and insert the figures “\$35,120.00”.

Line 115, Subdivision 9b—Strike out the figures “\$13,000.00” and insert the figures “\$12,855.00”.

Line 119, Subdivision 9b—Strike out the figures “\$500.00” and insert the figures “\$700.00”.

Line 121, Subdivision 9b—Strike out the figures “\$17,775.00” and insert the figures “\$17,830.00”.

Line 127, Subdivision 10a—Strike out the figures “\$11,910.00” and insert the figures “\$11,612.00”.

Line 133, Subdivision 10a—Strike out the figures “\$58,564.00” and insert the figures “\$58,266.00”.

Line 137, Subdivision 11a—Strike out the figures “\$12,850.00” and insert the figures “\$12,529.00”.

Line 141, Subdivision 11a—Strike out the figures “\$36,850.00” and insert the figures “\$36,529.00”.

Line 145, Subdivision 11b—Strike out the figures “\$15,060.00” and insert the figures “\$14,683.00”.

Line 149, Subdivision 11b—Strike out the figures “\$31,360.00” and insert the figures “\$30,983.00”.

Line 150, Subdivision 11d—Strike out the figures “11d” and insert the figures “11c”.

Line 152, Subdivision 11c—Strike out the figures “\$9,765.00” and insert the figures “\$9,521.00”.

Line 155, Subdivision 11c—Strike out the figures “\$11,765.00” and insert the figures “\$11,521.00”.

Line 155a, Subdivision 11e—Strike out the figures “11e” and insert the figures “11d”.

Line 159, Subdivision 12a—Strike out the figures “\$14,475.00” and insert the figures “\$14,113.00”.

Line 164, Subdivision 12a—Strike out the figures “\$26,225.00” and insert the figures “\$25,863.00”.

Line 171, Subdivision 12c—Strike out the figures “\$32,570.00” and insert the figures “\$31,756.00”.

Line 176, Subdivision 12c—Strike out the figures “\$52,170.00” and insert the figures “\$51,356.00”.

Line 181, Subdivision 12g—Strike out the figures “12g” and insert the figures “12e”.

Line 183, Subdivision 12e—Strike out the figures “\$9,610.00” and insert the figures “\$9,370.00”.

Line 188, Subdivision 12e—Strike out the figures “\$12,960.00” and insert the figures “\$12,720.00”.

Line 189, Subdivision 12h—Strike out the figures “12h” and insert the figures “12f”.

Line 197, Subdivision 13a—Strike out the figures “\$60,310.00” and insert the figures “\$58,802.00”.

Line 202, Subdivision 13a—After the words “before I. C. C.”

add the words "and other Federal Agencies and Courts" and strike out the figures "\$12,000.00" and insert the figures "\$18,000.00".

Line 205, Subdivision 13a—Strike out the figures "\$101,385.00" and insert the figures "\$105,877.00".

Line 208, Subdivision 13b—Strike out the figures \$13,415.00" and insert the figures "\$13,080.00".

Line 211, Subdivision 13b—After the words "Travel Expense" add the words "and Car Exchange".

Line 213, Subdivision 13b—Strike out the figures "\$18,145.00" and insert the figures "\$17,810.00".

Line 217, Subdivision 14—Strike out the figures "\$80,936.00" and insert the figures "\$78,913.00".

Line 226, Subdivision 14—Strike out the figures "\$155,236.00" and insert the figures "\$153,213.00".

Line 230, Subdivision 15a—Strike out the figures "\$62,640.00" and insert the figures "\$61,074.00".

Line 236, Subdivision 15a—Strike out the figures "\$106,040.00" and insert the figures "\$104,474.00".

Line 240, Subdivision 15b—Strike out the figures "\$115,290.00" and insert the figures "\$112,408.00".

Line 245, Subdivision 15b—Strike out the figures "\$194,290.00" and insert the figures "\$191,408.00".

Line 248, Subdivision 16a—Strike out the figures "\$14,400.00" and insert the figures "\$18,000.00".

Line 249, Subdivision 16a—Strike out the figures "\$22,560.00" and insert the figures "\$21,996.00".

Line 254, Subdivision 16a—Strike out the figures "\$62,860.00" and insert the figures "\$65,896.00".

Line 268, Subdivision 16b—Strike out the figures "\$5,280.00" and insert the figures "\$6,160.00".

Line 271, Subdivision 16b—Strike out the figures "\$183,240.00" and insert the figures "\$184,120.00".

Line 275, Subdivision 16c—Strike out the figures "\$5,760.00" and insert the figures "\$5,616.00".

Line 278, Subdivision 16c—Strike out the figures "\$22,057.00" and insert the figures "\$21,913.00".

Line 281, Subdivision 16d—Strike out the figures "\$5,670.00" and insert the figures "\$5,528.00".

Line 286, Subdivision 16d—Strike out the figures "\$16,570.00" and insert the figures "\$16,428.00".

Line 304, Subdivision 18—Strike out the figures "\$11,460.00" and insert the figures "\$11,173.00".

Line 312, Subdivision 18—Strike out the figures "\$23,260.00" and insert the figures "\$22,973.00".

Line 324, Subdivision 20—Strike out the figures "\$12,000.00" and insert the figures "\$11,700.00".

Line 328, Subdivision 20—Strike out the figures "\$18,075.00" and insert the figures "\$17,775.00".

Lines 332 and 333, Subdivision 21—After the words "Emergency Fund" strike out the words "(Available upon return of Nat'l Guard Units from Fed. Serv.) and insert the words "(Available on Governor's Approval)" in lieu thereof and

strike out the figures in line 333 "\$35,000.00" and insert the figures "\$25,000.00" in lieu thereof.

Line 334, Subdivision 21—Strike out the figures "\$105,000.00" and insert the figures "\$95,000.00".

Line 338, Subdivision 22—Strike out the figures "\$15,000.00" and insert the figures "\$25,000.00".

Line 340, Subdivision 22—Strike out the figures "\$6,000.00" and insert the figures "\$6,500.00".

Add the following line:

"340a Janitor Service .....\$1,100.00".

Line 341, Subdivision 22—Strike out the figures "\$113,000.00" and insert the figures "\$124,600.00".

Line 363, Subdivision 26a—Strike out the figures "\$76,820.00" and insert the figures "\$74,900.00".

Line 368, Subdivision 26a—Strike out the figures "\$116,570.00" and insert the figures "\$114,650.00".

Line 391, Subdivision 28—Strike out the figures "\$75,000.00" and insert the figures "\$100,000.00".

Line 392, Subdivision 28—Strike out the figures "\$75,000.00" and insert the figures "\$100,000.00".

Line 402—Strike out the figures "\$2,196,353.00" and insert the figures "\$2,218,240.00".

And when so amended recommend the same do pass.

REP. JOHNSON OF CASS, Chairman.

Rep. Collette moved that the report be adopted, which motion prevailed and the report was adopted.

#### MESSAGES TO THE SENATE

##### House of Representatives

Bismarck, March 3, 1943

Mr. President: I have the honor to return:

Senate Concurrent Resolution "1-A." A Concurrent Resolution Requesting Congress to Transfer the Fort Peck Project to the Bureau of Reclamation of the Department of Interior for Operation and Maintenance and That Adequate Appropriations Be Made Available to the Bureau of Reclamation to Enable Completion of Preliminary Plans and Estimates in Preparation for Post-War Conditions.

Senate Bill No. 67. A Bill for an Act to Prohibit Cutting, Removing or Destroying Any Native Growing Fruit Bearing Shrubs, or Trees, Providing a Penalty and Creating an Emergency.

Senate Bill No. 96. A Bill for an Act to Amend and Re-enact Sub-section (b) of Section 5 of Chapter 235 of the Session Laws of North Dakota for the Year 1929, as Amended and Re-enacted by Chapter 297 of the Session Laws of North Dakota for the Year 1931, and as Amended and Re-enacted by Chapter 208 of the Session Laws of North Dakota for the Year 1935, and as Amended and Re-enacted by Chapter 175 of the Session Laws of North Dakota for the Year 1937, as Amended and Re-enacted by Chapter 210 of the Session Laws of North Dakota for the Year 1941, Relating to Tax Limitations of Cities.

Senate Bill No. 152. A Bill for an Act to Amend and Re-enact Section Six (6) of Chapter 110 of the Session Laws of

1937 Relating to License Fees of Public Contractors, and Declaring an Emergency.

Senate Bill No. 161. A Bill for an Act to Amend and Re-enact Section 2 and Section 5 of Chapter 7 of the Session Laws of 1939; Relating to the Membership of the State Poultry Improvement Board.

Senate Bill No. 180. A Bill for an Act to Amend and Re-enact 2346a18 of the 1925 Supplement to the Compiled Laws of North Dakota, as Amended by Section 4 of Chapter 283, Session Laws of 1931, as Further Amended by Section 2 of Chapter 241, Session Laws of 1937, and as Further Amended by Section 1 of Chapter 228, Session Laws of 1939; Providing for Net Operating Loss Carry Over and Additional Deductions in Computing Net Income for Income Tax Purposes, and Declaring an Emergency.

Senate Bill No. 200. A Bill for an Act Making an Appropriation of Funds to Purchase Paper and Binding Material and to Pay for Printing and Binding and Supervision, and Declaring an Emergency.

Which the House has amended.

W. M. SMART, Chief Clerk.

House of Representatives

Bismarck, March 3, 1943

Mr. President: I have the honor to return:

Senate Bill No. 65. A Bill for an Act Making an Appropriation to Defray Expenses of the Delegates to National Political Conventions as Prescribed by Section 916 of the Compiled Laws of 1913.

Senate Bill No. 101. A Bill for an Act to Amend and Re-enact Section 4863 of the 1925 Supplement to the Compiled Laws of North Dakota for the Year 1913, as Amended by Chapter 145 of the Session Laws of 1929, and Further Amended by Chapter 131 of the Session Laws of 1933, Relating to Capital Stock of Domestic and Other Insurance Companies, and Declaring an Emergency.

Senate Bill No. 103. A Bill for an Act to Amend and Re-enact Section 4870 of the Compiled Laws of North Dakota for the Year 1913, Relating to the Organization of Domestic Mutual Life Insurance Companies, and Declaring an Emergency.

Senate Bill No. 133. A Bill for an Act to Regulate and Control the Barber Shop Business of the State of North Dakota; Conferring Upon the State Board of Barber Examiners Powers and Jurisdiction with Relation Thereto, Defining Such Powers, Jurisdiction and Duties; Authorizing the Said Board to Approve Price Schedules and to Make Orders Fixing Minimum Prices for Barber Services; Providing for Judicial Review of Such Acts of Said Board; Providing Penalties for the Violation of This Act.

Senate Bill No. 136. A Bill for an Act to Limit the Time for Commencement of All Actions and Interposition of All Defenses and Counterclaims Grounded Upon Certain Defects in Proceedings for and Preliminary to Foreclosure of Real Estate Mortgages Where the Foreclosure Sales in Such Proceedings Were Had Prior to January 1st, 1943, and to Validate and Confirm Such Mortgage Foreclosure Sales.

Senate Bill No. 156. A Bill for an Act Relating to the

Juvenile Court and the Protection, Control, and Custody of Children; and Amending and Re-enacting Chapter 23 of the Code of Criminal Procedure, Consisting of Sections 11402 to 11427, Inclusive, of the Compiled Laws of North Dakota of 1913; Sections 11412a, 11428a1, 11428a2, 11428,3, 11428a4 and 11428a5 of the Supplement to the 1913 Compiled Laws of North Dakota; and Chapter 113 of the Laws of 1929.

Senate Bill No. 162. A Bill for an Act Making an Appropriation of \$5,000.00 Each for the Completion of the Armories at Carrington, North Dakota, and Bottineau, North Dakota, and Providing for the Manner of Disbursing Said Funds, and Declaring an Emergency.

Senate Bill No. 168. A Bill for an Act Regulating the Ependiture of Monies Appropriated by the Legislative Assembly of the State of North Dakota for Emergency Purposes, Fixing the Methods for Obtaining Approval for Such Expenditures, Providing Penalties for Violation Hereof, and Repealing All Acts or Parts of Acts in Conflict Herewith.

Senate Bill No. 170. A Bill for an Act Regulating the Business of Receiving Monies as Agent for Another for the Purpose of Depositing the Same in a Bank, Requiring a License Therefor, and Providing Penalties for the Violation Thereof.

Senate Bill No. 171. A Bill for an Act to Amend and Re-enact Sections 2, 5, 6, 8, 9, 10, 13, 15, 16, and 22 of Chapter 71 of the Session Laws of North Dakota for the Year 1933, Relating to the State Banking Board, and Making an Appropriation for the Expense Incident Thereto and Repealing All Acts in Conflict Herewith.

Senate Bill No. 172. A Bill for an Act to Amend and Re-enact Section 17 of Chapter 96 of the Session Laws of North Dakota for the Year 1931 as Amended by Chapter 93 of the Session Laws of 1935, Also Sections 4, 25, 31, and 35 of Chapter 96 of the Session Laws of 1931, Also Section 30 of Chapter 96 of the Session Laws of 1931 as Amended by Chapter 96 of the Session Laws of North Dakota for the Year 1937 and Further Amended by Chapter 102 of the Session Laws of North Dakota for the Year 1941 and Repealing Section 57 of Chapter 96 of the Session Laws of North Dakota for the Year 1931; All Relating to the Regulation of the State Banking Associations.

Senate Bill No. 185. A Bill for an Act Providing for the Disposition of Property Where There Is No Sufficient Evidence That Persons Having Died Otherwise Than Simultaneously, and to Make Uniform the Law With Reference Thereto.

Senate Bill No. 188. A Bill for an Act to Regulate the Practice in the District Courts and County Courts of Increased Jurisdiction, to Provide for Conferences in Advance of Trial, and the Simplification of Issues and Other Purposes; and Giving the Judge Power to Make Orders in Connection With Such Conferences.

Senate Bill No. 190. A Bill for an Act to Amend and Re-enact Section 2 of Chapter 216 of the Session Laws of 1941 so as to Extend the Term of Office of Members of the Governmental Survey Commission Until January 1, 1945, Appropriating for the Use of the Commission the Balance Remaining; Unexpended in the Governmental Survey Commis-

sion Fund Created Pursuant to Section 14 of Said Chapter 216 of the Session Laws of 1941, and Declaring an Emergency.

Senate Bill No. 206. A Bill for an Act to Amend and Re-enact Section 19 of the Session Laws of North Dakota for 1927 as Amended and Re-enacted by Chapter 150 of the Session Laws of North Dakota for 1939, Relating to the Regulation of the Occupation of Hairdressers and Cosmetologists, and Repealing All Acts or Parts of Acts in Conflict Herewith.

Which the House has passed unchanged.

W. M. SMART, Chief Clerk.

House of Representatives

Bismarck, March 3, 1943

Mr. President: I have the honor to return:

Senate Bill No. 51. A Bill for an Act Requiring Livestock Sales Rings Created Under the Provisions of Chapter 9 of the Session Laws of 1941, to Furnish, Install and Maintain Scales, Known as "Scales of the Registering Type," Excepting from the Provisions Hereof, Livestock Sales Rings Which Have Already Installed Scales of Sufficient Capacity.

Senate Bill No. 143. A Bill for an Act to Amend and Re-enact Sections 6, 8, and 16 of Chapter 174 of the 1937 Session Laws, Relating to Pensions for Disabled and Retired Policemen; Who Entitled to Pensions; Conditions and Disability How Contracted; and Repealing All Acts or Parts of Acts in Conflict Therewith.

Senate Bill No. 164. A Bill for an Act Making It Unlawful for Any Person, Association or Corporation to Possess, or Keep for Sale, or Offer for Sale, or Gift or Barter Any Matches Not Approved by the National Board of Underwriters.

Senate Bill No. 196. A Bill for an Act to Amend and Re-enact Section 11 of Chapter 309 of the Session Laws of 1931, Relating to the Guardianship of Incompetent Veterans and of Minor Children of Disabled or Deceased Veterans.

Which the House has indefinitely postponed.

W. M. SMART, Chief Clerk.

#### FIRST READING OF SENATE RESOLUTION

Senate Joint Resolution "A" was read the first time.

Rep. Twichell moved that Senate Joint Memorial Resolution "A" be adopted by a rising vote, which motion prevailed, and Senate Joint Memorial Resolution "A" was adopted.

Rep. Fitch moved that the rules be suspended and Senate Concurrent Resolution "1-H" be placed on First Reading, which motion prevailed.

#### FIRST READING OF SENATE RESOLUTION

Senate Concurrent Resolution "1-H." Approving Contracts for the Paper and for Printing and Binding North Dakota Revised Code of 1943.

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

Rep. Sandness moved that the vote by which House Bill No. 25 was indefinitely postponed be reconsidered, which motion prevailed.



A division was asked for and disclosed 49 for and 33 against, so the motion prevailed.

Rep. Fitch moved that House Bill No. 42 be placed on the calendar, which motion prevailed.

Rep. Aker moved that the vote by which Senate Bill No. 134 was indefinitely postponed be reconsidered, which motion prevailed.

A division was asked for which disclosed 64 voting for and 20 against, so the motion prevailed.

Rep. Bergesen moved that Senate Bill No. 134 be placed on the calendar, which motion prevailed.

Rep. Bymers moved that the absent members be excused, which motion prevailed.

Rep. Bymers moved that the House do now adjourn, which motion prevailed.

W. M. SMART, Chief Clerk.

#### FORTY-EIGHTH DAY

Bismarck, March 3, 1943

The House convened pursuant to adjournment, Speaker Beede presiding.

Prayer was offered by Rev. Laten E. Teare.

Roll call: All members were present.

Rep. Morland moved that the House recess for twenty minutes, which motion prevailed.

The House reconvened pursuant to recess taken, Speaker Beede presiding.

The Speaker announced the House would be on the eighth order of business.

#### SIGNING OF BILLS

The Chief Clerk announced the Speaker was about to sign the following bills; immediately before signing each bill the title was publicly read.

House Bill No. 26.

House Bill No. 30.

House Bill No. 75.

House Bill No. 95.

House Bill No. 109.

House Bill No. 139.

House Bill No. 126.

House Bill No. 144.

House Bill No. 145.

House Bill No. 167.

House Bill No. 201.

House Bill No. 235.

House Bill No. 248.

House Concurrent Resolution "R."

House Concurrent Resolution "V."

Senate Concurrent Resolution "I-F."

Senate Concurrent Resolution "T."

Senate Bill No. 157.

Senate Bill No. 147.

Senate Bill No. 137.

Senate Bill No. 132.

Senate Bill No. 90.

Senate Bill No. 89.

Senate Bill No. 88.  
 Senate Bill No. 87.  
 Senate Bill No. 86.  
 House Bill No. 8.  
 House Bill No. 13.  
 House Bill No. 99.  
 House Bill No. 105.  
 House Bill No. 106.  
 House Bill No. 107.  
 House Bill No. 118.  
 House Bill No. 123.  
 House Bill No. 124.  
 House Bill No. 140.  
 House Bill No. 166.  
 House Bill No. 170.  
 Senate Bill No. 85.  
 Senate Bill No. 80.  
 Senate Bill No. 69.  
 Senate Bill No. 62.  
 Senate Bill No. 54.  
 Senate Bill No. 46.  
 Senate Bill No. 39.  
 Senate Bill No. 34.  
 Senate Bill No. 14.

And the Speaker signed each of the above bills in the presence of the House.

#### MESSAGES FROM THE SENATE

Senate Chamber  
 Bismarck, March 3, 1943

Mr. Speaker: I have the honor to inform you that the Senate has concurred in the House amendment to Senate Bill No. 123.

Very respectfully,  
 W. J. TROUT, Secretary.  
 Senate Chamber  
 Bismarck, March 3, 1943

Mr. Speaker: I have the honor to inform you that the Senate has adopted the report of the Conference Committee on House Bill No. 95 and has also adopted the report of the Conference Committee on House Bill No. 42.

Very respectfully,  
 W. J. TROUT, Secretary.  
 Senate Chamber  
 Bismarck, March 3, 1943

Mr. Speaker: I have the honor to inform you that the President has appointed as a conference committee to act with a like committee from the House, on House Bill No. 110, Senators Watt, Morgan of Walsh and Streibel.

Very respectfully,  
 W. J. TROUT, Secretary.  
 Senate Chamber  
 Bismarck, March 3, 1943

Mr. Speaker: I have the honor to inform you that the President has appointed as a conference committee to act

with a like committee from the House, on House Bill No. 28, Senators Stucke, Braun and Day.

Very respectfully,

W. J. TROUT, Secretary.

Senate Chamber

Bismarck, March 3, 1943

Mr. Speaker: I have the honor to inform you that the President has appointed as a conference committee to act with a like committee from the House, on House Bill No. 10, Senators Watt, Brant and Stucke.

Very respectfully,

W. J. TROUT, Secretary.

Senate Chamber

Bismarck, March 3, 1943

Mr. Speaker: I have the honor to inform you that the President has appointed as a conference committee to act with a like committee from the House, on House Bill No. 102, Senators Morgan of Walsh, Feton and Solberg.

Very respectfully,

W. J. TROUT, Secretary.

Senate Chamber

Bismarck, March 3, 1943

Mr. Speaker: I have the honor to inform you that the President has appointed as a conference committee to act with a like committee from the House, on House Concurrent Resolution "1-A," Senators Lavik, Lofthus and Ginter.

Very respectfully,

W. J. TROUT, Secretary.

Senate Chamber

Bismarck, March 3, 1943

Mr. Speaker: I have the honor to return:

House Bill No. 64. A Bill for an Act to Amend and Re-enact Chapter 109 of the Session Laws of 1941, by Providing a Penalty for Non-compliance Therewith.

House Bill No. 68. A Bill for an Act Removing Statutory Limitations on Salaries to Be Paid to the State Highway Commissioner, Chief Engineer, Engineers, Assistant Engineers and Draftsmen in the Highway Department Between July 1, 1943 and June 30, 1945; Repealing All Acts and Parts of Acts in Conflict Herewith.

House Bill No. 148. A Bill for an Act Requiring Instruction in Military Training at the University and Agricultural College, and Repealing Chapter 234 of the Session Laws of North Dakota for 1937 and All Acts or Parts of Acts in Conflict Herewith.

House Bill No. 173. A Bill for an Act Regulating the Transfer of Shares of Stock in Corporations, Repealing All Acts or Parts of Acts in Conflict Herewith, and Making Certain Exceptions Thereto.

House Bill No. 174. A Bill for an Act to Amend and Re-enact Section 1321a2 of the 1925 Supplement to the Compiled Laws of North Dakota, Providing for Annual School Election for the City of Fargo; the Number of Polling Places,

Election Officials, and Hours of Election, and Declaring an Emergency.

House Bill No. 182. A Bill for an Act Authorizing School Districts to Transfer Certain Portions of the General Fund Into Sinking Funds, and Providing for the Time, Manner and Amount of Such Transfers, Repealing All Acts or Parts of Acts in Conflict Herewith and Declaring an Emergency.

House Bill No. 188. A Bill for an Act Amending and Re-enacting the Iniated Act Approved by the Electors of North Dakota on November 8, 1932, Which Act Amended and Re-enacted Section 769a9 of the 1925 Supplement to the Compiled Laws of North Dakota for 1913, Relating to the Salaries of the Judges of the Districts of the State of North Dakota; and Providing for an Increase of Salaries of Said District Judges from \$3,500.00 a Year to \$4,000.00 a Year, and Providing for the Payment of His Actual Travelling Expenses and Subsistence While Holding Court Inside of Their Districts But Outside the Counties in Which They Reside.

House Bill No. 192. A Bill for an Act to Amend and Re-enact Section 5 of Chapter 204, Session Laws of 1941, Relating to the Funding and Refunding of Existing Indebtedness of Municipalities, Authorizing Legal Expense Under Certain Conditions, and Declaring an Emergency.

House Bill No. 196. A Bill for an Act to Amend and Re-enact Section 2844 of the Supplement to the 1913 Compiled Laws of North Dakota as Amended by Chapter 119 of the 1929 Session Laws Relating to Licenses for Creameries, Cheese Factories, Process Butter Factories, Ice Cream Factories, Cream Stations and Dairies, and Declaring an Emergency.

House Bill No. 214. A Bill for an Act to Amend and Re-enact Sections 8 and 9 of Chapter 135 of the Session Laws of 1935, as Amended and Re-enacted by Chapter 143 of the Session Laws of 1939 Relating to the Election of Delegates to State Party Conventions and Members of County Executive Committees, and Repealing All Acts or Parts of Acts in Conflict Herewith.

House Bill No. 250. A Bill for an Act to Amend and Re-enact Section 3684a13 of the 1925 Supplement to the Compiled Laws Relative to the Disposition of Balances at the End of the Fiscal Year in City Appropriations.

House Concurrent Resolution "S." To the Honorable William H. Jeffers, United States Rubber Administrator, War Production Board, Washington, D. C., Urging the Establishment of a Plant at Bismarck, or Jamestown, North Dakota, for the Production of Synthetic Rubber from Grain Alcohol, or a Plant at Dickinson or Minot, North Dakota, for Production of Synthetic Rubber and Coal By-products From Lignite Coal.

House Concurrent Resolution "1-C." Regarding the Heavy Snow on the Missouri River and Requesting Cooperation of the Adjutant General's Department in Eliminating Hazards.

Which the Senate has passed unchanged.

W. J. TROUT, Secretary.

Senate Chamber

Bismarck, March 3, 1943

Mr. Speaker: I have the honor to return:

House Bill No. 117. A Bill for an Act to Amend and Re-

enact Section 964 of the Compiled Laws of North Dakota for 1913, Relating to Election Supplies, and Repealing That Portion of the Section Requiring the Posting of Sample Ballots.

Which the Senate has indefinitely postponed.

W. J. TROUT, Secretary.

Senate Chamber

Bismarck, March 2, 1943

Mr. Speaker: I have the honor to return:

House Bill No. 78. A Bill for an Act Requiring the Teaching of the Conservation of Natural Resources in the Public Schools of the State of North Dakota.

House Bill No. 171. A Bill for an Act to Amend and Re-enact Section 1390a of the Supplement to the 1913 Compiled Laws of North Dakota, Authorizing the Erection and Equipping of Teacherages and Dormitories, and Providing Boarding Facilities at Cost, and Repealing All Acts or Parts of Acts in Conflict Herewith, and Declaring an Emergency.

House Bill No. 175. A Bill for an Act to Amend and Re-enact Section 1179 of the Compiled Laws for 1913, as Amended by Chapter 257 of the Session Laws of 1941, Relating to Powers of School Districts to Admit Pupils from Other Districts, Providing for Payment of Tuition and Transportation, and Repealing All Acts and Parts of Acts in Conflict Herewith.

House Bill No. 189. A Bill for an Act Providing That a Course for Teachers in Cooperatives, Their History, Principles, Organization and Operation Shall Be Taught in the Teachers' Colleges of the State of North Dakota and in the Teachers' College at the University of the State of North Dakota.

House Bill No. 213. A Bill for an Act Amending and Re-enacting Section 6762 of the Compiled Laws of North Dakota for 1913, as Amended by Chapter 175 of the Session Laws of 1927, as Amended by Chapter 168 of the Session Laws of 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 and Making the Same an Emergency Measure.

House Bill No. 244. A Bill for an Act to Permit the Purchase by the State, County, Township and Other Municipalities of North Dakota of Tax Exempt Gasoline for the Construction, Reconstruction or Maintenance of Highways, Public Roads, Streets and Airports; and Declaring an Emergency.

Which the Senate has amended.

W. J. TROUT, Secretary.

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

Mr. Speaker: 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 recommends that the same be corrected as follows:

In line 24 page 825 strike out the word "from" and insert the words "for the purpose of".

In line 42 page 847 change the word "hand" to "loud".

And when so corrected recommends that the same be approved.

REP. WELDER, Chairman.

Rep. Welder moved that the report be adopted, which motion prevailed and the report was adopted.

HOUSE COMMITTEE ON ENROLLMENT AND  
ENGROSSMENT

Mr. Speaker: Your committee on Enrollment and Engrossment respectfully report that they have examined the following bills and resolution:

House Bill No. 16.

House Bill No. 98.

House Bill No. 100.

House Bill No. 127.

House Bill No. 243.

House Bill No. 252.

House Concurrent Resolution "T."

And find the same correctly Engrossed.

REP. BUBEL, Acting Chairman.

Rep. Bjella moved that the report be adopted, which motion prevailed, and the report was adopted.

HOUSE COMMITTEE ON ENROLLMENT AND  
ENGROSSMENT

Mr. Speaker: Your committee on Enrollment and Engrossment respectfully report that they have examined the following bills and resolutions:

House Bill No. 26.

House Bill No. 30.

House Bill No. 75.

House Bill No. 95.

House Bill No. 109.

House Bill No. 139.

House Bill No. 144.

House Bill No. 145.

House Bill No. 167.

House Bill No. 201.

House Bill No. 235.

House Bill No. 248.

House Concurrent Resolution "R."

House Concurrent Resolution "V."

And find the same correctly Enrolled.

REP. MORLAND, Chairman.

Rep. Ekren moved that the report be adopted, which motion prevailed, and the report was adopted.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: Your Committee on Public Welfare to whom was referred Senate Bill No. 58, have had the same under consideration and recommend that the same do pass.

REP. HAUGLAND, Chairman.

Rep. Williams moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Public Welfare to whom was referred Senate Bill No. 179, have had the same under consideration and recommend that the same do pass.

REP. HAUGLAND, Chairman.

Rep. Williams moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Appropriations to whom was referred Senate Bill No. 121, have had the same under consideration and recommend that the same do pass.

REP. JOHNSON OF CASS, Chairman.

Rep. Bjella moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Public Welfare to whom was referred Senate Bill No. 176, have had the same under consideration and recommend that the same be amended as follows:

At the end of the engrossed bill add the following section:

"Provided that the provision of this act shall terminate on June 30, 1945."

And when so amended recommend the same do pass.

REP. HAUGLAND, Chairman.

Rep. Falconer moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Insurance to whom was referred Senate Bill No. 37, have had the same under consideration and recommend that the same do pass.

REP. PETERSON OF BOTTINEAU, Chairman.

Rep. Arndt moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Insurance to whom was referred Senate Bill No. 145, have had the same under consideration and recommend that the same do pass.

REP. PETERSON OF BOTTINEAU, Chairman.

Rep. Mollet moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Military Affairs to whom was referred Senate Bill No. 74, have the same under consideration and recommend that the same do pass.

REP. FALCONER, Chairman.

Rep. Dahlen moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Federal Relations to whom was referred Senate Bill No. 139, have had the same under consideration and return the same without recommendation. This bill provides for an appropriation.

REP. SHURE, Chairman.

Rep. Johnson of Richland moved that Senate Bill No. 139 be placed on the calendar, which motion prevailed.

Mr. Speaker: Your Committee on Tax and Tax Laws to whom was referred Senate Bill No. 119 have had the same under consideration and recommend that the same be amended as follows:

In Subsection 1 of Section 7 strike out the figure "16" and insert the figure "15".

In Subsection 2 of Section 7 strike out the figure "20" and insert the figure "17".

In Subsection 3 of Section 7 strike out the figure "22" and insert the figure "19".

In Subsection 4 of Section 7 strike out the figure "24" and insert the figure "21".

In Subsection 5 of Section 7 strike out the figure "18" and insert the figure "17".

And when so amended recommend the same do pass.

REP. McINNES, Chairman.

Rep. Byemers moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Tax and Tax Laws to whom was referred Senate Bill No. 107 have had the same under consideration and recommend that the same be amended as follows:

In line 50 after the word "annuity" strike out the comma.

In line 78 after the figure "1" insert the letter "a".

After line 82 of the printed bill insert a new subsection "b" as follows: "The compensation received for services performed within this State by an individual who resides and has his place of abode in another State shall be excluded from gross income tax imposed by the State of his residence. Compensation received by residents of this State for services performed without this State shall be excluded from gross income to the extent that such compensation is subject to an income tax imposed by the State in which such services are performed."

At the end of line 91 strike out the period and insert a comma and add the following: "and to other states, if conducted wholly without this State. This provision shall not apply to business income subject to the provisions of Subdivision 1-a of this Section."

And renumber the lines.

And when so amended recommend the same do pass.

REP. McINNES, Chairman.

Rep. Bergesen moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Judiciary to whom was referred Senate Bill No. 182 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 "Section", insert the letter "s", and after the figure "7" add the following: "and 10".

In line 1, before the figure "7", insert the letter "s", and after the figure "7" add "and 10".

In line 46 strike out the words "transcribed and".

In line 52, before the word "testimony" insert the word "transcribed".

In line 56, after the word "month", insert the word "and".

In line 58, after the word "meeting", strike out the comma and insert a period in lieu thereof. Then add the following before the word "and": "It may approve, modify or reverse the findings and order of the County Agency, or it may return such record to the County Agency for such further action and proceedings as it may direct". After the word "and" in line 58, insert the following: "on the completion of such examination and review".

Immediately after line 68 in the printed bill, insert two new sub-sections as follows:



“(i) In advance of assistance in any case being modified, withdrawn, revoked or suspended, the applicant must be afforded the full benefit of the remedies prescribed in his behalf in Section 7.

(j) The term ‘applicant’ as used in Section 7, includes the term ‘recipient.’” And renumber the lines.

And when so amended recommend the same do pass.

REP. OHNSTAD, Chairman.

Rep. Graham moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Judiciary to whom was referred Senate Bill No. 184 have had the same under consideration and recommend that the same do pass.

REP. OHNSTAD, Chairman.

Rep. Johnson of Richland moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Judiciary to whom was referred Senate Bill No. 191 have had the same under consideration and recommend that the same be indefinitely postponed.

REP. OHNSTAD, Chairman.

Rep. Shure moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Education to whom was referred Senate Bill No. 199 have had the same under consideration and recommend that the same be amended as follows:

In line 114 strike out the word “five” and insert “four”.

In line 116 strike out the word “six” and insert “five”.

In line 117 strike out the word “seven” and insert “six”.

In line 118 strike out the word “eight” and insert “seven”.

In line 134 strike out the word “five” and insert “four”.

In line 136 strike out the word “six” and insert “five”.

In line 137 strike out the word “seven” and insert “six”.

In line 138 strike out the word “eight” and insert “seven”.

And when so amended recommend the same do pass.

REP. HOFSTRAND, Chairman.

Rep. Heckman moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Education to whom was referred Senate Bill No. 202 have had the same under consideration and recommend that the same be amended as follows:

In line 43 strike out the word “one” and insert in lieu thereof the word “four”.

In line 46 strike out the word “two” and insert in lieu thereof the word “five”.

In line 49 strike out the word “three” and insert in lieu thereof the word “six”.

In line 52 strike out the word “four” and insert in lieu thereof the word “seven”.

In line 27 strike out the words “by the Superintendent of Public Instruction”.

And when so amended recommend the same do pass.

REP. HOFSTRAND, Chairman.

Rep. Heckman moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: The majority of your Committee on Judiciary to whom was referred Senate Bill No. 59, have had the same under consideration and recommend that the same be amended as follows:

In line 14, beginning with the words "and that" strike out the remainder of the line. Strike out all of lines 15 and 16. Insert in lieu thereof the following: "made with any loaning agency authorized to make Commodity Credit Corporation loans on threshed grains." And re-number the lines.

ALVA WAMBHEIM  
LOUIS LEET  
D. S. BLAIR  
A. H. NYSTROM  
HARRY KOLPIN  
M. S. AKER  
W. H. SHURE  
VERNON M. JOHNSON  
MANFRED OHNSTAD

And when so amended recommend the same do pass.

REP. OHNSTAD, Chairman.

Rep. Aker moved that the report be adopted.

Mr. Speaker: The 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 be indefinitely postponed.

F. J. GRAHAM  
A. H. SCHMALENBERGER  
J. W. JENNINGS

REP. OHNSTAD, Chairman.

Rep. Graham moved that the report be adopted.

It being agreeable to the other members signing the minority report, Rep. Graham was permitted to withdraw his motion.

The question being on the adoption of the majority report, which motion prevailed and Senate Bill No. 59 was placed in General Orders.

#### MESSAGES FROM THE SENATE

Senate Chamber

Bismarck, March 3, 1943

Mr. Speaker: I have the honor to inform you that the Senate has concurred in the House amendment to Senate Bill No. 96.

Very respectfully,

W. J. TROUT, Secretary.

Senate Chamber

Bismarck, March 3, 1943

Mr. Speaker: I have the honor to inform you that the Senate has concurred in the House amendment to Senate Bill No. 152.

Very respectfully,

W. J. TROUT, Secretary.

Senate Chamber

Bismarck, March 3, 1943

Mr. Speaker: I have the honor to inform you that the

Senate has concurred in the House amendment to Senate Bill No. 180.

Very respectfully,  
W. J. TROUT, Secretary.

Mr. Speaker: The majority of your Committee on Judiciary to whom was referred Senate Bill No. 45, have had the same under consideration and recommend that the same be indefinitely postponed.

W. H. SHURE  
ALVA WAMBHEIM  
A. R. BERGESEN  
J. W. JENNINGS  
LOUIS LEET  
D. S. BLAIR  
A. H. NYSTROM  
HARRY KOLPIN,  
REP. OHNSTAD, Chairman.

Rep. Shure moved that the report be adopted.

Mr. Speaker: The minority of your Committee on Judiciary to whom was referred Senate Bill No. 45, have had the same under consideration and recommend that the same do pass.

F. J. GRAHAM  
A. H. SCHMALENBERGER  
M. S. AKER  
VERNON M. JOHNSON  
MANFRED R. OHNSTAD  
REP. OHNSTAD, Chairman.

Rep. Graham offered as a substitute motion that the report of the minority be substituted for the report of the majority.

Rep. Myers moved the previous question.

Two-thirds not having seconded the request, the previous question was not ordered.

The question was on the substitute motion of Rep. Graham.

The chair was in doubt and a rising vote disclosed 44 for and 56 against, so the motion was lost.

The question was on the adoption of the majority report, which motion prevailed.

Rep. Bergesen moved that the vote by which Senate Bill No. 45 was indefinitely postponed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Rep. Morland moved that the vote by which the report of the Standing Committee on Correction and Revision of the Journal be reconsidered, which motion prevailed.

Rep. Morland moved that the report of the Committee be amended on page 850 by substituting the title of House Bill No. 98 for Senate Bill No. 98 preceding the roll call on the same, which motion prevailed.

Rep. Morland moved that the report as amended be adopted, which motion prevailed.

#### REPORTS OF STANDING COMMITTEES

Mr. Speaker: Your Committee on Corporations Other Than Municipal to whom was referred Senate Bill No. 198, have had the same under consideration and return the same without recommendation.

REP. MYERS, Chairman.

Rep. Bergesen moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Corporations Other Than Municipal to whom was referred Senate Bill No. 186, have had the same under consideration and return the same without recommendation.

REP. MYERS, Chairman.

Rep. Ohnstad moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Election and Election Privileges to whom was referred Senate Bill No. 135, have had the same under consideration and recommend that the same be indefinitely postponed.

REP. LEVIN, Chairman.

Rep. Morland moved that the report be adopted, which motion prevailed and the report was adopted.

Rep. Levin moved that the vote by which Senate Bill No. 135 was indefinitely postponed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Rep. Johnson of Cass moved that Senate Bill No. 3 be referred to General Orders, which motion prevailed.

Rep. Bergesen moved that the House recess until 6:30 o'clock p. m., which motion prevailed.

The House re-convened at 6:30 o'clock p. m., pursuant to recess taken, Speaker Beede presiding.

The Speaker announced the House would be on the eighth order of business.

#### SIGNING OF BILLS

The Chief Clerk announced that the Speaker was about to sign the following bills; immediately before signing each bill the title was publicly read.

House Bill No. 251.

House Concurrent Resolution "X."

Senate Bill No. 11.

Senate Bill No. 50.

Senate Bill No. 79.

Senate Bill No. 116.

Senate Concurrent Resolution "N."

And the Speaker signed each of the above bills in the presence of the House.

#### REPORTS OF SELECT COMMITTEES

##### REPORT OF HOUSE COMMITTEE INVESTIGATING THE STANDING ROCK INDIAN RESERVATION

MARCH 1, 1943

Your Committee appointed to investigate the Indian situation at Fort Yates begs to report that upon arriving at Fort Yates, we found that the Clerk of the Indian Department had taken it upon himself to contact as many Indians as possible by telephone, telling them that the Council meeting had been called off on account of the cold weather, notwithstanding the fact that the head of the Indian Council—Jack Iron Boulder of Shields—knew nothing about this and it was done without his authority. Consequently, there were only a few of the Indians at the meeting.

However, we spent considerable time interviewing the

different Indians and getting their side of their troubles. We believe that the Indian Department at Washington should immediately do something to relieve the present deplorable condition existing among the Indians on the Standing Rock Reservation.

Most of the young Indians have volunteered to fight for our country, and there remain at the present time practically none but the older and the very young Indians.

The assistance rendered them by the government is very inadequate. The average per capita payment received from the government amounts to \$48.65 from July 1st to January 1st—a total of six months—this amount including blue stamps. You can judge for yourself how far this will go toward buying fuel, clothing and the necessities of life during the weather that has prevailed. Hence there has been almost unbelievable suffering among the Indians.

Regarding the two Indians who were discovered on the railroad track near Cannon Ball some days ago, there were different opinions as to how they met their death, the consensus of opinion being that these two Indians were on their way to another Indian's residence to get something to eat and that they were overcome by the extreme cold and froze to death and the bodies, being on the track, were run over and cut up by the train. There being no blood where these bodies were found, seems to bear out that theory.

However, there was general complaint among the Indians of the way these bodies were cared for by the Indian Department. There were various stories as to disposition of the bodies, most of them saying that the body of one and parts of the other were both placed into one casket and buried not as human beings and real Americans should be, but just disposed of.

We do not recommend and do not see how any investigation by any North Dakota Legislative Committee would do any good at this time. There seems to be quite a difference among the Indians as to the proper steps to take, and we believe that the Concurrent Resolution put through the House and the Senate at this Session should have some effect. However, there certainly must be something done in the very near future.

The money that really belongs to the Indians should be used by the Indian Department to relieve some of their sufferings and afford at least a few comforts. As the situation now is, it appears that it is being used by the officials for their own comforts and protection from the elements, the Indians having to exist the best way they can on the pittance they are getting.

Your Committee believes there should be an investigation by the Indian Affairs Committees of the United States Senate and House of Representatives.

In conclusion, we wish to thank the North Dakota Highway Patrol for the courtesies extended to your committee in furnishing Patrolman Floyd Upham to take your committee to Fort Yates and back to Bismarck, at no expense to your committee. Consequently, there is no expense to North Dakota as far as your committee is concerned.

However, we request that this and the report attached hereto be printed in the House Journal.

WM. BAUER,  
Member of Investigating  
Committee.

The Committee of Two appointed on February 25th to attend the Indian Tribal Council at Fort Yates on March 1, 1943, beg to report:

We arrived at Fort Yates at about nine A. M. At about eleven o'clock information reached us that the council meeting had been called off for the reason of the weather, thereby removing the main purpose of the Committee, and tending to disorganize it so that each member separately investigated the existing conditions.

I was convinced that the Indians are not agreed upon a concrete plan of how the agency should be conducted. Some wish to abolish the present agency, while others are for it, and others would have only Indians in office or have the Red Cross take over.

One faction is complaining bitterly that they are rudely treated by the present superintendent, and that the Indians' money is being wasted in buildings and modern equipment for the benefit of the agencies, while the Indians are poorly clad and hungry. Such assertion, I believe, to be true but, before a change is undertaken, a thorough study of existing conditions is advisable. There seems to exist a tension, a hard feeling, between the superintendent and some of the Indians (mostly the women) to an extent that a riot is not improbable.

There also are indications that in some instances Indians rely on promises still pending and made by their white neighbors in, or seeking, an office. For illustration, I wish to report the experience of Mr. Bullhead (an Indian), as related by him in a dramatic way:

"I am a citizen, pay taxes and am told that I have the same right a white man has, so I went in to a cafe and ordered a drink but was told that he could not sell me a drink because I was an Indian, so I went to the agency for my pay and they said I had nothing coming as I now was like the white man. So I went to ..... (the name of the town, I do not remember) and over the door of the cafe was a big sign with big letters "No Indians Allowed." Then I got mad. I am a white man when I am to pay taxes and an Indian when I want to buy something to eat and drink."

It being pay day some of the Indians came to the agency. Others were called and an informal meeting was held, Indians going and coming. Probably half of those coming to the agency for their pay were mildly impressed with what was going on at the meeting but there were about twenty who took an active part.

Most of the men and women were poorly clad and looked as though they were undernourished and possessed but little ambition.

It further seems that but few individuals own property other than land and that no domestic animals are owned by the tribe.

One woman complained that it was bad for the young to lean on the bureau for support. It would be much better for them to go out and earn their living like their forefathers did.

Rep. Rettke moved that the Report of the Select Committee which consists of two separate statements be adopted and the committee be discharged, which motion prevailed.

Rep. Bauer moved that the Report of the Select Committee consisting of two statements be printed in the Journal, which motion prevailed.

The Conference Committee on House Bill No. 102 made the following report:

Mr. Speaker: Your Conference Committee to whom was referred House Bill No. 102, have had the same under consideration and recommend that we adopt the Senate amendments.

For the House:  
 REP. HAUGEN  
 REP. LANGLEY  
 REP. HOFSTRAND  
 For the Senate:  
 SEN. MORGAN of Walsh  
 SEN. FETON  
 SEN. SOLBERG

Rep. Langley moved that the report be adopted, which motion prevailed and the report was adopted.

Rep. Wolf of McIntosh moved that the rules be suspended and House Bill No. 102 be considered properly engrossed and placed on second reading and final passage, which motion prevailed.

#### SECOND READING OF HOUSE BILLS

House Bill No. 102. A Bill for an Act to Repeal Section 2 of Chapter 255 of the Session Laws of North Dakota for 1941, Relating to High School Correspondence Work, and to Amend and Re-enact Section 6 of Chapter 255 of the Session Laws of North Dakota for 1941, Relating to High School Tuition and Fixing the Amounts of Such Tuition.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 89; nays, 0; absent and not voting, 24.

Those voting in the affirmative were:

Aker	Gainor	Myers
Allen, Grand Forks	Graham	Nystrom
Allen, Pierce	Haag	Olson, Bowman
Anderson	Halcrow	Ohnstad
Arndt	Halvorson	Ostgulen
Bagge	Haugen	Peterson, Ransom
Bauer	Haugland	Pyle
Baumgartner	Heckman	Rettke
Belzer	Hegge	Rohrer
Benno	Hofstrand	Runck
Bergesen	Hogoboom	Saumur
Bjella	Holm	Schmalenberger
Blair	Hovey	Schnell
Boulder	Iszler	Severson

Braun	Jennings	Shure
Burau	Johnson, Rolette	Starck
Bymers	Kolpin	Sticka
Callahan	Langley	Stormon
Carlson	Larson, Ward	Twichell
Coghlan	Larson, Wells	Tuff
Collette	Leet	Welder
Crockett	Manstrom	Welk
Dahlen	Marks	Westby
Dalzell	Mittag	Williams, Richland
Devlin	Moe	Williams, Sargent
Drovdal	Mollet	Williams, Stutsm'n
Falconer	Monson	Wolf, McIntosh
Fitch	Morland	Wolf, Morton
Forseth	Morrison	Mr. Speaker
Gackle	Mortenson	
Absent and not voting:		
Bolmeier	Johnson, Richland	Rohde
Bubel	Levin	Sailer
Ekren	Lillehaugen	Sandness
Fleck	Lunde	Schwartz
Fraser	McInnes	Sellens
Fuglestad	Nelson	Sharpe
Hildre	Olson, Barnes	Stair
Johnson, Cass	Peterson, Bottin'au	Wambheim

So the bill passed as amended and the title was agreed to.

#### REPORTS OF STANDING COMMITTEES

Mr. Speaker: A majority of Your Committee on Judiciary to whom was referred Senate Bill No. 174, have had the same under consideration and recommend that the same do pass.

J. W. JENNINGS  
 A. H. SCHMALENBERGER  
 WM. H. RETTKE  
 HAROLD T. MORRISON  
 HARRY KOLPIN  
 S. N. WELDER  
 F. J. GRAHAM  
 LOUIS LEET  
 MANFRED OHNSTAD  
 REP. OHNSTAD, Chairman.

Rep. Welder moved that the report be adopted.

Mr. Speaker: A minority of Your Committee on Judiciary to whom was referred Senate Bill No. 174, have had the same under consideration and recommend that the same be indefinitely postponed.

A. H. NYSTROM  
 ALVA WAMBHEIM  
 W. H. SHURE  
 REP. OHNSTAD, Chairman.

Rep. Wolf of McIntosh offered as a substitute motion that the report of the minority be substituted for the report of the majority.

On a viva voce vote the chair was in doubt.

A rising vote disclosed 55 for and 37 against, so the motion prevailed.

Rep. Wolf of McIntosh moved that the vote by which Senate Bill No. 174 was passed be reconsidered and the mo-



tion to reconsider be laid on the table, which motion prevailed.

Rep. Bergesen moved that the Governor be requested to return House Bill No. 84 for the purpose of amending the title, which motion prevailed.

The Speaker announced that House Bill No. 84 had now been returned and was before the House.

Rep. Bergesen moved that the rules be suspended and that the House reconsider action taken in approving the title to House Bill No. 84, which motion prevailed.

Rep. Bergesen moved that the rules be suspended and that the title of House Bill No. 84 be amended by inserting the following language after the word 'of' and before the 'clerical' in the third line of the title, "coal mine inspector and compensation for," which motion prevailed.

Rep. Twichell moved that the rules be suspended for the purpose of offering an amendment to Rule No. 9, which motion prevailed.

Rep. Twichell moved to amend House Rule No. 9 for the remainder of this Session to read as follows: Rule No. 9. No member shall speak more than twice on the same subject without leave of the House, nor more than once until every member choosing to speak on the subject pending shall have spoken, nor shall any member occupy more than four minutes at the first time, nor more than one minute at the second time, without unanimous consent of the House, which motion prevailed.

#### REPORTS OF SELECT COMMITTEES

The report of the Joint Committee on Welfare was before the House.

The question being on the previous motion of Rep. Shure to amend the report by striking out Section 9.

Rep. Bergesen demanded a Call of the House, which request was granted.

The Sergeant-at-arms was instructed to not permit any member to leave the House Chamber.

The roll was called and revealed all members present except: Reps. Fleck, Rohde and Sellens.

Rep. Levin moved that the Call of the House be dispensed with. On a rising vote the motion was lost.

Rep. Bergesen moved that the Call of the House be dispensed with, which motion prevailed on a rising vote.

The question now before the House was the motion of Rep. Shure.

A rising vote disclosed 60 for and 47 against, so the motion prevailed.

The question was on the adoption of the Report as amended, which motion prevailed and the report was adopted.

#### PETITIONS AND COMMUNICATIONS

Rep. Ekren presented House Concurrent Resolution "1-J," and requested the same be read from the desk, which request was granted.

House Concurrent Resolution "1-J." A Concurrent Resolution Memorializing the Congress of the United States to

Provide for and Continue the Program of Incentive Payments to Farmers Who Increase Their Production in 1943 of the Crops Mentioned Therein to Insure Production of Food Essential to Victory.

Rep. Ekren moved that the Resolution be adopted.

Rep. Crockett moved that the Resolution be laid on the table, which motion was lost.

A division was called for which disclosed 12 voting for and 80 against, so the motion was declared lost.

The question was on the adoption of the Resolution, which motion prevailed.

Rep. Starck moved that the House do concur in the Senate amendments to House Bill No. 153, which motion prevailed.

Rep. Wolf of McIntosh moved that the rules be suspended and that House Bill No. 153 be considered properly engrossed and placed on second reading and final passage, which motion prevailed.

SECOND READING OF HOUSE BILLS

House Bill No. 153. A Bill for an Act Making It a Felony for an Official or Employee in Any Penal, Correctional, or Eleemosynary Institution to Have Sexual Intercourse With an Inmate of Such Institution in Which Such Officer or Other Person Is Employed; Making It a Felony for a Guardian or Person Administering Public Relief or Welfare to Induce a Female Ward Under His Care to Have Illicit Sexual Intercourse With Him, by Threatening to Withhold from Such Female or Her Family, the Necessities of Life, or Threatening Physical Violence; 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, 110; nays, 0; absent and not voting, 3.

Those voting in the affirmative were:

Aker	Graham	Myers
Allen, Grand Forks	Haag	Nystrom
Allen, Pierce	Halcrow	Olson, Barnes
Anderson	Halvorson	Olson, Bowman
Arndt	Haugen	Ohnstad
Bagge	Haugland	Ostgulen
Bauer	Heckman	Peterson, Bottin'au
Baumgartner	Hegge	Peterson, Ransom
Belzer	Hildre	Pyle
Benno	Hofstrand	Rettke
Bergesen	Hogoboom	Rohrer
Bjella	Holm	Runck
Blair	Hovey	Sailer
Bolmeier	Iszler	Sandness
Boulden	Jennings	Saumur
Braun	Johnson, Cass	Schwartz
Bubel	Johnson, Richland	Schmalenberger
Burau	Johnson, Rolette	Schnell
Bymers	Kolpin	Severson
Callahan	Langley	Sharpe
Carlson	Larson, Ward	Shure
Coghlan	Larson, Wells	Stair
Collette	Leet	Starck

Crockett	Levin	Sticka
Dahlen	Lillehaugen	Stormon
Dalzell	Lunde	Twichell
Devlin	McInnes	Tuff
Drovdal	Manstrom	Welder
Ekren	Marks	Welk
Falconer	Mittag	Westby
Fitch	Moe	Williams, Richland
Fleck	Mollet	Williams, Sargent
Forseth	Monson	Williams, Stutsm'n
Fraser	Morland	Wolf, McIntosh
Fuglestad	Morrison	Wolf, Morton
Gackle	Mortenson	Mr. Speaker
Gainor	Nelson	
Absent and not voting:		
Rohde	Sellens	Wambheim

So the bill passed as amended and the title was agreed to.

Amendments to House Bill No. 78:

Strike out everything after the words "A BILL" and insert in lieu thereof the following:

For an Act requiring the State Superintendent of Public Instruction to set up courses for the teaching of conservation of natural resources, including irrigation and conservation of water and soil and providing for the offering of these courses in teacher training institutions where feasible.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF NORTH DAKOTA:

Section 1. In connection with the subjects now taught in all public schools of this state, the State Superintendent of Public Instruction shall also cause to be set up courses in the teaching of conservation of natural resources, including irrigation and conservation of water and soil, and where feasible in teacher training institutions, courses in teaching of these subjects shall also be offered.

Rep. Johnson of Richland moved that the House do concur in the Senate amendments to House Bill No. 78, which motion prevailed.

Rep. Morland moved that the rules be suspended and that House Bill No. 78 be considered properly engrossed and placed on second reading and final passage, which motion prevailed.

House Bill No. 78. A Bill for an Act Requiring the Teaching of the Conservation of Natural Resources in the Public Schools of the State of North Dakota.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 83; nays, 27; absent and not voting, 3.

Those voting in the affirmative were:

Allen, Pierce	Halvorson	Ohnstad
Anderson	Haugen	Ostgulen
Bagge	Haugland	Peterson, Bottin'au
Bauer	Heckman	Pyle
Baumgartner	Hegge	Rettke
Belzer	Hildre	Rohrer
Benno	Hofstrand	Runck

Bergesen	Hogoboom	Sailer
Bjella	Holm	Sandness
Braun	Hovey	Schwartz
Bubel	Iszler	Schmalenberger
Bureau	Jennings	Schnell
Bymers	Johnson, Richland	Severson
Callahan	Johnson, Rolette	Shure
Carlson	Kolpin	Starck
Crockett	Larson, Ward	Sticka
Dahlen	Leet	Stormon
Dalzell	Levin	Twichell
Devlin	Lillehaugen	Tuff
Drovdal	Lunde	Wambheim
Ekren	Mittag	Welk
Falconer	Moe	Westby
Fitch	Monson	Williams, Richland
Forseth	Morland	Williams, Sargent
Fuglestad	Mortenson	Williams, Stutsm'n
Gainor	Nelson	Wolf, Morton
Graham	Nystrom	Mr. Speaker
Halcrow	Olson, Bowman	
Those voting in the	negative were:	
Aker	Gackle	Morrison
Allen, Grand Forks	Haag	Myers
Arndt	Johnson, Cass	Olson, Barnes
Blair	Langley	Peterson, Ransom
Bolmeier	Larson, Wells	Saumur
Boulden	McInnes	Sharpe
Coghlan	Manstrom	Stair
Collette	Marks	Welder
Fraser	Mollet	Wolf, McIntosh
Absent and not voting:		
Fleck	Rohde	Sellens

So the bill passed as amended and the title was agreed to.

Amendments to House Bill No. 171:

After the word "said" in line 13 of the printed bill, insert the word "teacherages and" and in line 14 of the printed bill after the letter "a", insert the words "selfsupporting and".

Rep. Olson of Bowman moved that the House do concur in the Senate amendments to House Bill No. 171, which motion prevailed.

Rep. Olson of Bowman moved that the rules be suspended and that House Bill No. 171 be considered properly engrossed and placed on second reading and final passage, which motion prevailed.

House Bill No. 171. A Bill for an Act to Amend and Re-enact Section 1390a of the Supplement to the 1913 Compiled Laws of North Dakota, Authorizing the Erection and Equipping of Teacherages and Dormitories, and Providing Boarding Facilities at Cost, 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, 98; nays, 7; absent and not voting, 8.

Those voting in the affirmative were:

Aker	Haugen	Olson, Bowman
Allen, Grand Forks	Haugland	Ohnstad

Allen, Pierce	Heckman	Ostgulen
Anderson	Hegge	Peterson, Bottin'au
Arndt	Hildre	Peterson, Ransom
Bagge	Hofstrand	Pyle
Bauer	Hogoboom	Rettke
Baumgartner	Holm	Rohrer
Bergesen	Hovey	Runk
Bjella	Iszler	Sailer
Blair	Johnson, Cass	Sandness
Bolmeier	Johnson, Richland	Schwartz
Boulden	Kolpin	Schmalenberger
Burau	Langley	Schnell
Bymers	Larson, Ward	Severson
Carlson	Larson, Wells	Sharpe
Coghlan	Leet	Shure
Collette	Levin	Stair
Dahlen	Lillehaugen	Starck
Dalzell	Lunde	Sticka
Devlin	McInnes	Stormon
Drovdal	Manstrom	Twichell
Ekren	Marks	Wambheim
Falconer	Mittag	Welder
Fitch	Mollet	Welk
Forseth	Monson	Westby
Fraser	Morland	Williams, Richland
Fuglestad	Morrison	Williams, Sargent
Gainor	Mortenson	Williams, Stutsm'n
Graham	Myers	Wolf, McIntosh
Haag	Nelson	Wolf, Morton
Halcrow	Nystrom	Mr. Speaker
Halvorson	Olson, Barnes	
Those voting in the negative were:		
Braun	Crockett	Moe
Bubel	Jennings	Tuff
Callahan		
Absent and not voting:		
Belzer	Gackle	Saumur
Benno	Johnson, Rolette	Sellens
Fleck	Rohde	

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

Rep. Olson of Bowman 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.

Amendments to House Bill No. 175:

In line 6 of the printed bill, after the word "pupils" insert the words "other than high school pupils".

At the end of the printed bill add "SECTION 3. REPEAL.) All Acts or parts of Acts in conflict herewith are hereby repealed."

Rep. Hofstrand moved that the House do concur in the Senate amendments to House Bill No. 175, which motion prevailed.

Rep. Morland moved that the rules be suspended and that House Bill No. 175 be considered properly engrossed and placed on second reading and final passage, which motion prevailed.

House Bill No. 175. A Bill for an Act to Amend and Re-

enact Section 1179 of the Compiled Laws for 1913, as Amended by Chapter 257 of the Session Laws of 1941, Relating to Powers of School Districts to Admit Pupils from Other Districts, Providing for Payment of Tuition and Transportation, 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, 108; nays, 1; absent and not voting, 4.

Those voting in the affirmative were:

Aker	Haag	Nelson
Allen, Pierce	Halcrow	Nystrom
Anderson	Halvorson	Olson, Barnes
Arndt	Haugen	Olson, Bowman
Bagge	Haugland	Ohnstad
Bauer	Heckman	Ostgulen
Baumgartner	Hegge	Peterson, Ransom
Belzer	Hildre	Peterson, Bottina'u
Benno	Hofstrand	Pyle
Bergesen	Hogoboom	Rettke
Bjella	Holm	Rohrer
Blair	Hovey	Runk
Bolmeier	Iszler	Sailer
Boulden	Jennings	Sandness
Braun	Johnson, Cass	Schwartz
Bubel	Johnson, Rolette	Schmalenberger
Bureau	Johnson, Richland	Schnell
Bymers	Kolpin	Severson
Callahan	Langley	Sharpe
Carlson	Larson, Ward	Shure.
Coghlan	Larson, Wells	Stair
Collette	Leet	Starck
Crockett	Levin	Sticka
Dahlen	Lillehaugen	Stormon
Dalzell	Lunde	Twichell
Devlin	McInnes	Tuff
Drovdal	Manstrom	Wambheim
Ekren	Marks	Welder
Falconer	Mittag	Welk
Fitch	Moe	Westby
Forseth	Mollet	Williams, Richland
Fraser	Monson	Williams, Sargent
Fuglestad	Morland	Williams, Stutsm'n
Gackle	Morrison	Wolf, McIntosh
Gainor	Mortenson	Wolf, Morton
Graham	Myers	Mr. Speaker

Those voting in the negative were:

Allen, Grand Forks

Absent and not voting:

Fleck	Saumur	Sellens
Rohde		

So the bill passed as amended and the title was agreed to.

Rep. Bauer: "I want to explain my vote. It seems like practically every bill we are putting through here is amended in the Senate. I guess we don't know anything over here. It looks like that anyhow. Why in the world don't we go to

work and let them write the bills the way they want to and just vote on them I am going to vote 'Aye' on this anyhow."

Amendments to House Bill No. 189:

In lines 3 and 4, strike out the words "shall be required to prepare and" and in lieu thereof insert the word "may".

In line 1, of the title after the word "cooperatives" and the comma, insert the words "and other business methods", line 4 of the bill after the word "cooperatives" and the comma, insert the words "and other business methods".

Rep. Aker moved that the House do concur in Senate amendments to House Bill No. 189.

Rep. Forseth offered as a substitute motion that the House do not concur in the Senate amendments to House Bill No. 189, which motion prevailed on a rising vote.

Rep. Forseth moved that a Conference Committee be appointed on House Bill No. 189, which motion prevailed.

The Speaker appointed on the Conference Committee Reps. Forseth, Sandness and Haugland.

Amendments to House Bill No. 213:

Strike out the period following the word "renewed" in line 35 of Section 1 of the engrossed bill, and insert the following: "and shall remain in full force and effect so long as any bonds or indebtedness issued thereunder remain outstanding."

Rep. Aker moved that the House do concur in the Senate amendments to House Bill No. 213, which motion prevailed.

Rep. Aker moved that the rules be suspended and that House Bill No. 213 be considered properly engrossed and placed on second reading and final passage, which motion prevailed.

### SECOND READING OF HOUSE BILLS

House Bill No. 213. A Bill for an Act Amending and Re-enacting Section 6762 of the Compiled Laws of North Dakota for 1913, as Amended by Chapter 175 of the Session Laws of 1927, as Amended by Chapter 168 of the Session Laws of 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 and Making the Same an Emergency Measure.

Was read the second time.

### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 107; nays, 0; absent and not voting, 6.

Those voting in the affirmative were:

Aker	Graham	Olson, Barnes
Allen, Grand Forks	Haag	Olson, Bowman
Allen, Pierce	Halcrow	Ohnstad
Anderson	Halvorson	Ostgulen
Arndt	Haugen	Peterson, Bottin'au
Bagge	Haugland	Peterson, Ransom
Bauer	Heckman	Pyle
Baumgartner	Hegge	Rettke
Belzer	Hildre	Rohrer
Benno	Hogoboom	Runck
Bergesen	Holm	Sailer

Bjella	Hovey	Sandness
Blair	Iszler	Saumur
Bolmeier	Jennings	Schwartz
Boulden	Johnson, Richland	Schmalenberger
Braun	Johnson, Rolette	Schnell
Bubel	Kolpin	Severson
Burau	Langley	Sharpe
Bymers	Larson, Ward	Shure
Callahan	Larson, Wells	Stair
Carlson	Leet	Starck
Coghlan	Levin	Sticka
Collette	Lillehaugen	Stormon
Crockett	Lunde	Twichell
Dahlen	McInnes	Tuff
Dalzell	Manstrom	Wambheim
Devlin	Marks	Welder
Drovdal	Mittag	Welk
Ekren	Moe	Westby
Fitch	Mollet	Williams, Richland
Fleck	Monson	Williams, Sargent
Forseth	Morland	Williams, Stutsm'n
Fraser	Morrison	Wolf, McIntosh
Fuglestad	Mortenson	Wolf, Morton
Gackle	Nelson	Mr. Speaker
Gainor	Nystrom	
Absent and not voting:		
Falconer	Johnson, Cass	Rohde
Hofstrand	Myers	Sellens

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

Senate Amendments to House Bill No. 244.

Strike out everything after the words "A BILL" and insert in lieu thereof the following:

For an act to permit the purchase by the state, county, township, and other municipalities of tax exempt motor fuel for the construction, reconstruction, or maintenance of highways, public roads, streets, and airports and to permit the purchase of tax exempt motor fuels for agricultural or industrial purposes and declaring an emergency.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF NORTH DAKOTA:

- 1 Section 1. When any construction, reconstruction
- 2 or maintenance of public road, highway, street or
- 3 airport is undertaken by the state or any county, city,
- 4 village, township, park district, or other municipali-
- 5 ties in this state, and where public funds of the state,
- 6 county, township, city, village, park district or other
- 7 municipalities are directly used for the purchasing of
- 8 motor fuel to be used in publicly owned
- 9 vehicles for such construction, reconstruction or
- 10 maintenance, such motor fuel may be purchased without
- 11 the payment of the tax thereon on a tax exempt license
- 12 issued to the state or municipality.
- 13 Section 2. Any purchases made by any municipality
- 14 mentioned in this act heretofore made of motor fuel on
- 15 a tax exempt license and actually used by such municipi-
- 16 pality for the construction, reconstruction or
- 17 maintenance of a highway, public road, street or



18 airport and upon which purchase the motor fuel tax  
 19 provided by law has not been paid, are hereby validated  
 20 and any tax which would otherwise be required to be  
 21 paid shall not be paid and shall not constitute a claim  
 22 against such municipality.

23 Section 3. Motor fuel may be sold in this state  
 24 for agricultural or industrial purposes, without the  
 25 payment of the motor fuel tax, by any dealer who is  
 26 licensed to sell the same as provided in this chapter.  
 27 A delivery of such tax exempt motor fuel shall be made  
 28 only from a duly licensed station to a person licensed  
 29 to purchase tax exempt motor fuel as provided in this  
 30 chapter.

31 Section 4. Any person desiring to sell tax  
 32 exempt motor fuel in this state shall procure a license  
 33 so to do by making application to the state auditor.  
 34 The application shall be made on a form approved by  
 35 the state auditor and shall state the name and location  
 36 of the station to be licensed.

37 Section 5. Upon the payment of a fee of two  
 38 dollars by the applicant, the state auditor, if  
 39 satisfied that the applicant for a license to sell  
 40 tax exempt motor fuel is a resident of this state, may  
 41 issue to such applicant a license to sell such motor  
 42 fuel from a station designated in the license. A  
 43 separate license shall be secured for each station at  
 44 which tax exempt motor fuel is sold.

45 Section 6. Any person desiring to purchase tax  
 46 exempt motor fuel may procure a license so to do by  
 47 applying to the state auditor and paying a fee of  
 48 fifty cents. The application for such license shall  
 49 be filed in the office of the state auditor and shall  
 50 state:

- 51 1. The name, occupation, residence, and post  
 52 office address of the applicant.
- 53 2. A description of the machinery or implement  
 54 in the operation of which the tax exempt  
 55 motor fuel is to be used.
- 56 3. The rated horse power if an engine or tractor.
- 57 4. The year the implement was purchased.
- 58 5. The total probable amount of tax exempt motor  
 59 fuel to be used during the year.
- 60 6. The legal description of the land owned or  
 61 operated by the applicant.
- 62 7. The make and year of manufacture and rated  
 63 horse power of each automobile and motor fuel  
 64 truck owned and operated by the applicant.

65 Section 7. If the state auditor is satisfied  
 66 that an application for a license to purchase tax  
 67 exempt motor fuel is made in good faith and for the  
 68 purposes stated in sections 1 or 3, he shall issue to the  
 69 applicant a license to purchase tax exempt motor fuel  
 70 for the calendar year. The license shall expire on the  
 71 thirty-first day of December of the year in which the  
 72 license is issued unless revoked as provided by this  
 73 chapter. The license shall be in book form and shall  
 74 contain the license number, the name and address of the  
 75 licensee, and shall provide space to be filled in by

76 the dealer for the date of purchase of motor fuel, and  
77 from whom, and the number of gallons purchased.

78 Section 8. Prior to the expiration of a license  
79 to purchase tax exempt motor fuel, the licensee shall  
80 file with the state auditor a statement made under oath  
81 of the amount of tax exempt motor fuel purchased, the  
82 date of purchase, and the price paid. There also  
83 shall be attached to such affidavit the dealer's  
84 receipt with a detailed statement of all other  
85 motor fuel purchased during the period covered by  
86 the license subject to a motor fuel tax and delivered  
87 in bulk by the dealer to the place of residence of  
88 such purchaser.

89 Section 9. A dealer in tax exempt motor fuel  
90 shall issue for each sale a receipt in triplicate  
91 which shall be in the form and colors prescribed by the  
92 state auditor and shall show the date, name, residence,  
93 and license number of the dealer and the purchaser and  
94 the number of gallons sold. Each receipt shall be signed  
95 by the purchaser. Two copies of the receipt shall be  
96 retained by the licensed dealer, and one shall be  
97 delivered to the licensed purchaser. One copy shall be  
98 delivered by the licensed dealer to the dealer importing  
99 the motor fuel into this state and originally liable for  
100 the payment of the motor fuel tax. Such receipt shall  
101 be accepted by the state auditor from importing dealer  
102 in lieu of the payment by such dealer of the motor fuel  
103 tax provided by law, to the extent of the number of  
104 gallons of motor fuel shown on said receipt to have been  
105 sold for purposes herein declared tax exempt to a  
105a licensed  
106 purchaser thereof.

107 Section 10. The provisions of this chapter shall  
108 not be construed to exempt any motor fuel used as motor  
109 fuel in propelling any motor fuel truck or engine to be  
110 operated in whole or in part on any public highway in  
111 this state, nor to exempt motor fuel used for any purpose  
112 not solely for the purposes specified in sections 1 and 3  
113 from the payment of the tax upon motor fuel as provided  
114 in this chapter.

115 Section 11. The state auditor may formulate rules  
116 and regulations for the administration of the provisions  
117 of this chapter relating to the sale and purchase of  
118 tax exempt motor fuel.

119 Section 12. An emergency is hereby declared to  
120 exist and this act shall be in full force and effect  
121 from and after its passage and approval.

And when so amended recommend the same do pass.

Rep. Twichell moved that the House do not concur in the Senate amendments to House Bill No. 244, which motion prevailed.

Rep. Twichell moved that a Conference Committee be appointed on House Bill No. 244, which motion prevailed.

The Speaker appointed on the Conference Committee, Reps. Twichell, Bubel and McInnes.

Rep. Schnell moved that the rules be suspended for the purpose of offering amendments to Senate Bill No. 140, which motion prevailed.

Rep. Schnell moved that Senate Bill No. 140 be amended as follows:

In line 3 change "one" to "two", strike out "a" and add "s" to "member".

In line 4 change "one" to "two", strike out "a" and add "s" to "member".

Insert in line 6 after "Representatives," "which four members selected by the Senate and House shall represent agriculture."

Also in line 6 change "seven" to "four".

In line 7 after the first comma strike out the remainder of the line.

In line 10 insert a comma after the word "educator" and add "and one to be selected by the other eight members."

In line 26 change "will" to "may".

In line 27 after the word "State" strike out "who have or who will" and insert in lieu thereof "so that they will not".

In line 28 strike out "the" and insert in lieu thereof "post war conditions and so that there will be no".

In line 42 change "seek" to "secure".

Renumber the lines.

Rep. Schnell moved that the rules be suspended and Senate Bill No. 140 be considered properly engrossed and placed on second reading and final passage, which motion prevailed.

Senate Bill No. 140. A Bill for an Act to Create a State Post-War Planning Board, Prescribing Its Powers and Duties and Making 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, 75; nays, 34; absent and not voting, 4.

Those voting in the affirmative were:

Allen, Grand Forks	Forseth	Monson
Allen, Pierce	Fuglestad	Nystrom
Anderson	Gackle	Olson, Barnes
Bagge	Gainor	Olson, Bowman
Bauer	Graham	Ohnstad
Belzer	Halcrow	Peterson, Bottin'au
Benno	Halvorson	Peterson, Ransom
Bergesen	Haugland	Pyle
Bjella	Heckman	Rohrer
Blair	Hegge	Runk
Bolmeier	Hildre	Sailer
Boulden	Hofstrand	Sandness
Braun	Hogoboom	Saumur
Bymers	Holm	Schwartz
Callahan	Hovey	Schmalenberger
Carlson	Johnson, Cass	Schnell
Coghlan	Johnson, Richland	Severson
Collette	Johnson, Rolette	Shure
Dahlen	Kolpin	Sharpe
Dalzell	Langley	Sticka
Devlin	Larson, Ward	Stormon
Drovdal	Leet	Twichell
Ekren	Lunde	Wambheim

Fitch	McInnes	Westby
Fleck	Morland	Williams, Stutsman
Those voting in the negative were:		
Aker	Larson, Wells	Ostgulen
Arndt	Levin	Rettke
Baumgartner	Lillehaugen	Starck
Bubel	Manstrom	Tuff
Burau	Marks	Welder
Crockett	Mittag	Welk
Falconer	Moe	Williams, Richland
Fraser	Mollet	Williams, Sargent
Haag	Morrison	Wolf, McIntosh
Haugen	Mortenson	Wolf, Morton
Iszler	Nelson	Mr. Speaker
Jennings		
Absent and not voting:		
Myers	Sellens	Stair
Rohde		

So the bill passed as amended and the title was agreed to.

Rep. Twichell 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.

Rep. Bergesen moved that the rules be suspended and Senate Bill No. 184 be placed at the head of the calendar, which motion prevailed.

SECOND READING OF SENATE BILLS

Senate Bill No. 184. A Bill for an Act to Amend and Re-enact Section 12 of Chapter 139 of the Session Laws of North Dakota for the Year 1937, as Amended and Re-enacted by Section 3 of Chapter 175 of the Session Laws of North Dakota for 1941, Relating to Revocation of Suspension of Drivers' Licenses, and to Amend and Re-enact Section 13 of Chapter 139 of the Session Laws of North Dakota for 1937, Relating to Court Review of Action of the State Highway Commissioner, and to Amend and Re-enact Subsection (d) of Section 18 of Chapter 139 of the Session Laws of North Dakota for 1937 as Amended and Re-enacted by Section 4 of Chapter 175 of the Session Laws of North Dakota for the Year 1941, Relating to Salaries and Wages of Officers of the Division of Highway Safety and Patrol, and to Repeal Section 14 of Chapter 139 of the Session Laws of North Dakota for 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, 90; nays, 18; absent and not voting, 5.

Those voting in the affirmative were:

Aker	Fraser	Morland
Allen, Pierce	Fuglestad	Mortenson
Anderson	Gackle	Myers
Arndt	Gainor	Nelson
Bagge	Graham	Nystrom
Bauer	Halcrow	Olson, Barnes
Baumgartner	Halvorson	Olson, Bowman
Belzer	Haugland	Ohnstad
Benno	Heckman	Ostgulen
Bergesen	Hegge	Peterson, Ransom

Bjella	Hildre	Pyle
Blair	Hofstrand	Runck
Bolmeier	Hogboom	Sailer
Boulden	Holm	Sandness
Braun	Hovey	Saumur
Bureau	Iszler	Schmalenberger
Bymers	Jennings	Schnell
Callahan	Johnson, Cass	Severson
Carlson	Johnson, Richland	Sellens
Coghlan	Johnson, Rolette	Sharpe
Collette	Kolmin	Sticka
Dahlen	Langley	Stormon
Dalzell	Larson, Ward	Twichell
Devlin	Larson, Wells	Wambheim
Drovdal	Leet	Welk
Ekren	Levin	Westby
Falconer	Lunde	Williams, Sargent
Fitch	McInnes	Williams, Stutsman
Fleck	Manstrom	Wolf, Morton
Forseth	Monson	Mr. Speaker
Those voting in the negative were:		
Bubel	Moe	Shure
Crockett	Morrison	Starck
Haag	Peterson, Bottin'au	Tuff
Haugen	Rettke	Welder
Lillehaugen	Rohrer	Williams, Richland
Mittag	Schwartz	Wolf, McIntosh
Absent and not voting:		
Allen, Grand Forks	Mollet	Stair
Marks	Rohde	

So the bill passed as amended and the title was agreed to, Rep. Fitch moved that the vote by which Senate Bill No. 184 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Rep. Graham moved that Senate Bill No. 60 be placed at the head of the calendar, which motion prevailed.

Senate Bill No. 60. A Bill for an Act to Amend and Re-enact Paragraph (a) of Section 3 of Chapter 221 of the Session Laws of North Dakota for 1935 Relative to Per Diem and Expenses of the Members of the State Board of Public Welfare 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, 99; nays, 5; absent and not voting, 9.

Those voting in the affirmative were:		
Aker	Fuglestad	Mortenson
Allen, Grand Forks	Gackle	Myers
Allen, Pierce	Gainor	Nelson
Anderson	Graham	Nystrom
Arndt	Haag	Olson, Barnes
Bagge	Halcrow	Ohnstad
Bauer	Halvorson	Ostgulen
Baumgartner	Haugen	Peterson, Ransom
Belzer	Haugland	Pyle
Benno	Heckman	Rettke
Bergesen	Hegge	Rohrer

Bjella	Hildre	Runk
Bolmeier	Hofstrand	Sailer
Boulden	Hogoboom	Sandness
Braun	Holm	Schmalenberger
Bubel	Hovey	Schnell
Bureau	Iszler	Sellens
Bymers	Jennings	Sharpe
Callahan	Johnson, Cass	Shure
Carlson	Johnson, Rolette	Starck
Coghlan	Kolpin	Sticka
Collette	Langley	Stormon
Crockett	Larson, Ward	Twichell
Dahlen	Larson, Wells	Tuff
Dalzell	Leet	Wambheim
Devlin	Levin	Welk
Drovdal	Lillehaugen	Westby
Ekren	Lunde	Williams, Richland
Falconer	McInnes	Williams, Sargent
Fitch	Manstrom	Williams, Stutsm'n
Fleck	Moe	Wolf, McIntosh
Forseth	Monson	Wolf, Morton
Fraser	Morland	Mr. Speaker
Those voting in the negative were:		
Johnson, Richland	Morrison	Schwartz
Mittag	Saumur	
Absent and not voting:		
Blair	Olson, Bowman	Severson
Marks	Peterson, Bottina'u	Stair
Mollet	Rohde	Welder

So the bill passed as amended and the title was agreed to.

Rep. Graham moved that the vote by which Senate Bill No. 60 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Rep. Twichell moved that the rules be suspended for the purpose of offering an amendment to Senate Bill No. 205, which motion prevailed.

Rep. Ohnstad moved to amend Senate Bill No. 205 as follows:

Amend the title by striking out after the word Chapter, "11 of the title Judicial Procedure, Civil in North Dakota Revised Code for 1943." And insert in lieu thereof the words, "38 of the session laws of 1921 and chapter 217 of the session laws of 1931."

In lines 1 and 2 strike out after the word chapter, "11 of the title Judicial Procedure, Civil in North Dakota Revised Code for 1943." And insert in lieu thereof the words, "38 of the session laws of 1921 and chapter 217 of the session laws of 1931."

Which motion prevailed.

Rep. Ohnstad moved that the rules be suspended and that Senate Bill No. 205 be considered properly engrossed and placed on second reading and final passage, which motion prevailed.

Senate Bill No. 205. A Bill for an Act to Repeal Chapter 11 of the Title Judicial Procedure, Civil in North Dakota Revised Code for 1943.

Was read the second time.

## ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 100; nays, 2; absent and not voting, 11.

Those voting in the affirmative were:

Aker	Halcrow	Olson, Bowman
Allen, Grand Forks	Halvorson	Ohnstad
Allen, Pierce	Haugland	Ostgulen
Anderson	Heckman	Peterson, Ransom
Arndt	Hegge	Pyle
Bagge	Hildre	Rettke
Bauer	Hofstrand	Rohrer
Baumgartner	Hogboom	Runck
Belzer	Holm	Sailer
Benno	Hovey	Saumur
Bergesen	Iszler	Schwartz
Bjella	Jennings	Schmalenberger
Bolmeier	Johnson, Cass	Schnell
Boulden	Johnson, Richland	Sellens
Bubel	Johnson, Rolette	Severson
Burau	Kolpin	Sharpe
Braun	Langley	Shure
Callahan	Larson, Wells	Stair
Carlson	Larson, Ward	Starck
Coghlan	Leet	Sticka
Collette	Levin	Stormon
Crockett	Lunde	Twichell
Dahlen	McInnes	Tuff
Dalzell	Manstrom	Wambheim
Devlin	Mittag	Welder
Drovdal	Moe	Welk
Ekren	Monson	Westby
Fitch	Morland	Williams, Richland
Forseth	Morrison	Williams, Sargent
Fraser	Mortenson	Williams, Stutsman
Fuglestad	Myers	Wolf, McIntosh
Gackle	Nystrom	Wolf, Morton
Gainor	Olson, Barnes	Mr. Speaker
Haag		

Those voting in the negative were:

Lillehaugen Nelson

Absent and not voting:

Blair	Graham	Peterson, Bottin'au
Bymers	Haugen	Rohde
Falconer	Marks	Sandness
Fleck	Mollet	

So the bill passed as amended and the title was agreed to.

Rep. Ohnstad moved that the rules be suspended for the purpose of offering an amendment to Senate Bill No. 204, which motion prevailed.

Rep. Ohnstad moved to amend Senate Bill No. 204 as follows:

Amend the title by striking out after the word section, "59-0425 of the North Dakota Revised Code of 1943." And insert in lieu thereof the words, "21 of Chapter 250 of the session laws of 1935."

In line 1 strike out the number "59-0425" and substitute in

lieu thereof, "21 of Chapter 250 of the session laws of 1935."

In line 3 strike out the number "59-0425" and insert in lieu thereof, the letter "a".

In line 13 strike out the number "59-0426" and insert in lieu thereof, the letter "b".

In line 26, strike out the number "59-0427" and insert in lieu thereof, the letter "c".

In line 39 strike out the number "59-0428" and insert in lieu thereof, the letter "d".

In line 51 strike out the number "59-0429" and insert in lieu thereof, the letter "e".

In line 67 strike out the number "59-0430" and insert in lieu thereof, the letter "f".

Which motion prevailed.

Rep. Ohnstad moved that the rules be suspended and that Senate Bill No. 204 be considered properly engrossed and placed on second reading and final passage, which motion prevailed.

Senate Bill No. 204. A Bill for an Act to Amend and Re-enact Section 59-0425 of the North Dakota Revised Code of 1943.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 102; nays, 0; absent and not voting, 11.

Those voting in the affirmative were:

Aker	Halvorson	Olson, Barnes
Allen, Grand Forks	Haugen	Olson, Bowman
Allen, Pierce	Haugland	Ohnstad
Anderson	Heckman	Ostgulen
Arndt	Hegge	Peterson, Ransom
Bagge	Hildre	Pyle
Bauer	Hofstrand	Rettke
Baumgartner	Hogoboom	Rohrer
Benno	Holm	Runck
Bergesen	Hovey	Sailer
Bjella	Iszler	Sandness
Bolmeier	Jennings	Saumur
Boulden	Johnson, Cass	Schwartz
Braun	Johnson, Richland	Schnell
Bureau	Johnson, Rolette	Sellens
Callahan	Kolpin	Severson
Carlson	Langley	Sharpe
Coghlan	Larson, Ward	Shure
Collette	Larson, Wells	Stair
Crockett	Lillehaugen	Starck
Dahlen	Leet	Sticka
Dalzell	Levin	Stormon
Devlin	Lunde	Twichell
Drovdal	McInnes	Tuff
Ekren	Manstrom	Wambheim
Falconer	Mittag	Welder
Fitch	Moe	Welk
Forseth	Monson	Westby
Fraser	Morland	Williams, Richland
Fuglestad	Morrison	Williams, Sargent



Gackle	Mortenson	Williams, Stutsm'n
Graham	Myers	Wolf, McIntosh
Haag	Nelson	Wolf, Morton
Halcrow	Nystrom	Mr. Speaker
Absent and not voting:		
Belzer	Fleck	Peterson, Bottin'au
Blair	Gainor	Rohde
Bubel	Marks	Schmalenberger
Bymers	Mollet	

So the bill passed as amended and the title was agreed to.

Senate Bill No. 187. A Bill for an Act to Amend and Re-enact Paragraph (b) of Subdivision 5 of Section 7 and All of Section 23 of Chapter 94, Session Laws of 1931, Pertaining to Fully Paid Shares in Building and Loan Associations and Bonds of Directors, Officers, Agents and Employees, 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, 102; nays, 0; absent and not voting, 11.

Those voting in the affirmative were:

Aker	Halcrow	Olson, Barnes
Allen, Grand Forks	Halvorson	Olson, Bowman
Allen, Pierce	Haugen	Ohnstad
Anderson	Haugland	Ostgulen
Arndt	Hegge	Peterson, Ransom
Bagge	Hildre	Pyle
Bauer	Hofstrand	Rettke
Baumgartner	Hogoboom	Rohrer
Benno	Holm	Runck
Bergesen	Hovey	Sailer
Bjella	Iszler	Sandness
Blair	Jennings	Saumur
Bolmeier	Johnson, Cass	Schwartz
Boulden	Johnson, Richland	Schnell
Braun	Johnson, Rolette	Sellens
Bubel	Kolpin	Severson
Burau	Langley	Sharpe
Callahan	Larson, Ward	Shure
Carlson	Larson, Wells	Stair
Coghlan	Leet	Starck
Collette	Levin	Sticka
Dahlen	Lillehaugen	Stormon
Dalzell	Lunde	Tuff
Devlin	McInnes	Twichell
Drovdal	Manstrom	Wambheim
Ekren	Mittag	Welder
Falconer	Moe	Welk
Fitch	Monson	Westby
Fleck	Morland	Williams, Richland
Forseth	Morrison	Williams, Sargent
Fraser	Mortenson	Williams, Stutsm'n
Fuglestad	Myers	Wolf, McIntosh
Gackle	Nelson	Wolf, Morton
Haag	Nystrom	Mr. Speaker

Absent and not voting:

Belzer	Graham	Peterson, Bottina'u
Bymers	Heckman	Rohde
Crockett	Marks	Schmalenberger
Gainor	Mollet	

So the bill passed and the title was agreed to.

Rep. Bubel moved that the vote by which Senate Bill No. 187 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senate Bill No. 91. A Bill for an Act to Establish the Responsibility of the County Treasurer, and Requiring Him to Make an Annual Settlement of His Tax List and to Make an Annual Report, and Repealing Sections 3342 and 3343 of the Compiled Laws of 1913.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 98; nays, 6; absent and not voting, 9.

Those voting in the affirmative were:

Aker	Gackle	Olson, Bowman
Allen, Grand Forks	Graham	Ohnstad
Allen, Pierce	Haag	Ostgulen
Anderson	Halcrow	Peterson, Bottina'u
Arndt	Haugen	Peterson, Ransom
Bagge	Haugland	Pyle
Bauer	Heckman	Rettke
Baumgartner	Hegge	Rohrer
Benno	Hildre	Runck
Bergesen	Hofstrand	Sailer
Bjella	Hogoboom	Sandness
Blair	Holm	Saumur
Bolmeier	Hovey	Schwartz
Boulden	Iszler	Schnell
Braun	Jennings	Sellens
Bubel	Johnson, Cass	Severson
Bureau	Johnson, Richland	Sharpe
Callahan	Johnson, Rolette	Shure
Carlson	Kolpin	Stair
Coghlan	Langley	Starck
Collette	Larson, Ward	Sticka
Crockett	Larson, Wells	Stormon
Dahlen	Leet	Tuff
Dalzell	Lillehaugen	Twichell
Devlin	Lunde	Wambheim
Drovdal	McInnes	Welder
Ekren	Manstrom	Welk
Falconer	Mittag	Williams, Richland
Fitch	Moe	Williams, Sargent
Fleck	Monson	Wolf, McIntosh
Forseth	Mortenson	Wolf, Morton
Fraser	Nelson	Mr. Speaker
Fuglestad	Nystrom	

Those voting in the negative were:

Halvorson	Morrison	Westby
Levin	Myers	Williams, Stutsm'n

Absent and not voting:

Belzer	Marks	Olson, Barnes
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Bymers                      Mollet                      Rohde  
 Gainor                      Morland                      Schmalenberger

So the bill passed as amended and the title was agreed to.

Senate Bill No. 111. A Bill for an Act to Amend and Re-enact Section 2180 of the Compiled Laws of North Dakota for 1913, Relating to the Duties of the County Treasurer, 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, 90; nays, 11; absent and not voting, 12.

Those voting in the affirmative were:

Aker	Graham	Nystrom
Allen, Grand Forks	Haag	Olson, Barnes
Allen, Pierce	Halcrow	Olson, Bowman
Anderson	Haugen	Ohnstad
Bagge	Haugland	Ostgulen
Bauer	Heckman	Peterson, Ransom
Baumgartner	Hegge	Pyle
Benno	Hildre	Rettke
Bergesen	Hofstrand	Rohrer
Bjella	Hogboom	Runck
Blair	Holm	Sailer
Bolmeier	Hovey	Saumur
Braun	Iszler	Schwartz
Eubel	Jennings	Schnell
Bureau	Johnson, Cass	Sellens
Callahan	Johnson, Richland	Severson
Carlson	Kolpin	Sharpe
Coghlan	Langley	Starck
Collette	Larson, Ward	Sticka
Dahlen	Larson, Wells	Stormon
Dalzell	Leet	Tuff
Devlin	Lillehaugen	Twichell
Drovdal	Lunde	Wambheim
Falconer	McInnes	Welder
Fitch	Manstrom	Welk
Forseth	Mittag	Williams, Richland
Fraser	Moe	Williams, Stutsm'n
Fuglestad	Morland	Wolf, McIntosh
Gackle	Mortenson	Wolf, Morton
Gainor	Nelson	Mr. Speaker

Those voting in the negative were:

Arndt	Levin	Stair
Ekren	Monson	Westby
Halvorson	Morrison	Williams, Sargent
Johnson, Rolette	Myers	
Absent and not voting:		
Belzer	Fleck	Sandness
Boulden	Marks	Schmalenberger
Bymers	Peterson, Bottina'u	Shure
Crockett	Rohde	Mollet

So the bill passed and the title was agreed to.

Rep. Aker moved that Senate Bill No. 118 be laid on the table, which motion prevailed.

A division was asked for which disclosed 54 for and 36

against so the motion was lost and Senate Bill No. 118 was tabled.

Senate Bill No. 53. A Bill for an Act to Amend and Re-enact Chapter 118 of the Session Laws of 1933 as Amended by Chapter 158 of the Session Laws of 1941.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 86; nays, 7; absent and not voting, 20.

Those voting in the affirmative were:

Aker	Fraser	Nelson
Allen, Grand Forks	Gackle	Nystrom
Allen, Pierce	Gainor	Olson, Bowman
Anderson	Graham	Ostgulen
Arndt	Halcrow	Peterson, Ransom
Bagge	Haugen	Pyle
Bauer	Haugland	Rohrer
Baumgartner	Heckman	Runck
Benno	Hofstrand	Sandness
Bergesen	Hogoboom	Saumur
Bjella	Holm	Schnell
Blair	Hovey	Sellens
Bolmeier	Iszler	Severson
Boulden	Jennings	Sharpe
Braun	Johnson, Rolette	Shure
Bubel	Kolpin	Stair
Burau	Langley	Starck
Callahan	Larson, Ward	Sticka
Carlson	Larson, Wells	Stormon
Coghlan	Leet	Twichell
Collette	Levin	Tuff
Dahlen	Lillehaugen	Wambheim
Dalzell	Lunde	Weider
Devlin	McInnes	Welk
Drovdal	Manstrom	Westby
Ekren	Mittag	Williams, Stutsm'n
Falconer	Morland	Wolf, Morton
Fitch	Mortenson	Mr. Speaker
Forseth	Myers	

Those voting in the negative were:

Fuglestad	Monson	Ohnstad
Halvorson	Morrison	Rettke
Moe		

Absent and not voting:

Belzer	Johnson, Cass	Sailer
Bymers	Johnson, Richland	Schwartz
Crockett	Marks	Schmalenberger
Fleck	Mollet	Williams, Richland
Haag	Olson, Barnes	Williams, Sargent
Hegge	Peterson, Bottin'au	Wolf, McIntosh
Hildre	Rohde	

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

Rep. Dahlen moved that the vote by which Senate Bill No. 53 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Rep. Rettke: "I want to explain my vote. It says here

that no game shall be kept after May 1st. If a person has canned some game that they legally got, why shouldn't they keep it longer than May 1st. Therefore I vote 'No'."

Rep. Twichell moved that the House recess until 9:30 o'clock a. m., tomorrow, which motion prevailed.

W. M. SMART, Chief Clerk.

FIFTY-EIGHTH DAY AFTER RECESS AND THE  
FIFTY-NINTH DAY

Bismarck, March 4, 1943.

The House convened at 9:30 o'clock A. M., pursuant to recess, Speaker Beede presiding.

The Speaker announced that the House would be on the eighth order of business.

## SIGNING OF BILLS

The Chief Clerk announced that the Speaker was about to sign the following bill; immediately before signing the bill the title was publicly read.

House Bill No. 252.

And the Speaker signed the above bill in the presence of the House.

## GENERAL ORDERS

Rep. Bubel moved that the House resolve itself into a committee of the whole for the consideration of general orders; which motion prevailed, and the House resolved itself into a committee of the whole.

The Speaker called Rep. Bubel to the chair.

When the committee arose it submitted the following report:

Mr. Speaker: The committee of the whole have had under consideration:

Senate Bill No. 83.

In line 11 after the colon add "or with the written consent of such parent or guardian."

And when so amended recommend the same do pass.

Senate Bill No. 211.

After the word "State" at the end of Line 3 on Page 2 of the printed bill, strike out the semicolon, insert a comma, and add the following words:

"or to propel motor vehicles used in the construction, reconstruction or repair of state or county highways, but shall not include fuel purchased by the state or any municipality as defined in House Bill No. 244 for use in any State or municipally owned vehicle where public funds are directly expended in purchasing such fuel for use in the construction, reconstruction, repair or maintenance of any public highway, street or airport."

After the words "rate of" in Line 23 in Section 2, strike out the word "three", and insert the word "four".

After the words "Section 2" at the end of Line 78 in Sub-

section 2 of Section 4, strike out the period, insert a comma and add the following words:

"who shall receipt therefor and pay all such money to the State Treasurer. The State Treasurer shall credit three-fourths of all money so received to the State Highway Fund, and such money is hereby appropriated to be used for the construction, reconstruction, maintenance or repair of highways or roads under the jurisdiction of the State Highway Department. One-fourth of such money so received shall be credited by the State Treasurer to the County Highway Aid Fund, and be distributed to the counties in the manner, at the times and for the purposes provided for in Chapter 168 of the Session Laws of North Dakota for 1937."

And when so amended recommend the same do pass.

Senate Bill No. 176.

And recommend that the same do pass as passed by the Senate.

Senate Bill No. 119.

In Subsection 1 of Section 7 strike out the figure "16" and insert the figure "15".

In Subsection 2 of Section 7 strike out the figure "20" and insert the figure "17".

In Subsection 3 of Section 7 strike out the figure "22" and insert the figure "19".

In Subsection 4 of Section 7 strike out the figure "24" and insert the figure "21".

In Subsection 5 of Section 7 strike out the figure "18" and insert the figure "17".

And recommend that the same be further amended as follows:

In lines 16 and 17 of the printed Bill, substitute the words "an interim" for the words "a reserve" and strike out the parenthesis and the words "as hereinafter provided in Section 10".

And when so amended recommend the same do pass.

Senate Bill No. 107.

In line 50 after the word "annuity" strike out the comma.

In line 78 after the figure "1" insert the letter "a".

After line 82 of the printed bill insert a new subsection "b" as follows: "The compensation received for services performed within this State by an individual who resides and has his place of abode in another State shall be excluded from gross income tax imposed by the State of his residence. Compensation received by residents of this State for services performed without this State shall be excluded from gross income to the extent that such compensation is subject to an income tax imposed by the State in which such services are performed."

At the end of line 91 strike out the period and insert a comma and add the following: "and to other states, if conducted wholly without this State. This provision shall not apply to business income subject to the provisions of Sub-division 1-a of this Section."

And renumber the lines.

And when so amended recommend the same do pass.

## Senate Bill No. 199.

In line 114 strike out the word "five" and insert "four".

In line 116 strike out the word "six" and insert "five".

In line 117 strike out the word "seven" and insert "six".

In line 118 strike out the word "eight" and insert "seven".

In line 134 strike out the word "five" and insert "four".

In line 136 strike out the word "six" and insert "five".

In line 137 strike out the word "seven" and insert "six".

In line 138 strike out the word "eight" and insert "seven".

And when so amended recommend the same do pass.

## Senate Bill No. 202.

In line 43 strike out the word "one" and insert in lieu thereof the word "four".

In line 46 strike out the word "two" and insert in lieu thereof the word "five".

In line 49 strike out the word "three" and insert in lieu thereof the word "six".

In line 52 strike out the word "four" and insert in lieu thereof the word "seven".

And recommend the following further amendments:

In line 43 add "s" to the word "mill".

In line 55 insert the word "seven" for the word "four".

In line 27 after the word "instruction" add "or who is not teaching in a district organized by virtue of a territorial charter".

And amend the title as follows:

- 1 To strike out all the words in the title after
- 2 the word "re-enact" and insert in lieu thereof the
- 3 following:
- 4 "that part of Section 8 of Chapter 255 of the
- 5 Session Laws of 1941 set out in Section 15-4017
- 6 of House Bill No. 49, the proposed Revised Code
- 7 of 1943, and that part of Section 8 and all of
- 8 Section 7 of Chapter 255 of the Session Laws of 1941
- 9 set out in Section 15-4018 of House Bill No. 49, the
- 10 proposed Revised Code of 1943."
- 11 In line 1 after the word "that" insert the following
- 12 language: "that part of Section 8 of Chapter 255 of the
- 13 Session Laws of 1941 set out in."
- 14 In line 17, after the word "that" insert the following
- 15 language: "that part of Section 8 and all of Section 7
- 16 of Chapter 255 of the Session Laws of 1941, set out in
- 17 Section 15-4018."

And renumber the lines.

And when so amended recommend the same do pass.

## Senate Bill No. 59.

In line 14, beginning with the words "and that" strike out the remainder of the line. Strike out all of lines 15 and 16. Insert in lieu thereof the following: "made with any loaning agency authorized to make Commodity Credit Corporation loans on threshed grains." And re-number the lines.

## Senate Bill No. 182.

In the first line of the title, after the word "Section",



insert the letter "s", and after the figure "7" add the following: "and 10".

In line 1, before the figure "7", insert the letter "s", and after the figure "7" add "and 10".

In line 46 strike out the words "transcribed and".

In line 52, before the word "testimony" insert the word "transcribed".

In line 56, after the word "month", insert the word "and".

In line 58, after the word "meeting", strike out the comma and insert a period in lieu thereof. Then add the following before the word "and": "It may approve, modify or reverse the findings and order of the County Agency, or it may return such record to the County Agency for such further action and proceedings as it may direct". After the word "and" in line 58, insert the following: "on the completion of such examination and review".

Immediately after line 68 in the printed bill, insert two new sub-sections as follows:

"(i) In advance of assistance in any case being modified, withdrawn, revoked or suspended, the applicant must be afforded the full benefit of the remedies prescribed in his behalf in Section 7.

(j) The term 'applicant' as used in Section 7, includes the term 'recipient'." And renumber the lines.

And when so amended recommend the same do pass.

Senate Bill No. 2.

On the engrossed bill:

Line 22, Subdivision 1—Strike out the figures "\$10,735.00" and insert the figures "\$10,467.00".

Line 29, Subdivision 1—Strike out the figures "\$35,295.00" and insert the figures "\$35,027.00".

Line 38, Subdivision 3—Strike out the figures "\$4,725.00" and insert the figures "\$4,607.00".

Line 39, Subdivision 3—Strike out the figures "\$14,200.00" and insert the figures "\$13,845.00".

Line 43, Subdivision 3—Strike out the figures "\$72,405.00" and insert the figures "\$71,932.00".

Line 55, Subdivision 5—Strike out the figures "\$12,000.00" and insert the figures "\$15,000.00".

Line 56, Subdivision 5—Strike out the figures "\$117,000.00" and insert the figures "\$120,000.00".

Line 60, Subdivision 6a—Strike out the figures "\$19,270.00" and insert the figures "\$18,788.00".

Line 61, Subdivision 6a—Strike out the figures "\$4,250.00" and insert the figures "\$3,750.00".

Line 65, Subdivision 6a—Strike out the figures "\$29,420.00" and insert the figures "\$28,438.00".

Line 70, Subdivision 6b—Strike out the figures "\$3,000.00" and insert the figures "\$4,000.00".

Line 74, Subdivision 6b—Strike out the figures "\$12,200.00" and insert the figures "\$13,200.00".

Line 78, Subdivision 7a—Strike out the figures "\$33,960.00" and insert the figures "\$33,111.00".

Line 83, Subdivision 7a—Strike out the figures "\$47,410.00" and insert the figures "\$46,561.00".

Line 87, Subdivision 7b—Strike out the figures “\$35,650.00” and insert the figures “\$34,759.00”.

Line 91, Subdivision 7b—Strike out the figures “\$55,530.00” and insert the figures “\$54,639.00”.

Line 95, Subdivision 8a—Strike out the figures “\$38,540.00” and insert the figures “\$37,577.00”.

Line 102, Subdivision 8a—Strike out the figures “\$51,396.00” and insert the figures “\$50,433.00”.

Line 106, Subdivision 9a—Strike out the figures “\$19,815.00” and insert the figures “\$19,320.00”.

Line 112, Subdivision 9a—Strike out the figures “\$35,615.00” and insert the figures “\$35,120.00”.

Line 115, Subdivision 9b—Strike out the figures “\$13,000.00” and insert the figures “\$12,855.00”.

Line 119, Subdivision 9b—Strike out the figures “\$500.00” and insert the figures “\$700.00”.

Line 121, Subdivision 9b—Strike out the figures “\$17,775.00” and insert the figures “\$17,830.00”.

Line 127, Subdivision 10a—Strike out the figures “\$11,910.00” and insert the figures “\$11,612.00”.

Line 133, Subdivision 10a—Strike out the figures “\$58,564.00” and insert the figures “\$58,266.00”.

Line 137, Subdivision 11a—Strike out the figures “\$12,850.00” and insert the figures “\$12,529.00”.

Line 141, Subdivision 11a—Strike out the figures “\$36,850.00” and insert the figures “\$36,529.00”.

Line 145, Subdivision 11b—Strike out the figures “\$15,060.00” and insert the figures “\$14,683.00”.

Line 149, Subdivision 11b—Strike out the figures “\$31,360.00” and insert the figures “\$30,983.00”.

Line 150, Subdivision 11d—Strike out the figures “11d” and insert the figures “11c”.

Line 152, Subdivision 11c—Strike out the figures “\$9,765.00” and insert the figures “\$9,521.00”.

Line 155, Subdivision 11c—Strike out the figures “\$11,765.00” and insert the figures “\$11,521.00”.

Line 155a, Subdivision 11e—Strike out the figures “11e” and insert the figures “11d”.

Line 159, Subdivision 12a—Strike out the figures “\$14,475.00” and insert the figures “\$14,113.00”.

Line 164, Subdivision 12a—Strike out the figures “\$26,225.00” and insert the figures “\$25,863.00”.

Line 171, Subdivision 12c—Strike out the figures “\$32,570.00” and insert the figures “\$31,756.00”.

Line 176, Subdivision 12c—Strike out the figures “\$52,170.00” and insert the figures “\$51,356.00”.

Line 181, Subdivision 12g—Strike out the figures “12g” and insert the figures “12e”.

Line 183, Subdivision 12e—Strike out the figures “\$9,610.00” and insert the figures “\$9,370.00”.

Line 188, Subdivision 12e—Strike out the figures “\$12,960.00” and insert the figures “\$12,720.00”.

Line 189, Subdivision 12h—Strike out the figures “12h” and insert the figures “12f”.

Line 197, Subdivision 13a—Strike out the figures “\$60,310.00” and insert the figures “\$58,802.00”.

Line 202, Subdivision 13a—After the words “before I. C. C.” add the words “and other Federal Agencies and Courts” and strike out the figures “\$12,000.00” and insert the figures “\$18,000.00”.

Line 205, Subdivision 13a—Strike out the figures “\$101,385.00” and insert the figures “\$105,877.00”.

Line 208, Subdivision 13b—Strike out the figures “\$13,415.00” and insert the figures “\$13,080.00”.

Line 211, Subdivision 13b—After the words “Travel Expense” add the words “and Car Exchange”.

Line 213, Subdivision 13b—Strike out the figures “\$18,145.00” and insert the figures “\$17,810.00”.

Line 217, Subdivision 14—Strike out the figures \$80,936.00” and insert the figures “\$78,913.00”.

Line 226, Subdivision 14—Strike out the figures “\$155,236.00” and insert the figures “\$153,213.00”.

Line 230, Subdivision 15a—Strike out the figures “\$62,640.00” and insert the figures “\$61,074.00”.

Line 236, Subdivision 15a—Strike out the figures “\$106,040.00” and insert the figures “\$104,474.00”.

Line 240, Subdivision 15b—Strike out the figures “\$115,290.00” and insert the figures “\$112,408.00”.

Line 245, Subdivision 15b—Strike out the figures “\$194,290.00” and insert the figures “\$191,408.00”.

Line 248, Subdivision 16a—Strike out the figures “\$14,400.00” and insert the figures “\$18,000.00”.

Line 249, Subdivision 16a—Strike out the figures “\$22,560.00” and insert the figures “\$21,996.00”.

Line 254, Subdivision 16a—Strike out the figures “\$62,860.00” and insert the figures “\$65,896.00”.

Line 268, Subdivision 16b—Strike out the figures “\$5,280.00” and insert the figures “\$6,160.00”.

Line 271, Subdivision 16b—Strike out the figures “\$183,240.00” and insert the figures “\$184,120.00”.

Line 275, Subdivision 16c—Strike out the figures “\$5,760.00 and insert the figures “\$5,616.00”.

Line 278, Subdivision 16c—Strike out the figures “\$22,057.00” and insert the figures “\$21,913.00”.

Line 281, Subdivision 16d—Strike out the figures “\$5,670.00” and insert the figures “\$5,528.00”.

Line 286, Subdivision 16d—Strike out the figures “\$16,570.00” and insert the figures “\$16,428.00”.

Line 304, Subdivision 18—Strike out the figures “\$11,460.00” and insert the figures “\$11,173.00”.

Line 312, Subdivision 18—Strike out the figures “\$23,260.00” and insert the figures “\$22,973.00”.

Line 324, Subdivision 20—Strike out the figures “\$12,000.00” and insert the figures “\$11,700.00”.

Line 328, Subdivision 20—Strike out the figures “\$18,075.00” and insert the figures “\$17,775.00”.

Lines 332 and 333, Subdivision 21—After the words “Emergency Fund” strike out the words “(Available upon return

of Nat'l Guard Units from Fed. Serv.)" and insert the words "(Available on Governor's Approval)" in lieu thereof and strike out the figures in line 333 "\$35,000.00" and insert the figures "\$25,000.00" in lieu thereof.

Line 334, Subdivision 21—Strike out the figures "\$105,000.00" and insert the figures "\$95,000.00".

Line 338, Subdivision 22—Strike out the figures "\$15,000.00" and insert the figures "\$25,000.00".

Line 340, Subdivision 22—Strike out the figures "\$6,000.00" and insert the figures "\$6,500.00".

Add the following line:

"340a Janitor Service .....\$1,100.00".

Line 341, Subdivision 22—Strike out the figures "\$113,-

Line 341, Subdivision 2—Strike out the figures "\$113,-

Line 363, Subdivision 26a—Strike out the figures "\$76,820.00" and insert the figures "\$74,900.00".

Line 368, Subdivision 26a—Strike out the figures "\$116,570.00" and insert the figures "\$114,650.00".

Line 391, Subdivision 28—Strike out the figures "\$75,000.00" and insert the figures "\$100,000.00".

Line 392, Subdivision 28—Strike out the figures "\$75,000.00" and insert the figures "\$100,000.00".

Line 402—Strike out the figures "\$2,196,353.00" and insert the figures "\$2,218,240.00".

And when so amended recommend the same do pass.

Senate Bill No. 3.

Line 4—Strike out the figures "\$593,090.00" and insert the figures "\$576,180.00" in lieu thereof.

Lines 14 and 15—Strike out in their entirety and renumber the lines.

Line 16—Strike out the figures "\$236,300.00" and insert the figures "\$211,950.00" in lieu thereof.

Line 18—Strike out the figures "\$121,140.00" and insert the figures "\$123,580.00" in lieu thereof.

Line 23—Strike out the figures "\$356,790.00" and insert the figures "\$364,230.00" in lieu thereof.

Line 24—Strike out the figures "\$593,090.00" and insert the figures "\$576,180.00" in lieu thereof.

And when so amended recommend the same do pass.

Insert in the engrossed bill "Line 13a, Emergency fund \$10,000".

In line 4 strike out the figures "\$576,180.00" and insert "\$586,180.00".

In line 16 strike out the figures "\$211,950.00" and insert "\$221,950.00".

In line 24 strike out the figures "\$576,180.00" and insert "\$586,180.00".

And when so amended recommend the same do pass.

WALTER BUBEL, Chairman,  
Committee of the Whole.

Rep. Ohnstad moved that the report of the Committee of the Whole be adopted, which motion prevailed.

#### MESSAGES TO THE SENATE

House of Representatives  
Bismarck, March 4, 1943.

Mr. President: I have the honor to transmit:

House Bill No. 8. A Bill for an Act Making an Appro-

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

House Bill No. 13. 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.

House Bill No. 26. 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.

House Bill No. 30. A Bill for an Act Making an Appropriation and an Additional 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 Declaring an Emergency.

House Bill No. 75. 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.

House Bill No. 95. A Bill for an Act Creating a Veterans' Emergency Fund, and Providing an Appropriation Therefor, and Providing for the Use of Such Fund by the Veterans' Service Commissioner, and the Manner of Its Disbursement.

House Bill No. 99. A Bill for an Act Making an Appropriation to Provide Funds for the Maintenance of the North Dakota State Guard, as Provided for Under Chapter 230 of the North Dakota Session Laws of 1941, and to Meet Other Requirements Prescribed by the Federal Statutes, and Declaring an Emergency.

House Bill No. 105. A Bill for an Act to Amend and Re-enact Section 9115 of the Compiled Laws of North Dakota for 1913, Relating to the Issuance of Executions on Judgments in Justice Court.

House Bill No. 106. A Bill for an Act to Amend and Re-enact Section 1 of Chapter 220 of the Session Laws of North Dakota for the Year 1935, Relating to Expense Accounts of Public Officers, Specifying the Amount to Be Allowed for Personal Sustenance of Officers, Agents and Employees, Exempting the Governor, of the State of North Dakota, or of Any of Its Subdivisions, While Upon Public Expense Account, Repealing All Acts or Parts of Acts in Conflict Herewith, and Declaring an Emergency.

House Bill No. 107. A Bill for an Act to Amend and Re-enact Subsections 1 and 2 of Section 1, Chapter 273, Session Laws of North Dakota for the Year 1941; Providing for an Adjustment of Delinquent Taxes for 1939 and Prior Years, and Repealing All Acts or Parts of Acts in Conflict Therewith Including Certain Exceptions, and Declaring an Emergency.

House Bill No. 109. A Bill for an Act to Amend and Re-enact Section 3610 of Article 7, of Chapter 44 of the 1913 Compiled Laws, by Adding Thereto a Provision that in Cities that Have Adopted the City Manager Form of Government, the City Manager Shall Appoint and Remove the City Treas-

urer with the Approval of the City Council, and that in Cities Having Adopted the Provisions of Chapter 173 of the Session Laws of North Dakota for the Year 1937, Known as the Civil Service Act, the City Treasurer Shall Be Appointed as Other Full-time City Employees, and Providing that Such City Treasurer May Be Included Within and Under the Provisions of the Civil Service Act, and Repealing All Acts and Parts of Acts in Conflict Herewith.

House Bill No. 118. A Bill for an Act to Amend and Re-enact Section 363 of the 1913 Compiled Laws of North Dakota, as Amended and Re-enacted by Chapter 231 of the Session Laws of North Dakota for 1931, as Amended and Re-enacted by Chapter 223 of the Session Laws of North Dakota for 1933, Relating to the Fixing and Collecting and Distribution of Fees at the Leasing and Sale of School Lands.

House Bill No. 123. A Bill for an Act to Amend and Re-enact Section 1782 of the 1925 Supplement to the Compiled Laws of North Dakota, Relating to Appointment of Commandant and Subordinate Officers of the Soldiers' Home, and Declaring an Emergency.

House Bill No. 124. A Bill for an Act to Amend and Re-enact Section 1779 of the Supplement to the Compiled Laws, 1913, as Amended by Chapter 200 of the Session Laws, 1933; Board of Trustees of North Dakota Soldiers' Home, and Declaring an Emergency.

House Bill No. 126. A Bill for an Act to Amend and Re-enact Section 2 of Chapter 237 of the 1939 Session Laws, Relating to the Terms of Lease by Counties of Real Property Acquired by Tax-Deed, and Declaring an Emergency.

House Bill No. 139. A Bill for an Act to Regulate the Practice of Professional Engineering; Creating a State Board of Registration for Professional Engineers; Defining Its Powers and Duties; Providing for Registration of Professional Engineers; Fixing Fees Therefor; Imposing Certain Duties Upon the State and the Political Subdivisions Thereof in Connection with Public Works; and Providing Penalties for Violation of Its Provisions.

House Bill No. 140. A Bill for an Act to Amend and Re-enact Section 4398, of the 1925 Supplement Relating to the Residence Requirements for Dissolution of Marriage and Declaring an Emergency.

House Bill No. 144. A Bill for an Act to Regulate the Sale of Anti-Freeze; to Provide for the Inspection Thereof; to Prevent Fraud and Deception in the Sale of Anti-Freeze; to Prevent Adulteration and Misbranding Thereof; to Provide for the Enforcement of the Provisions of the Act; to Provide Licensing, Payment and Disposition of License Fees; and Provide Penalties for Violation Thereof.

House Bill No. 145. A Bill for an Act to Provide for the Dissolution of Village Park Districts, and Outlining the Procedure to Be Followed.

House Bill No. 166. A Bill for an Act Authorizing Employers to Pay to the Surviving Spouse of a Deceased Employee, Wages Owing to the Deceased Employee for Work, Labor or Services Performed for the Employer to the Extent of Four Hundred Dollars (\$400.00) When No Executor or Administrator Has Been Appointed, and Providing for the Discharge of the Employer from Such Obligation by and to

the Extent of Such Payment, and Providing That Such Payment Shall Apply in Diminution of Allowance to Family Under Section 8725 Compiled Laws of North Dakota, 1913.

House Bill No. 167. A Bill for an Act to Amend and Re-enact Section 5, Chapter 5 of the Session Laws of the State of North Dakota for the Year 1937, Relating to Dealers in Livestock; Authorizing the Public Service Commission to Appoint Inspectors With Powers of Peace Officers for the Enforcement of the Provisions of Said Act.

House Bill No. 170. A Bill for an Act to Amend and Re-enact Chapter 262, Laws of 1941, Relating to the Preservation of the Right to Benefits Under the North Dakota Unemployment Compensation Law for Persons Entering the Military or Naval Service During the Period of Such Service, Extending the Provisions Thereof to Members of the Auxiliary Military or Naval Services, Extending and Limiting the Time of Preservation of Such Rights, Providing Necessary Definitions, Authorizing the Unemployment Compensation Division to Receive and Disburse Funds Provided by the United States Government for Any Special Unemployment Compensation Programs, Repealing the Inconsistent Provisions and Declaring an Emergency.

House Bill No. 201. A Bill for an Act to Amend and Re-enact Section 5 of Chapter 276 of the Session Laws of 1931 Providing for Abatements of Real and Personal Property Taxes, Due to Depreciation or Other Cause, and Declaring an Emergency.

House Bill No. 235. A Bill for an Act Making it a Criminal Offense for a Parent or Other Person Legally Responsible for the Care or Support of a Child to Abandon Such Child; Providing for Penalty; Repealing All Acts in Conflict Herewith, and Declaring an Emergency.

House Bill No. 248. A Bill for an Act Providing for the Recording of Discharge Papers from the National Guard, the Army, Navy, Marine Corps and Other Branches of the Military Forces, and Declaring an Emergency.

House Bill No. 251. A Bill for an Act Making an Appropriation for the Payment of Janitor Services of the House of Representatives of the 28th Legislative Assembly, and Declaring an Emergency.

House Concurrent Resolution "X." A Concurrent Resolution Providing for the Amendment of Section 45 of the Constitution of North Dakota.

House Concurrent Resolution "R." Memorializing Congress of the United States to Lift Restrictions and Priorities on Batteries Used for Telephones and Radios for Farms and Residents in Rural Communities.

House Concurrent Resolution "V." Memorializing Congress and the President to Authorize the Indians to Elect Their Commissioner of Indian Affairs and Other Administrative Officials and That Treaty Rights and Claims be Promptly Adjudicated and Paid.

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

W. M. SMART, Chief Clerk.  
House of Representatives  
Bismarck, March 4, 1943.

Mr. President: I have the honor to return:

Senate Bill No. 11. A Bill for an Act Making an Appro-

priation for the Enforcement and Administration of the Attorney General Licensing Department.

Senate Bill No. 13. A Bill for an Act Making an Appropriation for the Salaries and Expenses of the Certification Division.

Senate Bill No. 14. A Bill for an Act Making an Appropriation to Defray the Expenses for the Bee Keepers Act.

Senate Bill No. 34. A Bill for an Act to Amend and Re-enact Sections 3, 4, 7, 8, 9 and 10 of Chapter 229, of the Session Laws of 1941, Relating to the North Dakota State Farm, and Making an Appropriation Therefor.

Senate Bill No. 39. A Bill for an Act Making an Appropriation to Make Up the Deficit in the Fund Known as "The Insurance Tax to Fire Departments" for the Purpose of Paying Insurance Tax to the Various Fire Departments of the State in Compliance with the Provisions of Sections 3993 to 3998 Inclusive of the Compiled Laws of 1913, and Declaring an Emergency.

Senate Bill No. 46. 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. 50. A Bill for an Act to Amend and Re-enact Section 30 of Chapter 162 of the 1927 Session Laws Relating to the Duty of the Driver of Any Vehicle Involved in an Accident to Report Such Accident.

Senate Bill No. 54. A Bill for an Act Requiring and Compelling All Licensed Beer Dealers to Make Available Reports, Records, Books, Vouchers, and Other Pertinent Documents to the State Tax Commissioner; Providing for Examination; Providing Penalties for Delinquencies and for Violations.

Senate Bill No. 62. A Bill for an Act to Encourage Rural Electrification; Classifying the Personal Property of Rural Electric Companies, and Imposing a Gross Receipts Tax on Such Cooperatives in Lieu of All Other Taxes on Such Personal Property; Providing for Reports of Gross Receipts; Prescribing the Duties of Tax Commissioner With Reference to Levying of the Tax and the Duties of the County Auditor and the County Treasurer With Reference to Allocation, Collection and Distribution of Such Tax; and Repealing Chapter 282, Laws of 1941 and All Acts and Parts of Acts in Conflict Herewith.

Senate Bill No. 69. A Bill for an Act to Provide for the Transfer of a Part of the Unappropriated Surplus Now in the "Auto Transportation Fund" to the Credit of the "General Fund" in the State Treasury and Declaring an Emergency.

Senate Bill No. 79. A Bill for an Act Transferring the Sum of Eighty-Five Thousand Dollars (\$85,000.00) from the Attorney General Licensing Fund to the General Fund of the State.

Senate Bill No. 80. A Bill for an Act to Amend and Re-enact Section 3173 of the Compiled Laws of North Dakota for 1913, Relating to Newspapers Qualified to Do Legal Printing, Prescribing Methods Whereby Newspapers Suspending Publication During the War May Become Eligible to Publish Legal Publications.



Senate Bill No. 85. A Bill for an Act Requiring the Numbering of Forms by the Printer, Prescribing a Penalty for the Violation of the Act, and Repealing All Acts or Parts of Acts in Conflict Herewith.

Senate Bill No. 86. A Bill for an Act Requiring Verification of Cash and Bank Balances in Hands of County Treasurer, and Repealing All Acts or Parts of Acts in Conflict Herewith.

Senate Bill No. 87. A Bill for an Act to Amend and Re-enact Section 2079b9 of the 1925 Supplement to the Compiled Laws of North Dakota for 1913, Relating to Records of Local Bond Issues, and Repealing All Acts or Parts of Acts in Conflict Herewith.

Senate Bill No. 88. A Bill for an Act to Amend and Re-enact Subsection (e) of Section 1 of Chapter 279 of the Session Laws of North Dakota for 1931, the Same Being an Amendment of Section 2166 of the Compiled Laws of North Dakota for 1913 as Amended and Re-enacted by Section 3 of Chapter 241 of the Session Laws of North Dakota for 1929, as Further Amended by Chapter 279 of the Session Laws of North Dakota for 1941, Relating to the Collection of Personal Property Taxes by the County Sheriff, and Repealing All Acts or Parts of Acts in Conflict Herewith.

Senate Bill No. 89. A Bill for an Act to Amend and Re-enact Section 2159 of the Compiled Laws of North Dakota for 1913, Relating to the Records of the County Treasurer, and Repealing All Acts or Parts of Acts in Conflict Herewith.

Senate Bill No. 90. A Bill for an Act to Amend and Re-enact Sections 3369 and 3370 of the Compiled Laws of North Dakota for 1913, Relating to County Warrant Procedures, and Repealing Section 3289 of the Compiled Laws of North Dakota for 1913 and All Acts or Parts of Acts in Conflict Herewith.

Senate Bill No. 116. A Bill for an Act to Amend and Re-enact Section 1178 of the Compiled Laws of 1913 Providing for the Employment and Dismissal of School Teachers, Their Qualifications, and Their Minimum Salaries.

Senate Bill No. 132. A Bill for an Act to Amend and Re-enact Chapter 218 of the Session Laws of 1935 Giving Preference to North Dakota Bidders and Sellers; Defining Such North Dakota Bidders and Sellers, and Prescribing the Nature of Preference to Be Given.

Senate Bill No. 137. A Bill for an Act Providing for Acknowledgements by Persons Serving in or with the Armed Forces of the United States Within or Without the United States, and Validating Acknowledgements Made Since September 16, 1940 in Accordance with the Provisions of This Act and Declaring an Emergency.

Senate Bill No. 147. A Bill for an Act Making an Appropriation for the Purpose of Paying for Oleomargarine Stamps.

Senate Bill No. 157. A Bill for an Act to Amend and Re-enact Chapter 190 of the Laws of North Dakota for the Year 1929, Providing That the Execution of a Specified Certificate and the Recording Thereof, Shall Constitute Prima Facie Evidence of the Termination of the Estate Held by a

Deceased Person, Under an Estate in Joint Tenancy; Providing for the Recording of Such Certificate; Providing for the Transfer by an Owner to Himself and Others in Joint Tenancy With Right of Survivorship and Declaring Valid Transfers Heretofore Made by Owner to Himself and Others in Joint Tenancy with Right of Survivorship, and Declaring an Emergency.

Senate Concurrent Resolution "N." A Concurrent Resolution Memorializing Congress to Enact Into Law S207, Known as "The Nye Bill," Providing for Waiver of Second-Class Postal Fees Upon Resumption of Publication by Newspapers That Were Compelled to Suspend Publication Because of War Conditions.

Senate Concurrent Resolution "T." A Concurrent Resolution Memorializing Congress to Make No Further Extension of Game Reserves in the State of North Dakota.

Senate Concurrent Resolution "1-F." A Concurrent Resolution Providing for a Committee Consisting of the Lieutenant Governor and the Speaker of the House of Representatives to Supervise the Completion of the Codes; Permitting Them to Employ Proof-readers, and Providing for Remuneration.

Which the Speaker has signed.

W. M. SMART, Chief Clerk.

House of Representatives  
Bismarck, March 4, 1943.

Mr. President: I have the honor to transmit:

House Concurrent Resolution "1-J." A Concurrent Resolution Memorializing the Congress of the United States to Provide for and Continue the Program of Incentive Payments to Farmers Who Increase Their Production in 1943 of the Crops Mentioned Therein to Insure Production of Food Essential to Victory.

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

W. M. SMART, Chief Clerk.

House of Representatives  
Bismarck, March 4, 1943.

Mr. President: I have the honor to return:

Senate Bill No. 174. A Bill for an Act Providing for Direct Liability of the Insurer to Persons Entitled to Recover for Death, for Injuries to Persons, or Damages to Property, Caused by the Negligent Maintenance, Use or Operation of Motor Vehicles, Limiting the Amount of Liability; Imposing Duty to Disclose Existence of Insurance, Authorizing the Persons Entitled to Recover Such Damages to Join the Insurer in Single Action Against Owner or Operator of Motor Vehicle; Declaring Conditions and Covenants in Liability Contracts or Policies of Insurance, Limiting or Restricting Such Rights, or Which Are Violative of the Provisions of This Act as Against Public Policy and Void and Providing for Repeal of All Acts in Conflict Herewith.

Senate Bill No. 91. A Bill for an Act to Establish the Responsibility of the County Treasurer, and Requiring Him to Make an Annual Settlement of His Tax List and to Make an Annual Report, and Repealing Sections 3342 and 3343 of the Compiled Laws of 1913.

Senate Bill No. 111. A Bill for an Act to Amend and Re-

enact Section 2180 of the Compiled Laws of North Dakota for 1913, Relating to the Duties of the County Treasurer, and Repealing All Acts or Parts of Acts in Conflict Therewith.

Which the House has passed unchanged.

W. M. SMART, Chief Clerk.  
House of Representatives  
Bismarck, March 4, 1943.

Mr. President: I have the honor to return:

Senate Bill No. 204. A Bill for an Act to Amend and Re-enact Section 59-0425 of the North Dakota Revised Code of 1943.

Senate Bill No. 205. A Bill for an Act to Repeal Chapter 11 of the Title Judicial Procedure, Civil in North Dakota Revised Code for 1943.

Which the House has amended.

W. M. SMART, Chief Clerk.  
House of Representatives  
Bismarck, March 4, 1943.

Mr. President: I have the honor to return:

Senate Joint Memorial Resolution "A."

Senate Bill No. 60. A Bill for an Act to Amend and Re-enact Paragraph (a) of Section 3 of Chapter 221 of the Session Laws of North Dakota for 1935 Relative to Per Diem and Expenses of the Members of the State Board of Public Welfare and Repealing All Acts in Conflict Herewith.

Senate Bill No. 92. A Bill for an Act to Amend and Re-enact Section 3267 of the Compiled Laws of North Dakota for 1913, Relating to the Duties of the Chairman of the Board of County Commissioners and Repealing All Acts or Parts of Acts in Conflict Herewith.

Senate Bill No. 93. A Bill for an Act to Amend and Re-enact Section 3349 of the Compiled Laws of North Dakota for 1913, Relating to the Treasurer's Record of Warrants Paid, and Repealing All Acts in Conflict Herewith.

Senate Bill No. 94. A Bill for an Act to Amend and Re-enact Section 3367 of the Compiled Laws of North Dakota for 1913 and Repealing Section 2161 of the Compiled Laws of North Dakota for 1913, Both Sections Relating to the Duties of the County Auditor.

Senate Bill No. 109. A Bill for an Act to Amend and Re-enact Section 3271 of the Compiled Laws of North Dakota for 1913, Relating to the Record of Proceedings of the Board of County Commissioners, and Repealing All Acts in Conflict Therewith.

Senate Bill No. 146. A Bill for an Act to Legalize the Operation of Bowling Alleys During Certain Hours on the First Day of the Week; Permitting Labor and Services to Be Performed in Connection Therewith; Permitting Municipalities by Ordinance to Prohibit Operation; Repealing All Acts or Parts of Acts in Conflict Herewith.

Senate Bill No. 184. A Bill for an Act to Amend and Re-enact Section 12 of Chapter 139 of the Session Laws of North Dakota for the Year 1937, as Amended and Re-enacted by Section 3 of Chapter 175 of the Session Laws of North Dakota for 1941, Relating to Revocation of Suspension of

Drivers' Licenses, and to Amend and Re-enact Section 13 of Chapter 139 of the Session Laws of North Dakota for 1937, Relating to Court Review of Action of the State Highway Commissioner, and to Amend and Re-enact Subsection (d) of Section 18 of Chapter 139 of the Session Laws of North Dakota for 1937 as Amended and Re-enacted by Section 4 of Chapter 175 of the Session Laws of North Dakota for the Year 1941, Relating to Salaries and Wages of Officers of the Division of Highway Safety and Patrol, and to Repeal Section 14 of Chapter 139 of the Session Laws of North Dakota for 1937.

Senate Bill No. 187. A Bill for an Act to Amend and Re-enact Paragraph (b) of Subdivision 5 of Section 7 and All of Section 23 of Chapter 94, Session Laws of 1931, Pertaining to Fully Paid Shares in Building and Loan Associations and Bonds of Directors, Officers, Agents and Employees, and Repealing All Acts in Conflict Herewith.

Which the House has passed unchanged.

W. M. SMART, Chief Clerk.

House of Representatives

Bismarck, March 4, 1943.

Mr. President: I have the honor to return:

Senate Bill No. 43. A Bill for an Act to Create a State Control Board for Survey and Control of Mental Deficiency and Designating the Three Appointive Members of the Board of Administration as Such Board, and the Superintendent of the Grafton State School as Secretary Thereof; Providing for Its Organization and Headquarters; Prescribing Its Powers and Duties; Providing for a County Control Board for Mental Deficiency and Designating the Commissioners of Insanity as Such Board, and Prescribing its Powers and Duties; Defining Mental Deficiency; Providing for the Furnishing of Certain Information by Institutions, Boards of Education, Teachers, School Principals and Superintendents, Doctors, Nurses, Hospitals, County Health Officers, County Welfare Boards and State Boards and Commissions; Providing for a List of Mentally Deficient Persons to be Furnished All County Judges, Prohibiting the Issuance of Marriage Licenses to Mentally Deficient Persons and Providing a Penalty for the Violation Thereof; Providing for Certain Exceptions; Providing for the Right of Appeal to the District Courts in Case of Refusal to Issue Marriage License and Prescribing the Time for Such Appeal; Repealing All Statutes in Direct Conflict With the Provisions Hereof; and Making an Appropriation Therefor.

Senate Bill No. 45. A Bill for an Act to Permit a Surviving Husband or Wife to Dissent from the Terms of a Will, and to Elect to Inherit Under the Laws of Succession.

Senate Bill No. 57. A Bill for an Act Relating to Narcotic Drugs; Defining Terms Used Therein; Regulating the Possession, Sale, Handling and Use of Narcotic Drugs; Providing for the Granting and Revocation of Licenses, and Fixing the Qualifications of Licensees; Enumerating Who May Purchase, Procedure to Be Followed in Making Purchases and Sales, and Who May Lawfully Possess Narcotic Drugs; Governing Sales by Apothecaries, and the Professional Use Thereof; Providing for the Return of Unused Drugs; Exempting Certain Preparations; Requiring Records to Be Kept by Physicians, Dentists, Veterinarians and Other Persons

Authorized to Administer or Professionally Use Narcotic Drugs, Manufacturers, Wholesalers, Apothecaries, and Vendors of Exempted Preparations; Providing for the Form of Record to Be Kept, Fixing the Labeling Requirements; Stating Conditions Under Which Narcotic Drugs May Be Possessed by Individuals, and Exempting Certain Persons and Corporations; Defining What Shall Be a Common Nuisance; Providing for the Forfeiture and Disposition of Narcotic Drugs Not Lawfully Possessed; Requiring Courts to Report Convictions; Making Certain Records Confidential; Defining Fraud or Deceit; Placing Burden of Proof on Defendant to Negative Any Exception, Excuse, Proviso, or Exemption in the Act; Providing by Whom the Act Shall Be Enforced; Fixing Penalties for Violation of the Act; Limiting Prosecutions; Containing a Savings Clause; Providing for the Seizure of Vehicles; Making the Theft of Narcotics a Felony; Interpreting the Act; Repealing Inconsistent Laws; and Naming the Act.

Senate Bill No. 118. A Bill for an Act to Provide for the Method and Time for Renewing Contracts of Teachers, Principals, and Superintendents in the Public Schools of the State of North Dakota, and Providing for a Penalty for Violation of Teacher's Contract.

Senate Bill No. 135. A Bill for an Act to Amend and Re-enact Sections 859 and 860 of the Compiled Laws of North Dakota for the Year 1913, as Amended by Chapters 139 and 142 of the Session Laws of 1939—and Providing a Penalty for the Violation Thereof.

Senate Bill No. 166. A Bill for an Act to Amend and Re-enact Chapter 265, Session Laws of 1941, Relating to Special Audits of State Offices, Departments and Commissions; Authorizing the Governor to Appoint Special Counsel to Prosecute Any Action of Proceeding Which May Be Deemed Warranted as a Result of Such Audits and Investigations; and Providing an Appropriation.

Senate Bill No. 189. A Bill for an Act to Provide for Filling Vacancies on the State No-Party Ballots.

Senate Bill No. 191. A Bill for an Act Providing for the Appointment of a Guardian of the Estate of a Missing Person, Prescribing the Procedure Therefor, Providing for Family Support and the Payment of Expenses, and of Indebtedness, and Further Providing for the Rendition of an Account and the Discharge of the Guardian.

Senate Concurrent Resolution "1-C." A Concurrent Resolution Memorializing the Congress of the United States and the Selective Service Authorities to Adopt a Distinctive Insignia to Be Worn by Men Deferred from Induction Into the Armed Forces by Reason of Being Engaged in an Essential Occupation Necessary to the War Effort.

Which the House has indefinitely postponed.

W. M. SMART, Chief Clerk.

House of Representatives

Bismarck, March 4, 1943.

Mr. President: I have the honor to return:

Senate Bill No. 53. A Bill for an Act to Amend and Re-enact Chapter 118 of the Session Laws of 1933 as Amended by Chapter 158 of the Session Laws of 1941.

Senate Bill No. 140. A Bill for an Act to Create a State

Post-War Planning Board, Prescribing Its Powers and Duties and Making an Appropriation Therefor.

Which the House has amended.

W. M. SMART, Chief Clerk.

House of Representatives,  
Bismarck, March 4, 1943.

Mr. President: I have the honor to inform you that the House has refused to concur in the Senate amendment to House Bill No. 244 and the Speaker has appointed as a Conference Committee, Reps. Twichell, Bubel and McInnes.

Very respectfully,

W. M. SMART, Chief Clerk.

House of Representatives,  
Bismarck, March 4, 1943.

Mr. President: I have the honor to inform you that the House has refused to concur in the Senate amendment to House Bill No. 189 and the Speaker has appointed as a Conference Committee Reps. Forseth, Sandness and Haugland.

Very respectfully,

W. M. SMART, Chief Clerk.

House of Representatives,  
Bismarck, March 3, 1943

Mr. President: I have the honor to inform you that the House has concurred in the Senate amendment to House Bill No. 102.

Very respectfully,

W. M. SMART, Chief Clerk.

House of Representatives,  
Bismarck, March 4, 1943.

Mr. President: I have the honor to transmit:

House Bill No. 84. A Bill for an Act Amending and Re-enacting Section 4 of Chapter 168 of the Laws of 1919 and Acts Amendatory Thereof, Pertaining to Salary of Coal Mine Inspector and Compensation for Clerical Help.

Which the House has amended.

W. M. SMART, Chief Clerk.

House of Representatives,  
Bismarck, March 4, 1943.

Mr. President: I have the honor to transmit:

House Bill No. 252. A Bill for an Act Making an Appropriation for Expenses of the 28th Legislative Assembly, and Declaring an Emergency.

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

W. M. SMART, Chief Clerk.

Rep. Ohnstad requested that the Committee on Judiciary be excused, which request was granted.

Rep. Bergesen moved that Senate Bill No. 77 be made a special order of business after two o'clock, p. m., which motion prevailed.

#### MESSAGES FROM THE SENATE

Senate Chamber,

Bismarck, March 4, 1943.

Mr. Speaker: I have the honor to return:

House Bill No. 51. A Bill for an Act to Amend and Re-enact Sections 2, 4, 7 and 8 of Chapter 181, Session Laws

of 1941, Relating to the Licensing and Regulation of Coin-Operated Amusement Devices, and Appropriating a Portion of the Revenue Derived Therefrom.

House Bill No. 55. A Bill for an Act to Amend and Re-enact Section 1 of Chapter 160 of the Session Laws of 1941 Providing for Retention by County Auditors of a Part of the Resident and Non-Resident Hunting, Fishing and Trapping Licenses Fees.

House Bill No. 137. A Bill for an Act to Amend and Re-enact Section 2839, Compiled Laws of 1913, Defining the Powers and Duties of the State Dairy Commissioner; Authorizing the Promulgation of Rules for the Regulation of the Manufacture of Dairy Products, and the Determination of the Minimum Butterfat Content of Same; Repealing All Acts or Parts of Acts in Conflict Herewith, and Declaring an Emergency.

House Bill No. 162. A Bill for an Act Concerning the Guardianship of Incompetent Veterans, and Other Incompetent and Minor Beneficiaries of the Veterans Administration, and Concerning Commitment to the Veterans Administration or Other Agency of the United States of Persons Eligible for Care or Treatment and to Make Uniform the Law With Reference Thereto, and Declaring an Emergency.

House Bill No. 222. A Bill for an Act Providing that the Proceeds of Income Taxes Collected in This State Less Expenses of Collection and Refunds Shall Be Placed in a Special Fund to be Used Solely for Old Age Assistance, Repealing All Acts or Parts of Acts in Conflict Therewith.

House Bill No. 163. A Bill for an Act to Amend and Re-enact Subsection (c) and (e), Section 36, Chapter 162 of the Session Laws of North Dakota for the Year 1927, as Amended by Chapter 190 of the Session Laws of North Dakota for the Year 1931, as Amended by Chapter 163 of the Session Laws of North Dakota for the Year 1933, as Amended by Chapter 185 of the Session Laws of North Dakota for the Year 1935, as Amended by Chapter 194 of the Session Laws of North Dakota for the Year 1941, Prescribing and Relating to the Size of Motor Vehicles and Loads of Motor Vehicles Upon the Highway; and Amending and Re-enacting Subsection (b) of Section 25 of Chapter 179 of the Session Laws of North Dakota for the Year 1927, as Amended by Section 5 of Chapter 186 of the Session Laws of North Dakota for the Year 1931, as Amended by Subsection (b) of Section 1 of Chapter 161 of the Session Laws of North Dakota for the Year 1933, as Amended by Subsection (b) (1) of Section 2 of Chapter 194 of the Session Laws of North Dakota for the Year 1941, Providing for Registration Fees for Trucks on a Gross Weight Basis, and Declaring an Emergency.

House Concurrent Resolution "P." A Concurrent Resolution Providing for the Amendment of Section 154 of Article IX of the Constitution of North Dakota.

Which the Senate has indefinitely postponed.

W. J. TROUT, Secretary.

Senate Chamber

Bismarck, March 4, 1943.

Mr. Speaker: I have the honor to return:

House Bill No. 9. A Bill for an Act Making an Appro-

appropriation for the Purpose of Paying a Bounty on Wolves, Coyotes, Magpies and Foxes.

House Bill No. 33. A Bill for an Act Making an Appropriation for Salaries, Operation, Maintenance, General and Miscellaneous Expenses for the State Laboratories Department.

House Bill No. 228. A Bill for an Act Permitting Counties, Cities, Villages and Townships to Lease and Permit the Use of Public Buildings for Other Than Public Purposes, and Declaring an Emergency.

House Bill No. 245. A Bill for an Act Suspending the Operation of Section 1 of Chapter 196 of the Session Laws of North Dakota for 1933 During the Biennium Beginning July 1, 1943 and Ending June 30, 1945, and Limiting Salary Increases to 25% of the Existing Limitations.

House Concurrent Resolution "G." A Concurrent Resolution Providing for the Amendment of the Constitution of the State of North Dakota, Creating a State Equalization Fund, and Providing for a State Tax Levy for School Purposes.

Which the Senate has amended.

W. J. TROUT, Secretary.

Senate Chamber

Bismarck, March 4, 1943.

Mr. Speaker: I have the honor to return:

House Bill No. 44. A Bill for an Act to Amend and Re-enact Section 10322a27 of the 1925 Supplement to the Compiled Laws of North Dakota of 1913, as Amended by Chapter 117 of the Session Laws of North Dakota for 1933, Relative to the Use of Hunting Dogs.

House Bill No. 48. A Bill for an Act to Amend and Re-enact Section 436 and 437 Compiled Laws of 1913 Relating to the Area Which Shall Comprise a Registration District, for the Purpose of Registering Vital Statistics, Designating the Registrar, and Prescribing the Duties of the Local Registrar of Such Registration Districts, Defining Their Powers and Authorizing the Appointment of Sub-Registrars, and Declaring an Emergency.

House Bill No. 87. A Bill for an Act Making an Appropriation for the Purpose of Returning to the State Hail Insurance Fund the Balance of the Money, Amounting to \$900,000 (Nine Hundred Thousand Dollars) Diverted Therefrom by Chapter 155 of the Session Laws for 1935, With Interest Thereon, and Repealing All Acts or Parts of Acts in Conflict Herewith.

House Bill No. 212. A Bill for an Act Providing a Means by Which Any Citizen May Have His Date of Birth and Place of Birth Judicially Determined; Providing for the Notice to Be Given of a Hearing; Giving to the District Courts Jurisdiction Thereof; Providing for an Appeal and Designating the Fees to Be Paid to the Clerk of Court in Connection Therewith.

House Bill No. 220. A Bill for an Act to Provide a Standard War Time for the State of North Dakota, Providing for Its Institution and continuance; Repealing All Acts in Conflict Therewith; and Declaring an Emergency.

House Bill No. 236. A Bill for an Act Providing for the



Regulation of Private Trade Schools and Correspondence Schools, and Providing Penalties for Violation.

Which the Senate has passed unchanged.

W. J. TROUT, Secretary.  
Senate Chamber

Bismarck, March 4, 1943

Mr. Speaker: I have the honor to inform you that the Senate has concurred in the House amendment to Senate Bill No. 161.

Very respectfully,

W. J. TROUT, Secretary.

Rep. Boulden moved that the rules be suspended and that House Concurrent Resolutions "1-F," "1-G," "1-H" and "1-I" be placed on first reading, which motion prevailed.

FIRST READING OF HOUSE CONCURRENT  
RESOLUTIONS

Joint Committee on Employment introduced:

HOUSE CONCURRENT RESOLUTION 1-G

Introduced by Joint Committee on Employment

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF NORTH DAKOTA, THE SENATE CONCURRING THEREIN:

1 That W. J. Trout, Secretary of the Senate, and W. M.  
2 Smart, Chief Clerk of the House, are hereby authorized,  
3 empowered and employed to compare and index the  
3a Journal of  
4 the Twenty-eighth Legislative Assembly, and to com-  
4a plete the  
5 Senate and House Journals and mail out to the members  
5a the  
6 temporary Journals of the last days of the Session, which  
7 have not been delivered to members before the close  
7a thereof;  
8 and the said W. J. Trout, Secretary of the Senate, and  
8a W. M.  
9 Smart, Chief Clerk of the House, are hereby directed and  
10 required at their own cost and expense to arrange for and  
11 procure sufficient assistance to insure that the said work  
12 shall be completed within twenty days after the adjourn-  
12a ment  
13 of the session.

14 BE IT FURTHER RESOLVED, That the said W. J.  
14a Trout,  
15 Secretary of the Senate, and W. M. Smart, Chief Clerk  
15a of the  
16 House, as above set forth, be retained at their present  
17 salary, and their assistants, to be one from the House and  
18 one from the Senate, retained at their present salary,  
18a all to  
19 be paid as other legislative expense, and paid when the  
20 respective claims are verified by the affidavits of the said  
21 W. J. Trout and W. M. Smart showing completion of  
21a such work.

22 BE IT FURTHER RESOLVED, That the necessary  
22a postage for  
23 mailing out the copies of temporary Journals as afore-  
23a said be  
24 furnished to the Secretary of the Senate and the said  
24a Chief

25 Clerk of the House as part of the legislative expenses of  
26 this session.

Was read the first time.

Joint Committee on Employment introduced:

HOUSE CONCURRENT RESOLUTION 1-F

Introduced by Joint Committee on Employment

BE IT RESOLVED BY THE HOUSE OF REPRESENTA-  
TIVES OF THE STATE OF NORTH DAKOTA, THE  
SENATE CONCURRING THEREIN:

1 WHEREAS, A complete record of action upon and  
1a disposal of  
2 all bills introduced in the House and Senate during this  
3 Session should be made available to House and Senate  
3a members  
4 as quickly as possible, such record to show what bills  
4a have  
5 been indefinitely postponed, withdrawn or passed, with  
5a nota-  
6 tion of Journal date and page of amendments thereto:  
7 NOW, THEREFORE, BE IT RESOLVED BY THE  
7a HOUSE  
8 OF REPRESENTATIVES, THE SENATE CONCUR-  
8a RING, That  
9 such compilation be at once prepared in a pamphlet  
9a similar in  
10 size to the House and Senate Journals; that Marie Tunell  
10a be  
11 employed for the House and Ruth Smith be employed  
11a for the  
12 Senate, they working together to prepare such compila-  
12a tion  
13 immediately, a copy of the same to be mailed as speedily  
13a as  
14 possible by the House and Senate mailing force to each  
14a member  
15 of the House and Senate, at the home address thereof.  
15a That  
16 the said Marie Tunell and Ruth Smith be and they are  
16a hereby  
17 respectively retained on this work for the House and for  
17a the  
18 Senate for the period of three days after the adjourn-  
18a ment of  
19 this Legislative Assembly, at their present pay, such  
19a compen-  
20 sation with the printing expense of such pamphlet and of  
21 mailing the same to be charged and paid as legislative  
21a expense.

Was read the first time.

Joint Committee on Employment introduced:

HOUSE CONCURRENT RESOLUTION 1-H

Introduced by Joint Committee on Employment

BE IT RESOLVED BY THE HOUSE OF REPRESENTA-  
TIVES OF THE STATE OF NORTH DAKOTA, THE  
SENATE CONCURRING THEREIN:

1 That Miles Nelson and Jacob Hegland, mailing clerks of  
2 the House, and Louise Fink and Effie Mae Stewart, mail-  
2a ing  
3 clerks of the Senate, of the Twenty-eighth Legislative As-

4 ssembly, be retained for five days after the close of this  
 5 session to complete sending Senate and House Journals of  
 5a the  
 6 last days of the session; Theodore G. Buchholz, proof-  
 6a reader  
 7 of the House and J. O. Bergheim, proofreader of the  
 7a Senate,  
 8 be retained for two days after the close of the session to  
 9 finish proofreading the Journals of the House and Senate  
 9a for  
 10 the last day of this Twenty-eighth Legislative Assembly;  
 10a and  
 11 that Emil Braun and David Welch, pages of the House  
 11a and  
 12 Rueben L. Olson and Joseph F. Moore, pages of the  
 12a Senate, be  
 13 retained for two days after the close of the session for the  
 14 purpose of wrapping and either mailing or expressing  
 14a to the  
 15 members of the Senate and House, bill books, Journals, re-  
 16 ports and files; and that Earl McInnes, postmaster of the  
 17 House and George Tripp, postmaster of the Senate, be  
 17a retained  
 18 for two days after the close of the session for the purpose  
 19 of disposing of any mail coming in after the close of the  
 20 session.  
 21 BE IT FURTHER RESOLVED, That each of the above  
 21a named  
 22 employees, to-wit: Miles Nelson, Jacob Hegland, Louise  
 22a Fink  
 23 and Effie Mae Stewart, as mailing clerks, be paid for said  
 24 additional five days the sum of \$5.00 per day; and  
 24a Theodore  
 25 G. Buchholz and J. O. Bergheim, proofreaders, be paid  
 25a the  
 26 sum of \$5.00 per day for two days; and that Emil Braun,  
 27 David Welch, Rueben L. Olson and Joseph F. Moore, as  
 27a pages,  
 28 be paid the sum of \$4.50 per day for said additional two  
 29 days; and that Earl McInnes and George Tripp, as post-  
 29a masters,  
 30 be paid the sum of \$5.00 per day for said additional two  
 30a days;  
 31 all the above to be paid as other legislative expense and  
 32 paid when the respective claims are verified by the af-  
 32a fidavits  
 33 of said parties herein named, at the completion of such  
 33a work.

Was read the first time.

Representatives Saumur, Bergesen, Fleck and Fitch in-  
 troduced:

#### HOUSE CONCURRENT RESOLUTION 1-I

Introduced by Representatives Saumur, Bergesen,  
 Fleck and Fitch.

BE IT RESOLVED BY THE HOUSE OF REPRESENTA-  
 TIVES OF THE STATE OF NORTH DAKOTA, THE  
 SENATE CONCURRING THEREIN:

1 WHEREAS, The 164th Infantry is made up of officers

2 and men from the State of North Dakota who left their  
2a homes  
3 more than two years ago to serve the Nation for the  
3a duration  
4 of the emergency; and  
5 WHEREAS, The 164th Infantry is the successor of the  
5a First  
6 North Dakota Volunteer Infantry which first represented  
6a this  
7 State after its admission to the Union and the first North  
8 Dakota Volunteer Infantry achieved a most enviable  
8a record  
9 during the War with Spain and the Philippine Insurrec-  
9a tion;  
10 and  
11 WHEREAS, Its successor added a most glorious page  
11a to  
12 the State's military record during World War I and in  
12a the  
13 present war drove the Japanese from Guadalcanal and is  
13a now  
14 safeguarding military outposts of highly important  
14a strategic  
15 value in the southwest Pacific;  
16 NOW, THEREFORE, BE IT RESOLVED BY THE  
16a HOUSE  
17 OF REPRESENTATIVES OF THE STATE OF NORTH  
17a DAKOTA,  
18 THE SENATE CONCURRING, That we do by means of  
18a this Resolution  
19 recognize and express our pride and affection toward the  
19a men  
20 and officers of the 164th Infantry and their kin in the  
20a State  
21 of North Dakota and elsewhere whose fortitude and  
21a encourage-  
22 ment to the men in the field have assisted in making  
22a their  
23 achievement possible. At the same time, we do hereby  
23a recog-  
24 nize and express our pride and affection for all the men  
24a and  
25 women of North Dakota engaged in the military service  
25a of our  
26 country who, both at home and abroad, are heroically  
26a defen-  
27 ding the liberties of a free people.  
28 BE IT FURTHER RESOLVED, That five suitably  
28a printed  
29 and signed copies of this Resolution be prepared, one to be  
30 filed with the Adjutant General of the State of North  
30a Dakota  
31 as a permanent record, and the other four to be trans-  
31a mitted  
32 to the commanding officer of the Regiment in the field  
32a and to  
33 the commanding officer of each of the three battalions  
33a for

34 reading to the troops at such formation as may be possible

35 under the circumstances of their present service.

Was read the first time.

Rep. Saumur moved that the rules be suspended and House Concurrent Resolution "1-G" be placed on second reading and final passage, which motion prevailed.

House Concurrent Resolution "1-G." A Resolution Providing for Indexing of the Senate and House Journals of the Twenty-eighth Legislative Assembly.

Was read the second time.

#### ROLL CALL

The question being on the adoption of House Concurrent Resolution "1-G", the roll was called and there were ayes, 85; nays, 0; absent and not voting, 28.

Those voting in the affirmative were:

Aker	Haugland	Olson, Bowman
Allen, Pierce	Heckman	Ohnstad
Anderson	Hegge	Ostgulen
Bagge	Hildre	Peterson, Ransom
Bauer	Hofstrand	Pyle
Baumgartner	Hogoboom	Rettke
Benno	Holm	Runk
Bolmeier	Hovey	Sailer
Boulden	Iszler	Sandness
Braun	Jennings	Saumur
Bubel	Johnson, Cass	Schwartz
Burau	Johnson, Richland	Schmalenberger
Bymers	Johnson, Rolette	Sellens
Dahlen	Kolpin	Severson
Dalzell	Langley	Sharpe
Devlin	Larson, Ward	Shure
Drovdal	Larson, Wells	Starck
Ekren	Leet	Sticka
Falconer	Levin	Stormon
Fitch	Lunde	Tuff
Fleck	McInnes	Twichell
Fraser	Manstrom	Wambheim
Fuglestad	Moe	Welk
Gackle	Monson	Westby
Gainor	Morland	Williams, Richland
Graham	Morrison	Williams, Stutsman
Halcrow	Myers	Wolf, McIntosh
Halvorson	Nystrom	Mr. Speaker

Absent and not voting:

Allen, Grand Forks	Crockett	Olson, Barnes
Arndt	Forseth	Peterson, Bottin'au
Belzer	Haag	Rohde
Bergesen	Lillehaugen	Rohrer
Bjella	Marks	Schnell
Blair	Mittag	Stair
Callahan	Mollet	Welder
Carlson	Mortenson	Williams, Sargent
Coghlan	Nelson	Wolf, Morton
Collette		

So the resolution was adopted.

Rep. Dalzell moved that the vote by which House Concurrent Resolution "1-G" was passed be reconsidered and the

motion to reconsider be laid on the table, which motion prevailed.

Rep. Saumur moved that the rules be suspended and House Concurrent Resolution "1-F" be placed on second reading and final passage, which motion prevailed.

House Concurrent Resolution "1-F." A Resolution Providing for a Compilation and Complete Record in Pamphlet Form of Action Taken on Bills Introduced in the House and Senate of the Twenty-eighth Legislative Assembly.

Was read the second time.

ROLL CALL

The question being on the adoption of House Concurrent Resolution "1-F", the roll was called and there were ayes, 84; nays, 0; absent and not voting, 29.

Those voting in the affirmative were:

Aker	Haugen	Olson, Barnes
Allen, Pierce	Haugland	Olson, Bowman
Anderson	Hegge	Ohnstad
Bagge	Hildre	Ostgulen
Bauer	Hofstrand	Peterson, Ransom
Baumgartner	Hogoboom	Pyle
Benno	Holm	Rettke
Bergesen	Hovey	Runck
Bolmeier	Iszler	Sailer
Boulden	Jennings	Sandness
Braun	Johnson, Cass	Saumur
Bubel	Johnson, Richland	Schwartz
Burau	Johnson, Rolette	Schmalenberger
Bymers	Kolpin	Sellens
Dalzell	Langley	Severson
Devlin	Larson, Ward	Sharpe
Drovdal	Larson, Wells	Shure
Ekren	Leet	Starck
Falconer	Levin	Stormon
Fitch	Lunde	Twichell
Fleck	McInnes	Tuff
Forseth	Manstrom	Wambheim
Fraser	Moe	Welk
Fuglestad	Monson	Westby
Gackle	Morland	Williams, Richland
Gainor	Morrison	Williams, Stutsm'n
Graham	Myers	Wolf, McIntosh
Halcrow	Nystrom	Mr. Speaker

Absent and not voting:

Allen, Grand Forks	Dahlen	Peterson, Bottin'au
Arndt	Haag	Rohde
Belzer	Halvorson	Rohrer
Bjella	Heckman	Schnell
Blair	Lillehaugen	Stair
Callahan	Marks	Sticka
Carlson	Mittag	Welder
Coghlan	Mollet	Williams, Sargent
Collette	Mortenson	Wolf, Morton
Crockett	Nelson	

So the Resolution was adopted.

Rep. Dalzell moved that the vote by which House Concurrent Resolution "1-F" was passed be reconsidered and the

motion to reconsider be laid on the table, which motion prevailed.

Rep. Saumur moved that the rules be suspended and House Concurrent Resolution "1-H" be placed on second reading and final passage, which motion prevailed.

House Concurrent Resolution "1-H". A Resolution Providing for Mailing and Proofreading of Senate and House Journals of the Last Days of Twenty-eighth Legislative Assembly.

Was read the second time.

#### ROLL CALL

The question being on the adoption of House Concurrent Resolution "1-H" the roll was called and there were ayes, 89; nays, 0; absent and not voting, 24.

Those voting in the affirmative were:

Aker	Haugland	Olson, Bowman
Allen, Pierce	Heckman	Ostgulen
Anderson	Hegge	Peterson, Bottin'au
Arndt	Hildre	Peterson, Ransom
Bagge	Hofstrand	Rettke
Bauer	Hogoboom	Pyle
Baumgartner	Holm	Runck
Benno	Hovey	Sailer
Bergesen	Iszler	Sandness
Bolmeier	Jennings	Saumur
Braun	Johnson, Cass	Schwartz
Bubel	Johnson, Richland	Schmalenberger
Bureau	Johnson, Rolette	Sellens
Bymers	Kolpin	Severson
Callahan	Langley	Sharpe
Dalzell	Larson, Ward	Shure
Devlin	Larson, Wells	Stair
Drovdal	Leet	Starck
Ekren	Levin	Stormon
Falconer	Lunde	Twichell
Fitch	McInnes	Tuff
Fleck	Manstrom	Wambheim
Fraser	Moe	Welder
Fuglestad	Mollet	Welk
Gackle	Monson	Westby
Gainor	Morland	Williams, Richland
Graham	Morrison	Williams, Stutsm'n
Haag	Myers	Wolf, McIntosh
Halcerow	Nystrom	Mr. Speaker
Haugen	Olson, Barnes	

Absent and not voting:

Allen, Grand Forks	Crockett	Ohnstad
Belzer	Dahlen	Rohde
Bjella	Forseth	Rohrer
Blair	Halvorson	Schnell
Boulden	Lillehaugen	Sticka
Carlson	Marks	Williams, Sargent
Coghlan	Mittag	Wolf, Morton
Collette	Mortenson	Nelson

So the Resolution was adopted.

Rep. Dalzell moved that the vote by which House Concurrent Resolution "1-H" was passed be reconsidered and the

motion to reconsider be laid on the table, which motion prevailed.

Rep. Saumur moved that the rules be suspended and House Concurrent Resolution "1-I" be placed on second reading and final passage, which motion prevailed.

Rep. Saumur moved that the House adopt House Concurrent Resolution "1-I" by a rising vote, and the Resolution was so adopted.

Rep. Bergesen moved that the rules be suspended and that all Bills and Resolutions passed by the House be immediately messaged to the Senate, which motion prevailed.

#### MESSAGE TO THE SENATE

House of Representatives  
Bismarck, March 4, 1943

Mr. President: I have the honor to transmit:

House Concurrent Resolution "1-F." A Resolution Providing for a Compilation and Complete Record in Pamphlet Form of Action Taken on Bills Introduced in the House and Senate of the Twenty-eighth Legislative Assembly.

House Concurrent Resolution "1-G." A Resolution Providing for Indexing of the Senate and House Journals of the Twenty-eighth Legislative Assembly.

House Concurrent Resolution "1-H". A Resolution Providing for Mailing and Proofreading of Senate and House Journals of the Last Days of Twenty-eighth Legislative Assembly.

House Concurrent Resolution "1-I." A Resolution Expressing Affection to the Men and Officers of the 164th Infantry for Their Achievements, and All Other Men and Women of North Dakota Engaged in Military Service of Our Country.

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

W. M. SMART, Chief Clerk.

#### CONSIDERATION OF MESSAGES FROM THE HOUSE

Amendments to House Bill No. 9.

In the title of the engrossed bill, after the word "foxes" insert the following: "; and declaring an emergency."

Under Section 1 in line 3, strike out the figures "\$45,000.00" and insert the figures "\$35,000.00" in lieu thereof.

After line 12 insert Section 2 to read as follows:

"Section 2. EMERGENCY.) This act is hereby declared to be an emergency measure and shall be in full force and effect from and after its passage and approval." and number these lines.

Rep. Aker moved that the House do concur in Senate amendments to House Bill No. 9.

Rep. Jennings offered as a substitute motion that the House do not concur in the Senate amendments to House Bill No. 9, which motion prevailed.

Rep. Jennings moved that a Conference Committee be appointed on House Bill No. 9, which motion prevailed.

The Speaker appointed on the Conference Committee Reps. Storman, Starck and Bymers.



Amendment to House Bill No. 33.

In the engrossed bill, under Section 1 in line 3, strike out the figures "\$247,300.00" and insert the figures "\$247,900.00" in lieu thereof.

Under Section 1 in line 8, strike out the figures "\$5,000.00" and insert the figures "\$5,400.00" in lieu thereof.

Under Section 1 in line 19, strike out the figures "\$600.00" and insert the figures "\$800.00" in lieu thereof.

Under Section 1 in line 22 for the total, strike out the figures "\$247,300.00" and insert the figures "\$247,900.00" in lieu thereof.

Rep. Aker moved that the House do concur in the Senate amendments to House Bill No. 33, which motion prevailed.

Rep. Aker moved that the rules be suspended and that House Bill No. 33 be considered properly engrossed and placed on second reading and final passage, which motion prevailed.

#### SECOND READING OF HOUSE BILLS

House Bill No. 33. 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, 74; nays, 2; absent and not voting, 37.

Those voting in the affirmative were:

Aker	Fuglestad	Mortenson
Allen, Pierce	Gainor	Myers
Anderson	Graham	Nelson
Arndt	Halcrow	Nystrom
Bagge	Haugen	Olson, Bowman
Bauer	Heckman	Ohnstad
Baumgartner	Hegge	Ostgulen
Benno	Hofstrand	Peterson, Ransom
Bergesen	Hogoboom	Pyle
Bolmeier	Holm	Rettke
Boulden	Iszler	Saumur
Braun	Jennings	Schwartz
Bubel	Johnson, Cass	Schmalenberger
Bymers	Johnson, Rolette	Sharpe
Callahan	Kolpin	Shure
Coghlan	Langley	Starck
Dahlen	Larson, Ward	Twichell
Dalzell	Larson, Wells	Tuff
Devlin	Leet	Wambheim
Drovdal	Lunde	Welk
Ekren	Manstrom	Westby
Falconer	Moe	Williams, Stutsm'n
Fitch	Monson	Wolf, McIntosh
Fleck	Morland	Mr. Speaker
Fraser	Morrison	
Those voting in the negative were:		
Rohde	Sandness	
Absent and not voting:		
Allen, Grand Forks	Hildre	Runck
Belzer	Hovey	Sailer
Bjella	Johnson, Richland	Schnell

Blair	Levin	Sellens
Burau	Lillehaugen	Severson
Carlson	McInnes	Stair
Collette	Marks	Sticka
Crockett	Mittag	Stormon
Forseth	Mollet	Welder
Gackle	Olson, Barnes	Williams, Richland
Haag	Peterson, Bottina'u	Williams, Sargent
Halvorson	Rohrer	Wolf, Morton
Haugland		

So the bill passed as amended and the title was agreed to.

Amendment to House Bill No. 228.

In line 15, after the word "year" and the comma, insert the following language: "except as may be otherwise provided by city ordinance".

Rep. Wolf of McIntosh moved that the House do concur in the Senate amendments to House Bill No. 228, which motion prevailed.

Rep. Wolf of McIntosh moved that the rules be suspended and that House Bill No. 228 be considered properly engrossed and placed on second reading and final passage, which motion prevailed.

House Bill No. 228. A Bill for an Act Permitting Counties, Cities, Villages and Townships to Lease and Permit the Use of Public Buildings for Other Than Public Purposes, and Declaring an Emergency.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 80; nays, 0; absent and not voting, 33.

Those voting in the affirmative were:

Aker	Halcrow	Nystrom
Allen, Pierce	Haugen	Olson, Bowman
Anderson	Heckman	Ohnstad
Arndt	Hegge	Ostgulen
Bagge	Hildre	Peterson, Bottina'u
Bauer	Hofstrand	Peterson, Ransom
Baumgartner	Hogoboom	Pyle
Bergesen	Holm	Rettke
Blair	Hovey	Rohde
Bolmeier	Iszler	Sailer
Braun	Jennings	Sandness
Bubel	Johnson, Cass	Schwartz
Burau	Johnson, Rolette	Schmalenberger
Bymers	Kolpin	Sellens
Callahan	Langley	Sharpe
Crockett	Larson, Ward	Shure
Dalzell	Larson, Wells	Starck
Devlin	Leet	Twichell
Drovdal	Lunde	Tuff
Ekren	McInnes	Wambheim
Falconer	Manstrom	Welk
Fitch	Monson	Westby
Fleck	Morland	Williams, Sargent
Fraser	Morrison	Williams, Stutsm'n
Gainor	Mortenson	Wolf, McIntosh
Graham	Myers	Mr. Speaker
Haag	Nelson	

## Absent and not voting:

Allen, Grand Forks	Gackle	Rohrer
Belzer	Halvorson	Runck
Benno	Haugland	Schnell
Bjella	Johnson, Richland	Saumur
Boulden	Levin	Severson
Carlson	Lillehaugen	Stair
Coghlan	Marks	Sticka
Collette	Mittag	Stormon
Dahlen	Moe	Welder
Forseth	Mollet	Williams, Richland
Fuglestad	Olson, Barnes	Wolf, Morton

So the bill passed as amended and the title was agreed to.

Amendments to House Bill No. 245.

In the title of the printed bill following the last word, "limitations", strike out the period and insert in lieu thereof a comma and add the following: "and removing the salary limitation provided for in sub-section 4b of Section 3 of Chapter 286 of the Session Laws of North Dakota for 1935."

In line 6 following the word "limitations", strike out the word "may" and insert in lieu thereof the word "shall".

At the end of line 9 strike out the period, insert in lieu thereof a comma and add the following "or the amount appropriated by the legislature." and following the word "legislature" insert the following sentence: "Provided, that the salary limit provided for in Sub-section 4b of Section 3 of Chapter 286 of the Session Laws of North Dakota for the year 1935 is likewise removed." and number lines accordingly.

Rep. Graham moved that the House do concur in the Senate amendments to House Bill No. 245, which motion prevailed.

Rep. Graham moved that the rules be suspended and that House Bill No. 245 be considered properly engrossed and placed on second reading and final passage, which motion prevailed.

House Bill No. 245. A Bill for an Act Suspending the Operation of Section 1 of Chapter 196 of the Session Laws of North Dakota for 1933 During the Biennium Beginning July 1, 1943 and Ending June 30, 1945, and Limiting Salary Increases to 25% of the Existing Limitations.

Was read the second time.

## ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 85; nays, 4; absent and not voting, 24.

Those voting in the affirmative were:

Aker	Gainor	Nystrom
Allen, Grand Forks	Graham	Olson, Barnes
Allen, Pierce	Halcrow	Olson, Bowman
Anderson	Haugen	Ohnstad
Arndt	Haugland	Ostgulen
Bagge	Heckman	Peterson, Bottin'au
Bauer	Hegge	Peterson, Ransom
Baumgartner	Hildre	Pyle
Bergesen	Hofstrand	Rettke
Blair	Hogoboom	Sailer
Bolmeier	Holm	Sandness

Boulden	Hovey	Schwartz
Braun	Iszler	Schmalenberger
Bubel	Jennings	Schnell
Bureau	Kolpin	Sellens
Bymers	Langley	Severson
Callahan	Larson, Ward	Sharpe
Carlson	Larson, Wells	Sticka
Collette	Leet	Starck
Dalzell	Lillehaugen	Stormon
Devlin	Lunde	Tuff
Drovdal	Manstrom	Wambheim
Ekren	Mittag	Welk
Falconer	Monson	Westby
Fitch	Morland	Williams, Sargent
Fleck	Morrison	Williams, Stuts'm'n
Fraser	Mortenson	Wolf, McIntosh
Fuglestad	Nelson	Wolf, Morton
Gackle		

Those voting in the negative were:

Crockett	Shure	Mr. Speaker
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Myers

Absent and not voting:

Belzer	Johnson, Cass	Rohde
Benno	Johnson, Richland	Rohrer
Bjella	Johnson, Rolette	Runck
Coghlan	Levin	Saumur
Dahlen	McInnes	Stair
Forseth	Marks	Twichell
Haag	Moe	Welder
Halvorson	Mollet	Williams, Richland

So the bill passed as amended and the title was agreed to.

Amendment to House Concurrent Resolution "G."

In line 4 strike out the word "objection" and insert in lieu thereof the word "rejection".

Rep. Hofstrand moved that the House do concur in Senate amendments to House Concurrent Resolution "G," which motion prevailed.

Rep. Bubel moved that the rules be suspended and that House Concurrent Resolution "G" be considered properly engrossed and placed on second reading and final passage at this time, which motion prevailed.

House Concurrent Resolution "G." A Concurrent Resolution Providing for the Amendment of the Constitution of the State of North Dakota. Creating a State Equalization Fund, and Providing for a State Tax Levy for School Purposes.

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, 90; nays, 0; absent and not voting, 23.

Those voting in the affirmative were:

Aker	Gainor	Olson, Bowman
Allen, Pierce	Halcrow	Ohnstad
Anderson	Haugen	Ostgulen
Bagge	Haugland	Peterson, Ransom
Bauer	Heckman	Pyle
Baumgartner	Hegge	Rettko
Bergesen	Hildre	Rohrer

Blair	Hofstrand	Sailer
Bolmeier	Hogoboom	Sandness
Boulden	Hovey	Saumur
Braun	Iszler	Schwartz
Bubel	Jennings	Schmalenberger
Burau	Kolpin	Schnell
Bymers	Langley	Sellens
Callahan	Larson, Ward	Severson
Carlson	Larson, Wells	Sharpe
Coghlan	Leet	Starck
Collette	Lillehaugen	Sticka
Crockett	Lunde	Twichell
Dahlen	Manstrom	Tuff
Dalzell	Marks	Wambheim
Devlin	Mittag	Welder
Drovdal	Monson	Welk
Ekren	Morland	Westby
Falconer	Morrison	Williams, Richland
Fitch	Mortenson	Williams, Sargent
Fleck	Myers	Williams, Stutsm'n
Fraser	Nelson	Wolf, McIntosh
Fuglestad	Nystrom	Wolf, Morton
Gackle	Olson, Barnes	Mr. Speaker
Absent and not voting:		
Allen, Grand Forks	Halvorson	Mollet
Arndt	Holm	Peterson, Bottina'u
Belzer	Johnson, Cass	Rohde
Benno	Johnson, Richland	Runk
Bjella	Johnson, Rolette	Shure
Forseth	Levin	Stair
Graham	McInnes	Stormon
Haag	Moe	

So the resolution passed as amended and the title was agreed to.

#### MESSAGE TO THE SENATE

House of Representatives,  
Bismarck, March 4, 1943.

Mr. President: I have the honor to inform you that the House has refused to concur in the Senate amendment to House Bill No. 9 and the Speaker has appointed as a Conference Committee Reps. Stormon, Starck and Bymers.

Very respectfully,

W. M. SMART, Chief Clerk.

#### HOUSE COMMITTEE ON ENROLLMENT AND ENGROSSMENT

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

House Bill No. 68.  
House Bill No. 148.  
House Bill No. 174.  
House Bill No. 188.  
House Bill No. 243.  
House Bill No. 250.

Memorial Resolution (Dr. A. O. Arneson).

And find the same correctly Enrolled.

REP. MORLAND, Chairman.

Rep. Moe moved that the report be adopted, which motion prevailed and the report was adopted.

HOUSE COMMITTEE ON ENROLLMENT AND  
ENGROSSMENT

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

House Bill No. 252.

And find the same correctly Enrolled.

REP. MORLAND, Chairman.

Rep. Bjella moved that the report be adopted, which motion prevailed, and the report was adopted.

HOUSE COMMITTEE ON ENROLLMENT AND  
ENGROSSMENT

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

House Bill No. 78.

House Bill No. 153.

House Bill No. 171.

House Bill No. 175.

And find the same correctly Engrossed.

REP. MORLAND, Chairman.

Rep. Ekren moved that the report be adopted, which motion prevailed, and the report was adopted.

HOUSE COMMITTEE ON ENROLLMENT AND  
ENGROSSMENT

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

House Concurrent Resolution "R."

Memorial Resolution, Dr. A. O. Arneson.

And find the same correctly Engrossed.

REP. MORLAND, Chairman.

Rep. Stair moved that the report be adopted, which motion prevailed, and the report was adopted.

Rep. Starck moved that the House recess until 1:25 o'clock p. m., which motion prevailed and the House stood recessed.

The House reconvened at 1:25 o'clock p. m., pursuant to recess taken, Speaker Beede presiding.

The Speaker announced the House would be on the fifth order of business.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: Your Committee on Judiciary to whom was referred Senate Concurrent Resolution "1-H," have had the same under consideration and recommend that the same do pass.

REP. OHNSTAD, Chairman.

Rep. Shure moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on School and Public Lands to whom was referred Senate Bill No. 208 have had the same under consideration and recommend that the same be amended as follows:

Strike out everything after "A Bill" and insert the following:

"For an Act to amend and re-enact sub-section 1 of Section 1 of Chapter 252 of the Session Laws of North Dakota for 1941, relating to the manner of sale of lands belonging to the permanent school or institutional funds but not a part of the Federal Grant Lands.

**BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF NORTH DAKOTA:**

SECTION 1. That sub-section 1 of Section 1 of Chapter 252 of the Session Laws of 1941 be and the same is hereby amended and re-enacted to read as follows:

(1) Manner of Sale:

(a) All such lands shall be appraised by the Commissioner of University and School Lands or his deputy or representatives, such appraisal to be approved by the Board of University and School Lands and shall be sold for not less than the appraised value and not less than the amount of the permanent school funds invested therein to the highest bidder at public sale conducted at the front door of the Court House in the county seat of the county wherein the lands to be sold lie between the hours of nine (9) o'clock in the forenoon and four (4) o'clock in the afternoon.

(b) If the mortgagor or former owner from whom the lands were acquired or his widow or one or more of his lineal descendants, who in all cases must be a bona fide farmer residing upon the land, not less than three days prior to a public sale of such land, shall make a bona fide offer to repurchase such lands at a price not less than the combined amounts of the original unpaid loan plus costs paid by the state and interest unpaid at the time the state acquired title to such lands, the Board of University and School Lands shall resell any of such lands to any such bona fide applicant at such sale upon the terms and conditions provided for in this chapter except that upon such private sale the cash payment shall be not less than twenty per cent of the sale price."

And renumber the lines.

And when so amended recommend the same do pass.

REP. ANDERSON, Chairman.

Rep. Belzer moved that the report be adopted, which motion prevailed and the report was adopted.

**MESSAGE FROM THE SENATE**

Senate Chamber  
Bismarck, March 4, 1943.

Mr. Speaker: I have the honor to return:

House Bill No. 90. A Bill for an Act to Amend and Re-enact Section 7 of Chapter 297 of the Session Laws of North Dakota for 1941, Relating to the Confidential Character of Birth Records, and Who May Inspect the Same and to Whom Information Concerning the Same May Be Given.

House Bill No. 147. A Bill for an Act to Amend and Re-enact Sections 2 and 6 of Chapter 217 of the Session Laws of North Dakota for the Year 1941 to Extend the Time in Which the Development of Projects May Be Initiated Thereunder.

House Bill No. 165. A Bill for an Act to Amend and Re-enact Section 2486 of the 1925 Supplement Relating to Repairs of Existing Drains; and Providing for the Abandonment and Dissolution Thereof.

House Bill No. 198. A Bill for an Act Authorizing and

permitting the Payment and Discharge of Delinquent Estate Taxes Where Such Estate Is of an Appraised Value of Less Than \$30,000.00 and Consists of at Least Two-Thirds in Value of Agricultural Lands and Farm Equipment and Livestock, or Products on Such Lands, and Where Such Estate Tax Shall Have Been Due and Payable Since Prior to July 1, 1939, by the Payment of the Principal of Such Original Estate Tax, With One Percent Per Annum Penalty Thereon from Date Such Estate Tax Became Due, and Declaring an Emergency.

House Bill No. 37. 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. 72. A Bill for an Act Authorizing School Districts to Set Up and Maintain a Special Reserve Fund; Providing for the Expenditures Which May Be Made from Said Special Reserve Fund, Providing for the Transfer of Present Funds Into a Special Reserve Fund; and Authorizing a Three Mill Tax Levy for the Establishment and Maintenance of Said Special Reserve Fund; Repealing All Acts or Parts of Acts in Conflict; and Declaring an Emergency.

House Bill No. 77. A Bill for an Act Making an Appropriation Into the "Administrative Fund" for the State Water Conservation Commission for General Administration Expenses, Maintenance of Existing Dams and Drainage Channels, Construction of Needed Drainage Channels, Planning and Surveying Projects, and Expenses of State Compacts.

House Concurrent Resolution "O." A Concurrent Resolution for an Amendment to the Constitution of the State of North Dakota Permitting Liquor Stores.

- Which the Senate has passed unchanged.

W. J. TROUT, Secretary.

#### SECOND READING OF SENATE BILLS

Rep. Morland moved that further action on Senate Bill No. 163 be indefinitely postponed, which motion prevailed.

Division was asked for and revealed 61 voting for and 31 against, so the motion prevailed and Senate Bill No. 163 was indefinitely postponed.

Rep. Moe moved that the vote by which Senate Bill No. 163 was indefinitely postponed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senate Bill No. 114. A Bill for an Act to Amend and Re-enact Section 17 of Chapter 71 of the Session Laws of North Dakota for the Year 1933, Requiring the State Examiner to Prescribe a System of Uniform Accounting for County Officers, Making an Appropriation Therefore 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, 106; nays, 0; absent and not voting, 7.

Those voting in the affirmative were:

Aker	Haag	Nystrom
Allen, Grand Forks	Halcrow	Olson, Barnes
Allen, Pierce	Halvorson	Olson, Bowman



Anderson	Haugen	Ohnstad
Arndt	Haugland	Ostgulen
Bagge	Heckman	Peterson, Bottin'au
Bauer	Hegge	Peterson, Ransom
Baumgartner	Hildre	Pyle
Belzer	Hofstrand	Rettke
Bergesen	Hogoboom	Rohde
Bjella	Holm	Rohrer
Blair	Hovey	Runck
Bolmeier	Iszler	Sailer
Boulden	Jennings	Sandness
Braun	Johnson, Cass	Saumur
Bubel	Johnson, Richland	Schwartz
Burau	Johnson, Rolette	Schmalenberger
Callahan	Koplin	Schnell
Carlson	Langley	Sellens
Coghlan	Larson, Ward	Severson
Collette	Larson, Wells	Shure
Crockett	Levin	Starck
Dahlen	Leet	Sticka
Dalzell	Lunde	Stormon
Devlin	McInnes	Twichell
Drovdal	Manstrom	Wambheim
Ekren	Marks	Welder
Falconer	Moe	Welk
Fitch	Mollet	Westby
Fleck	Monson	Williams, Richland
Forseth	Morland	Williams, Sargent
Fraser	Morrison	Williams, Stutsm'n
Fuglestad	Mortenson	Wolf, McIntosh
Gackle	Myers	Wolf, Morton
Gainor	Nelson	Mr. Speaker
Graham		
Absent and not voting:		
Benno	Mittag	Stair
Bymers	Sharpe	Tuff
Lillehaugen		

So the bill passed as amended and the title was agreed to.

Senate Bill No. 113. A Bill for an Act to Amend and Re-enact Section 2174 (a) and (b) of the Compiled Laws of North Dakota for 1913 as Amended by Chapter 242 of the Session Laws of 1929, Relating to Delinquent Personal Taxes and Repealing Section 2174 (c) of the Compiled Laws of North Dakota for 1913 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, 106; nays, 2; absent and not voting, 5.

Those voting in the affirmative were:

Aker	Halcrow	Nystrom
Allen, Pierce	Halvorson	Olson, Barnes
Anderson	Haugen	Olson, Bowman
Arndt	Haugland	Ohnstad
Bagge	Heckman	Ostgulen
Bauer	Hegge	Peterson, Bottin'au
Baumgartner	Hildre	Peterson, Ransom

Belzer	Hofstrand	Pyle
Bergesen	Hogoboom	Rettke
Bjella	Holm	Rohde
Blair	Hovey	Rohrer
Bolmeier	Iszler	Runk
Boulden	Jenninø's	Sailer
Braun	Johnson, Cass	Sandness
Bubel	Johnson, Richland	Saumur
Bureau	Johnson, Rolette	Schwartz
Callahan	Kolpin	Schmalenberger
Carlson	Langley	Sellens
Coghlan	Larson, Ward	Severson
Collette	Larson, Wells	Sharpe
Crockett	Leet	Shure
Dahlen	Levin	Starck
Dalzell	Lillehaugen	Sticka
Devlin	Lunde	Stormon
Drovdal	McInnes	Twichell
Ekren	Manstrom	Wambheim
Falconer	Marks	Welder
Fitch	Mittag	Welk
Fleck	Moe	Westby
Forseth	Mollet	Williams, Richland
Fraser	Monson	Williams, Sargent
Fuglestad	Morland	Williams, Stutsm'n
Gackle	Morrison	Wolf, McIntosh
Gainor	Mortenson	Wolf, Morton
Graham	Nelson	Mr. Speaker

Those voting in the negative were:  
Myers Stair

Absent and not voting:

Allen, Grand Forks	Bymers	Tuff
Benno	Schnell	

So the bill passed as amended and the title was agreed to.

Senate Bill No. 124. A Bill for an Act to Amend and Re-enact Sections 3790 and 3802 of the Compiled Laws of North Dakota for the Year 1913, Relating to Salaries of Members of the Board of City Commissioners.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 99; nays, 9; absent and not voting, 5.

Those voting in the affirmative were:

Aker	Graham	Nelson
Allen, Pierce	Haag	Nystrom
Anderson	Halcrow	Olson, Barnes
Arndt	Halvorson	Olson, Bowman
Bagge	Haugen	Ohnstad
Bauer	Haugland	Ostgulen
Baumgartner	Heckman	Peterson, Bottin'au
Belzer	Hegge	Peterson, Ransom
Benno	Hildre	Rettke
Bergesen	Hofstrand	Rohrer
Blair	Hogoboom	Runk
Boulden	Holm	Sailer
Braun	Hovey	Sandness
Bubel	Iszler	Saumur

Burau	Jennings	Schwartz
Callahan	Johnson, Cass	Schmalenberger
Carlson	Johnson, Richland	Sellens
Coghlan	Johnson, Rolette	Severson
Collette	Kolpin	Sharpe
Crockett	Langley	Shure
Dahlen	Larson, Ward	Starck
Dalzell	Larson, Wells	Sticka
Devlin	Leet	Stormon
Drovdal	Levin	Twichell
Ekren	Lillehaugen	Wambheim
Falconer	Lunde	Welder
Fitch	McInnes	Welk
Fleck	Manstrom	Westby
Forseth	Marks	Williams, Richland
Fraser	Mittag	Williams, Sargent
Fuglestad	Monson	Williams, Stutsm'n
Gackle	Morland	Wolf, McIntosh
Gainor	Mortenson	Wolf, Morton
Those voting in the	negative were:	
Bolmeier	Morrison	Rohde
Moe	Myers	Stair
Mollet	Pyle	Mr. Speaker
Absent and not voting:		
Allen, Grand Forks	Bymers	Tuff
Bjella	Schnell	

So the bill passed as amended and the title was agreed to.

Senate Bill No. 173. A Bill for an Act Authorizing and Relating to Contracts by Certain Cities and Villages for Obtaining a Supply of Water for Public and Domestic Uses. Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 70; nays, 35; absent and not voting, 8.

Those voting in the affirmative were:

Allen, Grand Forks	Hogoboom	Ostgulen
Allen, Pierce	Holm	Peterson, Bottin'au
Bennp	Hovey	Peterson, Ransom
Bergesen	Iszler	Pyle
Bolmeier	Jennings	Rohrer
Braun,	Johnson, Cass	Runck
Bubel	Johnson, Richland	Sailer
Burau	Johnson, Rolette	Sandness
Callahan	Kolpin	Schwartz
Carlson	Langley	Schmalenberger
Collette	Levin	Sellens
Dalzell	Lillehaugen	Severson
Drovdal	Lunde	Sharpe
Falconer	McInnes	Shure
Gackle	Manstrom	Stair
Gainor	Marks	Sticka
Graham	Mittag	Stormon
Halcrow	Moe	Twichell
Haugen	Mortenson	Wambheim
Haugland	Nelson	Westby
Heckman	Nystrom	Williams, Stutsm'n
Hegge	Olson, Barnes	Wolf, Morton

Hildre	Ohnstad	Mr. Speaker
Hofstrand		
Those voting in the	negative were:	
Aker	Ekren	Morrison
Anderson	Fleck	Myers
Arndt	Forseth	Olson, Bowman
Bagge	Fraser	Rettke
Bauer	Fuglestad	Rohde
Baumgartner	Haag	Starck
Belzer	Larson, Ward	Welder
Blair	Larson, Wells	Welk
Coghlan	Leet	Williams, Richland
Crockett	Mollet	Williams, Sargent
Dahlen	Monson	Wolf, McIntosh
Devlin	Morland	
Absent and not voting:		
Bjella	Fitch	Schnell
Boulden	Halvorson	Tuff
Bymers	Saumur	

So the bill passed as amended and the title was agreed to.

Rep. Johnson of Richland moved that the vote by which Senate Bill No. 173 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senate Bill No. 144. A Bill for an Act to Amend and Re-enact Section 11 of Chapter 159 of the Session Laws of North Dakota for 1927 as Amended by Chapter 174 of the Session Laws of North Dakota for 1941, Relating to the Department of State Highways.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 107; nays, 1; absent and not voting, 5.

Those voting in the affirmative were:

Aker	Halcrow	Olson, Barnes
Allen, Grand Forks	Halvorson	Olson, Bowman
Allen, Pierce	Haugen	Ohnstad
Anderson	Haugland	Ostgulen
Arndt	Heckman	Peterson, Bottin'au
Bagge	Hegge	Peterson, Ransom
Bauer	Hildre	Pyle
Baumgartner	Hofstrand	Rettke
Belzer	Hogoboom	Rohde
Benno	Holm	Rohrer
Bergesen	Hovey	Runck
Blair	Iszler	Sailer
Bolmeier	Jennings	Sandness
Braun	Johnson, Cass	Saumur
Bubel	Johnson, Richland	Schwartz
Burau	Johnson, Rolette	Schmalenberger
Bymers	Kolpin	Sellens
Callahan	Langley	Severson
Carlson	Larson, Ward	Sharpe
Coghlan	Larson, Wells	Shure
Collette	Leet	Stair
Crockett	Levin	Starck
Dahlen	Lillehaugen	Sticka
Dalzell	Lunde	Stormon
Devlin	McInnes	Twichell

Drovdal	Manstrom	Wambheim
Falconer	Marks	Welder
Fitch	Mittag	Welk
Fleck	Moe	Westby
Forseth	Mollet	Williams, Richland
Fraser	Monson	Williams, Sargent
Fuglestad	Morland	Williams, Stutsm'n
Gackle	Morrison	Wolf, McIntosh
Gainor	Mortenson	Wolf, Morton
Graham	Nelson	Mr. Speaker
Haag	Nystrom	

Those voting in the negative were:

Myers

Absent and not voting:

Bjella

Ekren

Tuff

Boulden

Schnell

So the bill passed as amended and the title was agreed to.

Rep. Arndt moved that the absent members be excused, which motion prevailed.

#### REPORTS OF STANDING COMMITTEES

Mr. Speaker: Your Committee on Appropriations to whom was referred Senate Bill No. 169, have had the same under consideration and recommend that the same be amended as follows:

Strike out lines 8 to 15, inclusive in their entirety and insert the following in lieu thereof:

"8 SECTION 2. APPROPRIATION.) There is hereby  
9 appropriated out of any monies in the State Treasury  
9a belong-  
10 ing to the Mill and Elevator fund, the sum of \$50,000.00,  
10a or  
11 so much thereof as may be needed for the purpose of  
11a establishing,  
12 operating and maintaining a soy bean and flax seed  
12a processing  
13 plant and storage facilities at the State Mill and Elevator,  
14 to be used and expended, for the purposes of aforesaid,  
14a by the  
15 manager of said State Mill and Elevator under the  
15a direction of  
16 the Industrial Commission."

And when so amended recommend the same do pass.

REP. JOHNSON OF CASS, Chairman.

Rep. Marks moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: 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:

Add the following Section:

"16 Section 2. Appropriation herein provided insofar  
17 as it is used for postage may be expended only on the  
18 direction of the Board of Administration, pursuant to  
19 the rules and regulations provided for in Chapter 214,  
20 Session Laws of 1941."

And when so amended recommend the same do pass.

REP. JOHNSON OF CASS, Chairman.

Rep. Johnson of Richland moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: 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:

Line 3—Strike out the figures "\$183,675.00" and insert the figures "\$189,441.00" in lieu thereof.

Line 10—Strike out the figures "\$49,375.00" and insert the figures "\$48,141.00" in lieu thereof.

Line 12—Strike out the figures "\$20,000.00" and insert the figures "\$22,000.00" in lieu thereof.

Line 15—Strike out the figures "\$20,000.00" and insert the figures "\$25,000.00" in lieu thereof.

Line 22—Strike out the figures "\$183,675.00" and insert the figures "\$189,441.00" in lieu thereof.

Add the following Section:

"23 Section 2. Appropriation herein provided insofar  
24 as it is used for postage may be expended only on the  
25 direction of the Board of Administration, pursuant to  
26 the rules and regulations provided for in Chapter 214,  
27 Session Laws of 1941".

And when so amended recommend the same do pass.

REP. JOHNSON OF CASS, Chairman.

Rep. Bjella moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: 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:

Line 4—Strike out the figures "\$400,000.00" and insert the figures "\$650,000.00" in lieu thereof.

Line 24—Strike out the figures "\$400,000.00" and insert the figures "\$650,000.00" in lieu thereof.

Line 25—Strike out the figures "\$27,350.00" and insert the figures "\$34,700.00" in lieu thereof.

Line 35—Strike out the figures "\$20,000.00" and insert the figures "\$25,000.00" in lieu thereof.

Line 38—Strike out the figures "\$600.00" and insert the figures "\$1,000.00" in lieu thereof.

Line 39—Strike out the figures "\$1,500.00" and insert the figures "\$4,000.00" in lieu thereof.

Line 43—Strike out the figures "\$250.00" and insert the figures "\$200.00" in lieu thereof.

Line 45—Strike out the figures "\$2,000.00" and insert the figures "\$1,500.00" in lieu thereof.

Line 46—Strike out the figures "\$27,350.00" and insert the figures "\$34,700.00" in lieu thereof.

And when so amended recommend the same do pass.

REP. JOHNSON OF CASS, Chairman.

Rep. Olson of Barnes moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: 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.

REP. JOHNSON OF CASS, Chairman.

Rep. Collette moved that the report be adopted, which motion prevailed and the report was adopted.

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

REP. JOHNSON OF CASS, Chairman.

Rep. Olson of Barnes moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Appropriations to whom was referred Senate Bill No. 95, have had the same under consideration and recommend that the same do pass.

REP. JOHNSON OF CASS, Chairman.

Rep. Allen of Grand Forks moved that the report be adopted, which motion prevailed and the report was adopted.

Rep. Bergesen moved that any bill which is not reported in by ten o'clock tomorrow morning be considered in General Orders and be acted upon in General Orders on that day, and any bills reported in by ten o'clock tomorrow be also considered in General Orders on the same legislative day, which motion prevailed.

Rep. Morland moved that the House do now adjourn, which motion prevailed.

W. M. SMART, Chief Clerk.

#### FIFTY-NINTH DAY

Bismarck, March 4, 1943

The House convened pursuant to adjournment, Speaker Beede presiding.

Prayer was offered by Rev. T. W. Tysdale.

Roll call: All members present.

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

Mr. Speaker: Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the fifty-seventh day after recess and the fifty-eighth day and recommends that the same be corrected as follows:

In line 40 on page 904 change "passed" to "indefinitely postponed."

In lines 8 and 11 on page 910 after the words "moved" on each line insert "that the rules be suspended and".

And when so corrected recommends that the same be approved.

REP. WELDER, Chairman.

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

#### PETITIONS AND COMMUNICATIONS

#### CITY OF BISMARCK

North Dakota

March 3rd, 1943

Hon. Ralph Beede  
Speaker of House  
Legislative Assembly  
Bismarck, North Dakota.

Dear Sir:

My attention has been called to the recent article in the daily press, in which it was proposed to start a movement for the collection of "Bundles for Legislators".

As Mayor of the City of Bismarck, I regret exceedingly

that this should have occurred during your stay in our city, and that this allegedly humorous idea has been given the wide publicity which was given it.

I assure you that the people of the city of Bismarck have, as always, enjoyed your stay with us, and that the vast majority of our citizens feel that the present session of the Legislative Assembly has done a very fine piece of work.

I am sure that the boys of North Dakota, who are in the service of their country, giving their all to preserve those things which we, as Americans, hold dear, will appreciate what this session has attempted to do for them. It is regrettable that some individuals in the name of humor, have tried to belittle the fine work that has been done. I want you to know that the ideas expressed by such individuals is not the feeling of the people of this community.

Very respectfully,

N. O. CHURCHILL, Mayor

Rep. Fleck moved the letter from the Mayor of Bismarck be printed in the Journal, which motion prevailed.

A Resolution which had been presented at the desk was read.

Rep. Twichell moved that the resolution just read from the desk be placed in the wastepaper basket, which motion prevailed.

#### MESSAGE FROM THE SENATE

Senate Chamber

Bismarck, March 4, 1943.

Mr. Speaker: I have the honor to return:

House Bill No. 27. 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. 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. 43. A Bill for an Act Providing for a Transfer of Certain School Land Situated in Bowman County, North Dakota, to the Game and Fish Commission of the State of North Dakota, to Be Used and Maintained Under the Direction of the Game and Fish Commission as a Public Park for Recreation Purposes, and Providing for an Appropriation to Reimburse the Permanent School Fund of the State of North Dakota; and Declaring an Emergency.

House Bill No. 85. A Bill for an Act Making an Appropriation to Pay for a Portion of the Current Operating Expenses of Our Public School System as Provided in the State Equalization Fund Law.

House Bill No. 94. A Bill for an Act Creating a Veteran's Aid Commission, Specifying Its Powers and Duties; and Appropriating the Sum of \$100,000 as a Veteran's Aid Fund and Providing for the Manner of Its Use and Defining Those Entitled to Aid from Such Fund, and Declaring an Emergency.

House Bill No. 119. A Bill for an Act to Amend and Re-enact Sections 189b3, 189b5, 189b9, 189b15, of the 1925 Supplement to the Compiled Laws of the State of North Dakota



for the Year 1913, as Amended by Chapter 137, Session Laws of North Dakota for 1933, Relating to the Operation of the State Hail Insurance Department, Defining the Duties of the Commissioner of Insurance, Defining the Crops to Be Insured, Relating to the Duty of Assessors, and the Indemnity to Be Paid for Hail Insurance Losses, Repealing Acts in Conflict Herewith, and Declaring an Emergency.

House Bill No. 130. A Bill for an Act to Amend and Re-enact Section 2 of Chapter 271 of the Session Laws of 1941, Relating to Tax Upon Cigarettes and Licensing Sale Thereof, and Declaring an Emergency.

House Bill No. 159. A Bill for an Act to Permit the State Food Commissioner and Chemist, With the Approval of the Governor, to Suspend by Regulation the Requirements of the Food and Drug Act, Being Article 40, Sections 2889b1 to 2889b25, Inclusive of the 1925 Supplement, as Amended by Chapter 132 of the Session Laws of North Dakota for the Year 1937, for the Duration of the Present War, and Declaring an Emergency.

House Bill No. 199. A Bill for an Act Requiring All Property of the State Be Assessed at Full and True Value in Money Subject to Correction, Abatement and Refund; Providing for Notice by County Auditor When Local Equalization Boards Meet; Annual Meetings of State Board of Equalization, and Providing for Hearing Before Such Board; Prescribing the Time for Levy of State Taxes and Fixing Rate; When Taxes Became Due and Delinquent; Penalties; Discount for Payment of Taxes Before Delinquency; Repealing Chapter 269, Laws of 1941, and All Acts or Parts of Acts in Conflict Herewith.

Which the Senate has amended.

W. J. TROUT, Secretary.

#### SECOND READING OF HOUSE BILLS

Senate Bill No. 77. A Bill for an Act Relating to the Public Health and the Control of Preventable Diseases; and to Authorize and Permit the Formation of District Health Units in the Several Counties of the State of North Dakota, Either Separately or in Conjunction and Cooperation With One or More Contiguous Counties, in Lieu of Local Health Units; to Establish and Maintain a District Board of Health to Operate in Cooperation With and Under the Direction of the State Department of Health; Providing for the Appointment of a District Board of Health, a Full Time District Health Officer and the Necessary Personnel of the District Health Unit; and, Providing for Their Compensation; and Authorizing a Levy for the Maintenance of the District Board of 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, 57; nays, 51; absent and not voting. 5.

Those voting in the affirmative were:

Aker	haag	Nelson
Bagge	Haugen	Nystrom
Bauer	Heckman	Olson, Bowman
Benno	Halcrow	Ohnstad

Bergesen	Haugland	Peterson, Ransom
Bolmeier	Hegge	Pyle
Bubel	Hildre	Rettke
Braun	Hofstrand	Rohrer
Bureau	Hovey	Runck
Bymers	Jennings	Sailer
Callahan	Johnson, Rolette	Sandness
Carlson	Kolpin	Schmalenberger
Coghlan	Larson, Ward	Schnell
Devlin	Leet	Sellens
Falcoher	Lunde	Sharpe
Fleck	McInnes	Starck
Fuglestad	Morland	Stormon
Gackle	Mortenson	Welk
Graham	Myers	Mr. Speaker
Those voting in the negative were:		
Allen, Grand Forks	Halvorson	Ostgulen
Allen, Pierce	Hogoboom	Peterson, Bottin'au
Anderson	Holm	Rohde
Arndt	Iszler	Saumur
Baumgartner	Johnson, Cass	Schwartz
Belzer	Johnson, Richland	Severson
Bjella	Larson, Wells	Shure
Blair	Langley	Stair
Collette	Levin	Sticka
Crockett	Lillehaugen	Twichell
Dahlen	Manstrom	Wambheim
Dalzell	Marks	Welder
Drovdal	Mittag	Westby
Ekren	Moe	Williams, Sargent
Fitch	Mollet	Williams, Stutsm'n
Fraser	Monson	Wolf, McIntosh
Gainor	Morrison	Wolf, Morton
Absent and not voting:		
Boulden	Olson, Barnes	Williams, Richland
Forseth	Tuff	

So the bill passed as amended and the title was agreed to.

Rep. Crockett moved that the vote by which Senate Bill No. 77 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senate Bill No. 104. A Bill for an Act to Authorize the State Highway Commissioner to Cooperate with the Public Roads Administration of the United States in the Construction and Maintenance of Flight Strips and of Certain Classes of Highways and to Acquire, by Purchase or Condemnation, Lands Required for Such Flight Strips and Highways.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 102; nays, 1; absent and not voting, 10.

Those voting in the affirmative were:

Aker	Halcrow	Myers
Allen, Grand Forks	Halvorson	Nelson
Allen, Pierce	Haugen	Nystrom
Anderson	Haugland	Olson, Bowman
Arndt	Heckman	Ohnstad
Bagge	Hegge	Ostgulen

Bauer	Hildre	Peterson, Bottin'au
Baumgartner	Hofstrand	Peterson, Ransom
Belzer	Hogoboom	Pyle
Benno	Holm	Rettke
Bergesen	Hovey	Rohrer
Bjella	Iszler	Runk
Blair	Jennings	Sailer
Bolmeier	Johnson, Cass	Sandness
Braun	Johnson, Richland	Saumur
Bubel	Johnson, Rolette	Schwartz
Burau	Kolpin	Schmalenberger
Bymers	Langley	Severson
Callahan	Larson, Ward	Sharpe
Carlson	Larson, Wells	Shure
Coghlan	Leet	Starck
Collette	Levin	Sticka
Crockett	Lillehaugen	Stormon
Dahlen	Lunde	Twichell
Devlin	McInnes	Wambheim
Drovdal	Manstrom	Welder
Ekren	Marks	Welk
Falconer	Mittag	Westby
Fitch	Moe	Williams, Richland
Fleck	Mollet	Williams, Sargent
Fraser	Monson	Williams, Stutsm'n
Fuglestad	Morland	Wolf, McIntosh
Gainor	Morrison	Wolf, Morton
Graham	Mortenson	Mr. Speaker

Those voting in the negative were:

Haag

Absent and not voting:

Boulden	Olson, Barnes	Sellens
Dalzell	Rohde	Stair
Forseth	Schnell	Tuff
Gackle		

So the bill passed as amended and the title was agreed to.

Rep. Bauer: "I wish my remarks in the Journal. I listened to the explanation of the Bill by Brother Johnson of Cass and I think he knows what he is talking about. I think it is a good Bill and I am going to vote 'Aye'."

Senate Bill No. 108. A Bill for an Act to Provide for Acting Officials in Absences Caused by Induction Into the Military Service of Incumbent Officers, and Declaring an Emergency.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 79; nays, 26; absent and not voting, 8.

Those voting in the affirmative were:

Allen, Grand Forks	Gainor	Myers
Allen, Pierce	Graham	Nelson
Arndt	Halcrow	Nystrom
Bagge	Halvorson	Olson, Bowman
Baumgartner	Haugland	Peterson, Ransom
Belzer	Heckman	Pyle

Benno	Hegge	Rohde
Bergesen	Hildre	Rohrer
Bjella	Hofstrand	Runck
Bolmeier	Hogboom	Sailer
Braun	Holm	Saumur
Burau	Hovey	Schwartz
Bymers	Johnson, Cass	Schmalenberger
Callahan	Kolpin	Sellens
Carlson	Langley	Severson
Coghlan	Larson, Ward	Sharpe
Collette	Larson, Wells	Starck
Dahlen	Leet	Sticka
Dalzell	Lillehaugen	Stormon
Devlin	Lunde	Wambheim
Ekren	McInnes	Welk
Falconer	Manstrom	Westby
Fitch	Marks	Williams, Richland
Fleck	Mollet	Williams, Sargent
Fraser	Monson	Williams, Stutsm'n
Fuglestad	Mortenson	Mr. Speaker
Gackle		

Those voting in the negative were:

Aker	Iszler	Peterson, Bottin'au
Anderson	Jennings	Rettke
Bauer	Johnson, Richland	Sandness
Blair	Johnson, Rolette	Shure
Bubel	Levin	Twichell
Crockett	Mittag	Welder
Drovdal	Moe	Wolf, McIntosh
Haag	Morrison	Wolf, Morton
Haugen	Ostgulen	

Absent and not voting:

Boulden	Olson, Barnes	Stair
Forseth	Ohnstad	Tuff
Morland	Schnell	

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

Rep. Welk moved that the vote by which Senate Bill No. 108 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Rep. Graham moved that further consideration of Senate Bill No. 203 be indefinitely postponed.

Rep. Williams of Richland seconded the motion.

Rep. Bergesen demanded a call of the House.

The Sergeant-at-Arms was instructed to permit no member to leave the House Chamber.

The roll was called and disclosed all members present except Reps. Boulden and Ohnstad.

Rep. Levin moved that the call of the House be dispensed with.

An insufficient number having seconded the request, the motion was declared lost.

Rep. Bergesen moved that the call of the House be dispensed with.

Sixty having voted in favor of the request, the call of the House was dispensed with.

## MESSAGES FROM THE SENATE

Senate Chamber

Bismarck, March 4, 1943

Mr. Speaker: I have the honor to inform you that the Senate has requested the return of House Bill No. 87.

Very respectfully,

W. J. TROUT, Secretary.

Senate Chamber

Bismarck, March 4, 1943

Mr. Speaker: I have the honor to inform you that the Senate has concurred in the House amendment to Senate Bill No. 53.

Very respectfully,

W. J. TROUT, Secretary.

Senate Chamber

Bismarck, March 4, 1943

Mr. Speaker: I have the honor to inform you that the Senate has concurred in the House amendment to Senate Bill No. 200.

Very respectfully,

W. J. TROUT, Secretary.

Senate Chamber

Bismarck, March 4, 1943

Mr. Speaker: I have the honor to inform you that the Senate has concurred in the House amendment to Senate Bill No. 67.

Very respectfully,

W. J. TROUT, Secretary.

Senate Chamber

Bismarck, March 4, 1943

Mr. Speaker: I have the honor to inform you that the Senate has concurred in the House amendment to Senate Bill No. 205.

Very respectfully,

W. J. TROUT, Secretary.

Senate Chamber

Bismarck, March 4, 1943

Mr. Speaker: I have the honor to inform you that the Senate has concurred in the House amendment to Senate Bill No. 204.

Very respectfully,

W. J. TROUT, Secretary.

Senate Chamber

Bismarck, March 4, 1943

Mr. Speaker: I have the honor to inform you that the President has appointed as a conference committee to act with a like committee from the House, on House Bill No. 189, Senators Page, Flatt and Nelson of McKenzie.

Very respectfully,

W. J. TROUT, Secretary.

Senate Chamber

Bismarck, March 4, 1943

Mr. Speaker: I have the honor to inform you that the President has appointed as a conference committee to act with a like committee from the House, on House Bill No. 244, Senators Rue, Day and Thatcher.

Very respectfully,

W. J. TROUT, Secretary.

Rep. Bergesen requested that the House be on the seventh order of business, which request was granted.

Rep. Bergesen moved that the House accede to the request of the Senate and return House Bill No. 87.

A roll call was demanded.

#### ROLL CALL

The question being on the motion of Rep. Bergesen, the roll was called and there were ayes, 55; nays, 58; absent and not voting, 0.

Those voting in the affirmative were:

Aker	Fuglestad	Morland
Allen, Grand Forks	Gackle	Nystrom
Allen, Pierce	Gainor	Olson, Barnes
Arndt	Halcrow	Peterson, Ransom
Bagge	Haugland	Pyle
Benno	Hildre	Runck
Bergesen	Hogboom	Sailer
Bjella	Holm	Sandness
Blair	Hovey	Saumur
Bolmeier	Johnson, Cass	Sellens
Boulden	Johnson, Richland	Severson
Callahan	Johnson, Rolette	Sharpe
Carlson	Langley	Shure
Coghlan	Leet	Stormon
Collette	Lunde	Twichell
Dahlen	McInnes	Wambheim
Dalzell	Manstrom	Westby
Ekren	Moe	Williams, Stutsm'n
Fleck		

Those voting in the negative were:

Anderson	Hegge	Ostgulen
Bauer	Hofstrand	Peterson, Bottin'au
Baumgartner	Iszler	Rettke
Belzer	Jennings	Rohde
Braun	Kolpin	Rohrer
Bubel	Larson, Ward	Schwartz
Burau	Larson, Wells	Schmalenberger
Bymers	Levin	Schnell
Crockett	Lillehaugen	Stair
Devlin	Marks	Starck
Drovdal	Mittag	Sticka
Falconer	Mollet	Tuff
Fitch	Monson	Welder
Forseth	Morrison	Welk
Fraser	Mortenson	Williams, Richland
Graham	Myers	Williams, Sargent
Haag	Nelson	Wolf, McIntosh
Halvorson	Olson, Bowman	Wolf, Morton
Haugen	Ohnstad	Mr. Speaker
Heckman		

So the motion was declared lost.

Rep. Graham moved that the vote by which the motion was lost be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Rep. Bergesen requested a verification, which request was granted, and disclosed 55 ayes and 58 nays.

Rep. Moe: "I vote 'Aye' on this for the reason that \$999,240.03 has already been returned of this money to the public schools in every county in this state."

The question was on the motion of Rep. Graham to indefinitely postpone Senate Bill No. 203.

Rep. Sandness moved the previous question.

The question was on the motion of Rep. Graham.

A roll call was demanded.

#### ROLL CALL

The question being on the motion of Rep. Graham, the roll was called and there were ayes, 56; nays, 57; absent and not voting, 0.

Those voting in the affirmative were:

Anderson	Hofstrand	Peterson, Bottin'au
Baumgartner	Iszler	Rettke
Belzer	Jennings	Rohde
Braun	Kolpin	Rohrer
Eubel	Larson, Ward	Schwartz
Burau	Larson, Wells	Schmalenberger
Bymers	Levin	Schnell
Crockett	Lillehaugen	Stair
Devlin	Marks	Starck
Drovdal	Mittag	Sticka
Falconer	Mollet	Tuff
Forseth	Monson	Welder
Fraser	Morrison	Welk
Graham	Mortenson	Williams, Richland
Haag	Myers	Williams, Sargent
Halvorson	Nelson	Wolf, McIntosh
Haugen	Olson, Bowman	Wolf, Morton
Heckman	Ohnstad	Mr. Speaker
Hegge	Ostgulen	

Those voting in the negative were:

Aker	Fitch	Moe
Allen, Grand Forks	Fleck	Morland
Allen, Pierce	Fuglestad	Nystrom
Arndt	Gackle	Olson, Barnes
Bagge	Gainor	Peterson, Ransom
Bauer	Halcrow	Pyle
Benno	Haugland	Runk
Bergesen	Hildre	Sailer
Bjella	Hogoboom	Sandness
Blair	Holm	Saumur
Bolmeier	Hovey	Sellens
Boulden	Johnson, Cass	Severson
Callahan	Johnson, Richland	Sharpe
Carlson	Johnson, Rolette	Shure
Coghlan	Langley	Stormon
Collette	Leet	Twichell
Dahlen	Lunde	Wambheim
Dalzell	McInnes	Westby
Ekren	Manstrom	Williams, Stutsm'n

So the motion was declared lost.

Rep. Bauer: "I want my remarks in the Journal. I cannot vote to put anything in the way of winning this War or for the interest of the boys who are helping us. I do not like some things in this Bill because it gives the Governor too much power but if he abuses that power God may be his Judge. I vote 'No'."

Senate Bill No. 203. A Bill for an Act Relating to National and State Defense, Authorizing the Creation of State and

Local Defense Agencies, Granting Emergency War Powers to Said Agencies and the Political Subdivisions of the State, and Making 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, 57; nays, 56; absent and not voting, 0.

Those voting in the affirmative were:

Aker	Fitch	Moe
Allen, Grand Forks	Fleck	Morland
Allen, Pierce	Fuglestad	Nystrom
Arndt	Gackle	Olson, Barnes
Bagge	Gainor	Peterson, Ransom
Bauer	Halcrow	Pyle
Benno	Haugland	Runck
Bergesen	Hildre	Sailer
Bjella	Hogboom	Sandness
Blair	Holm	Saumur
Bolmeier	Hovey	Sellens
Boulden	Johnson, Cass	Severson
Callahan	Johnson, Richland	Sharpe
Carlson	Johnson, Rolette	Shure
Coghlan	Langley	Stormon
Collette	Leet	Twichell
Dahlen	Lunde	Wambheim
Dalzell	McInnes	Westby
Ekren	Manstrom	Williams, Stutsm'n

Those voting in the negative were:

Anderson	Hofstrand	Peterson, Bottin'au
Baumgartner	Iszler	Rettke
Belzer	Jennings	Rohde
Braun	Kolpin	Rohrer
Bubel	Larson, Ward	Schwartz
Burau	Larson, Wells	Schmalenberger
Bymers	Levin	Schnell
Crockett	Lillehaugen	Stair
Devlin	Marks	Starck
Drovdal	Mittag	Sticka
Falconer	Mollet	Tuff
Forseth	Monson	Welder
Fraser	Morrison	Welk
Graham	Mortenson	Williams, Richland
Haag	Myers	Williams, Sargent
Halvorson	Nelson	Wolf, McIntosh
Haugen	Olson, Bowman	Wolf, Morton
Heckman	Ohnstad	Mr. Speaker
Hegge	Ostgulen	

So the bill passed as amended and the title was agreed to, and the emergency clause was declared lost.

Rep. Bergesen moved that the vote by which Senate Bill No. 203 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Rep. Nelson: "It is so seldom that a bill comes up that there is no politics in that I want to vote 'No'."

Rep. Schnell: "I would like to explain my vote and have it recorded in the Journal. I vote 'No' on this bill because I think it is unnecessary. I know that we have existing



agencies in the State of North Dakota who are charged with the responsibility of doing every job that we are asking for in this bill and who have done a good job so far and I think it is absolutely ridiculous to have another Board."

Rep. Wolf of McIntosh: "About a year ago I was appointed by the Governor, him being a Democrat, that's alright, and I am supposed to be a Leaguer, I served on the Selective Service Board and have worked many a night in helping out the farmers and young men to fill out their questionnaires and I like to do it. I like to serve on anything or in any way I can—it is the job of the citizens of the State to help along with anything they can without compensation."

#### MESSAGE FROM THE SENATE

Senate Chamber

Bismarck, March 4, 1943

Mr. Speaker: I have the honor to return:

House Bill No. 1. 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.

W. J. Trout, Secretary.

Senate Concurrent Resolution "1-D." A Concurrent Resolution Requesting the Bank of North Dakota With the Approval of the Industrial Commission to Make Loans to the Public Welfare Board of North Dakota to Meet Emergencies for funds to Match Federal Grants Under the Social Security Programs for General Relief Requirements.

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, 91; nays, 3; absent and not voting, 19.

Those voting in the affirmative were:

Allen, Pierce	Haugen	Nelson
Arndt	Haugland	Olson, Bowman
Bagge	Heckman	Ohnstad
Baumgartner	Hegge	Ostgulen
Belzer	Hildre	Peterson, Ransom
Benno	Hofstrand	Pyle
Bergesen	Hogoboom	Rettke
Bjella	Holm	Rohde
Blair	Hovey	Rohrer
Bolmeier	Iszler	Runk
Boulden	Jennings	Sandness
Braun	Johnson, Cass	Saumur
Bubel	Johnson, Rolette	Schwartz
Bureau	Kolpin	Schmalenberger
Bymers	Langley	Sellens
Callahan	Larson, Ward	Severson
Carlson	Larson, Wells	Sharpe
Coghlan	Leet	Shure
Collette	Lillehaugen	Stair
Dahlen	Lunde	Starck

Dalzell	Manstrom	Sticka
Drovdal	Marks	Stormon
Ekren	Mittag	Twichell
Fitch	Moe	Welder
Fleck	Mollet	Welk
Forseth	Monson	Westby
Fraser	Morland	Williams, Stutsm'n
Graham	Morrison	Wolf, McIntosh
Haag	Mortenson	Wolf, Morton
Halcrow	Myers	Mr. Speaker
Halvorson		

Those voting in the negative were:

Crockett	Williams, Richland	Williams, Sargent
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Absent and not voting:

Aker	Gackle	Olson, Barnes
Allen, Grand Forks	Gainor	Peterson, Bottin'au
Anderson	Johnson, Richland	Sailer
Bauer	Levin	Schnell
Devlin	McInnes	Tuff
Falconer	Nystrom	Wambheim
Fuglestad		

So the Resolution was adopted.

Senate Concurrent Resolution "P." A Concurrent Resolution Memorializing Congress and the President to Enact the Townsend Plan.

Was read the second time.

Rep. Rohde moved that the House adopt Senate Concurrent Resolution "P," which motion prevailed and the Resolution was adopted.

Senate Bill No. 48. 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, Chapter 98 of the Session Laws of North Dakota for the Year 1937 and Chapter 103 of the Session Laws of North Dakota for the Year 1939; Providing Method of Examination; Method of Collecting State Tax on Beer by the State Tax Commissioner; Providing Penalty for Violation Thereof 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, 87; nays, 5; absent and not voting, 21.

Those voting in the affirmative were:

Allen, Pierce	Halcrow	Olson, Bowman
Arndt	Haugen	Ohnstad
Bagge	Haugland	Ostgulen
Bauer	Heckman	Peterson, Ransom
Baumgartner	Hegge	Pyle
Belzer	Hildre	Rettke
Benno	Hofstrand	Rohrer
Bergesen	Hogoboom	Runck
Blair	Holm	Saumur
Bolmeier	Hovey	Schwartz
Boulden	Iszler	Schmalenberger

Braun	Jennings	Schnell
Bubel	Johnson, Rolette	Sellens
Callahan	Kolpin	Sharpe
Carlson	Langley	Shure
Coghlan	Larson, Ward	Starck
Collette	Larson, Wells	Sticka
Crockett	Leet	Stormon
Dahlen	Levin	Twichell
Dalzell	Lillehaugen	Tuff
Drovdal	Lunde	Welder
Ekren	Marks	Welk
Falconer	Moe	Westby
Fitch	Monson	Williams, Richland
Fleck	Morland	Williams, Sargent
Forseth	Morrison	Williams, Stutsm'n
Fraser	Mortenson	Wolf, McIntosh
Gackle	Myers	Wolf, Morton
Graham	Nelson	Mr. Sneaker
Those voting in the negative were:		
Bymers	Mittag	Rohde
Haag	Mollet	
Absent and not voting:		
Aker	Gainor	Olson, Barnes
Allen, Grand Forks	Halvorson	Sailer
Anderson	Johnson, Cass	Sandness
Bjella	Johnson, Richland	Peterson, Bottin'au
Burau	McInnes	Severson
Devlin	Manstrom	Stair
Fuglestad	Nystrom	Wambheim

So the bill passed as amended and the title was agreed to.

Rep. Wolf of McIntosh moved that the vote by which Senate Bill No. 48 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Rep. Haugen moved that the House recess for fifteen minutes, which motion prevailed.

The House reconvened pursuant to recess taken, Speaker Beede presiding.

The Speaker announced the House would be on the twelfth order of business.

#### CONSIDERATION OF MESSAGES FROM THE SENATE MESSAGES FROM THE SENATE

Senate Chamber

Bismarck, March 4, 1943

Mr. Speaker: I have the honor to inform you that the President has appointed as a conference committee to act with a like committee from the House, on House Bill No. 9, Senators Morgan of Richland, Porter and Ginter.

Very respectfully,

W. J. TROUT, Secretary.

Senate Chamber

Bismarck, March 4, 1943

Mr. Speaker: I have the honor to inform you that the Senate has concurred in the House amendment to Senate Concurrent Resolution "R."

Very respectfully,

W. J. TROUT, Secretary.

Senate Chamber  
Bismarck, March 4, 1943

Mr. Speaker: I have the honor to inform you that the Senate has concurred in the House amendment to Senate Concurrent Resolution "Q."

Very respectfully,  
W. J. TROUT, Secretary.  
Senate Chamber  
Bismarck, March 4, 1943

Mr. Speaker: I have the honor to inform you that the Senate has concurred in the House amendment to Senate Concurrent Resolution "S."

Very respectfully,  
W. J. TROUT, Secretary.

The Senate amendments to House Bill No. 1 were read.

Rep. Johnson of Cass moved that the House do not concur in the Senate amendments to House Bill No. 1, which motion prevailed.

Rep. Johnson of Cass moved that a conference committee be appointed on House Bill No. 1, which motion prevailed.

The Speaker appointed on the conference committee Reps. Johnson of Cass, Stair and Allen of Grand Forks.

MESSAGE TO THE SENATE

House of Representatives  
Bismarck, March 4, 1943

Mr. President: I have the honor to inform you that the House has refused to concur in the Senate amendment to House Bill No. 1 and the Speaker has appointed as a conference committee, Reps. Johnson of Cass, Stair and Allen of Grand Forks.

Very respectfully,  
W. M. SMART, Chief Clerk.

Senate Bill No. 1. A Bill for an Act Extending the Time for Filing Income Tax Returns, Extending the Time for the Payment of Income, Personal Property and Real Property Taxes, Eliminating Interest and Penalty on Taxes, Exempting Military Income from the Income Tax to Members of the Armed Forces and of the Merchant Marine During the Present War, and Declaring an Emergency.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 95; nays, 0; absent and not voting, 18.

Those voting in the affirmative were:

Allen, Grand Forks	Haugen	Ohnstad
Allen, Pierce	Haugland	Ostgulen
Anderson	Heckman	Peterson, Bottin'au
Bagge	Hegge	Peterson, Ransom
Bauer	Hildre	Pyle
Baumgartner	Hofstrand	Rettke
Belzer	Hogboom	Rohrer
Benno	Holm	Runck
Bergesen	Hovey	Sailer

Bjella	Iszler	Sandness
Bolmeier	Johnson, Cass	Schwartz
Boulden	Johnson, Rolette	Schmalenberger
Braun	Kolpin	Schnell
Bymers	Langley	Severson
Callahan	Larson, Ward	Sharpe
Carlson	Larson, Wells	Shure
Coghlan	Leet	Stair
Collette	Levin	Starck
Crockett	Lunde	Sticka
Dahlen	McInnes	Stormon
Dalzell	Manstrom	Twichell
Devlin	Marks	Tuff
Drovdal	Mittag	Welder
Falconer	Moe	Welk
Fitch	Mollet	Westby
Fraser	Monson	Williams, Richland
Gackle	Morrison	Williams, Sargent
Gainor	Mortenson	Williams, Stutsm'n
Graham	Nelson	Wolf, McIntosh
Haag	Nystrom	Wolf, Morton
Halcrow	Olson, Barnes	Mr. Speaker
Halvorson	Olson, Bowman	

## Absent and not voting:

Aker	Fleck	Morland
Arndt	Forseth	Myers
Blair	Fuglestad	Rohde
Bubel	Jennings	Saumur
Burau	Johnson, Richland	Sellens
Ekren	Lillehaugen	Wambheim

So the bill passed as amended and the title was agreed to.

## MESSAGE FROM THE SENATE

Senate Chamber

Bismarck, March 4, 1943

Mr. Speaker: I have the honor to inform you that the Senate has adopted the conference committee report on House Bill No. 110.

Very respectfully,

W. J. TROUT, Secretary.

Senate Bill No. 150. A Bill for an Act to Repeal Sections 2763 to 2779 Inclusive, of 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, as amended, the roll was called and there were ayes, 53; nays, 47; absent and not voting, 13.

Those voting in the affirmative were:

Allen, Grand Forks	Fuglestad	Olson, Barnes
Allen, Pierce	Gackle	Ohnstad
Anderson	Gainor	Peterson, Bottin'au
Bagge	Graham	Rettke
Bergesen	Haag	Rohrer
Bjella	Halcrow	Schmalenberger
Bolmeier	Hofstrand	Sellens
Boulden	Hogoboom	Sharpe
Callahan	Holm	Shure

Carlson	Johnson, Cass	Stair
Collette	Kolpin	Sticka
Dahlen	Larson, Wells	Welder
Dalzell	Leet	Welk
Devlin	Levin	Williams, Richland
Drovdal	Lillehaugen	Williams, Sargent
Ekren	Manstrom	Williams, Stutsm'n
Falconer	Moe	Wolf, McIntosh
Fitch	Nystrom	
Those voting in the negative were:		
Bauer	Hovey	Peterson, Ransom
Baumgartner	Iszler	Pyle
Belzer	Johnson, Rolette	Rohde
Benno	Langley	Runck
Blair	Larson, Ward	Sailer
Braun	Lunde	Sandness
Bymers	Marks	Saumur
Coghlan	Mittag	Schwartz
Crockett	Mollet	Schnell
Fraser	Monson	Severson
Halvorson	Morland	Starck
Haugen	Morrison	Stormon
Haugland	Mortenson	Westby
Heckman	Nelson	Wolf, Morton
Hegge	Olson, Bowman	Mr. Speaker
Hildre	Ostgulen	
Absent and not voting:		
Aker	Forseth	Myers
Arndt	Jennings	Twichell
Bubel	Johnson, Richland	Tuff
Bureau	McInnes	Wambheim
Fleck		

So the bill was declared lost.

Rep. Schnell moved that the vote by which Senate Bill No. 150 was lost be reconsidered, which motion was lost.

A division was asked which disclosed 34 for and 42 against so the motion was lost.

#### MESSAGE FROM THE SENATE

Senate Chamber

Bismarck, March 4, 1943

Mr. Speaker: I have the honor to inform you that the President has appointed as a conference committee to act with a like committee from the House, on House Bill No. 1, Senators Young, Streibel and Brant.

Very respectfully,

W. J. TROUT, Secretary.

Senate Bill No. 18. A Bill for an Act Making and Appropriation for Services and Expenses for the Public Utility Division.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 103; nays, 1; absent and not voting, 9.

Those voting in the affirmative were:

Aker	Halcrow	Nystrom
Allen, Grand Forks	Halvorson	Olson, Barnes

Allen, Pierce	Haugen	Olson, Bowman
Anderson	Haugland	Ohnstad
Bagge	Heckman	Peterson, Bottin'au
Bauer	Hegge	Peterson, Ransom
Baumgartner	Hildre	Pyle
Belzer	Hofstrand	Rettke
Benno	Hogoboom	Rohde
Bergesen	Holm	Rohrer
Bjella	Hovey	Runk
Blair	Iszler	Sailer
Bolmeier	Johnson, Cass	Sandness
Boulder	Johnson, Rolette	Saumur
Braun	Kolpin	Schwartz
Bubel	Langley	Schmalenberger
Callahan	Larson, Ward	Schnell
Carlson	Larson, Wells	Sellens
Coghlan	Leet	Severson
Collette	Levin	Sharpe
Crockett	Lillehaugen	Shure
Dahlen	Lunde	Sticka
Dalzell	McInnes	Twichell
Devlin	Manstrom	Tuff
Drovdal	Marks	Welder
Ekren	Mittag	Wambheim
Falconer	Moe	Welk
Fitch	Mollet	Westby
Forseth	Monson	Williams, Richland
Fraser	Morland	Williams, Sargent
Fuglestad	Morrison	Williams, Stutsm'n
Gackle	Mortenson	Wolf, McIntosh
Gainor	Myers	Wolf, Morton
Graham	Nelson	Mr. Speaker
Haag		

Those voting in the negative were:  
Ostgulen

Absent and not voting:

Arndt	Fleck	Stair
Burau	Jennings	Starck
Bymers	Johnson, Richland	Stormon

So the bill passed as amended and the title was agreed to.

Senate Bill No. 23. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, New Building, Equipment and Miscellaneous Items for the Grafton State School at Grafton, North Dakota.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 101; nays, 0; absent and not voting, 12.

Those voting in the affirmative were:

Aker	Haugen	Olson, Bowman
Allen, Grand Forks	Haugland	Ohnstad
Allen, Pierce	Heckman	Ostgulen
Anderson	Hegge	Peterson, Bottin'au
Bagge	Hildre	Peterson, Ransom
Bauer	Hofstrand	Pyle
Baumgartner	Hogoboom	Rettke
Belzer	Holm	Rohde
Bergesen	Hovey	Rohrer

Bjella	Iszler	Runk
Bolmeier	Johnson, Cass	Sailer
Boulden	Johnson, Rolette	Sandness
Braun	Kolpin	Saumur
Bubel	Langley	Schwartz
Burau	Larson, Ward	Schmalenberger
Callahan	Larson, Wells	Schnell
Carlson	Leet	Sellens
Coghlan	Levin	Severson
Crockett	Lillehaugen	Sharpe
Dahlen	Lunde	Shure
Dalzell	McInnes	Sticka
Devlin	Manstrom	Twichell
Drovdal	Marks	Tuff
Ekren	Mittag	Wambheim
Falconer	Moe	Welder
Fitch	Mollet	Welk
Forseth	Monson	Westby
Fraser	Morland	Williams, Richland
Fuglestad	Morrison	Williams, Sargent
Gainor	Mortenson	Williams, Stutsman
Graham	Myers	Wolf, McIntosh
Haag	Nelson	Wolf, Morton
Halcrow	Nystrom	Mr. Speaker
Halvorson	Olson, Barnes	

Absent and not voting:

Arndt	Collette	Johnson, Richland
Benno	Fleck	Stair
Blair	Gackle	Starck
Bymers	Jennings	Stormon

So the bill passed as amended and the title was agreed to. Senate Bill No. 29. 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, 104; nays, 1; absent and not voting, 8.

Those voting in the affirmative were:

Aker	Haag	Olson, Bowman
Allen, Grand Forks	Halcrow	Ohnstad
Allen, Pierce	Halvorson	Ostgulen
Anderson	Haugland	Peterson, Bottin'au
Bagge	Heckman	Peterson, Ransom
Bauer	Hegge	Pyle
Baumgartner	Hildre	Rettke
Belzer	Hogoboom	Rohde
Bergesen	Holm	Rohrer
Bjella	Hovey	Runk
Blair	Iszler	Sailer
Bolmeier	Johnson, Cass	Sandness
Boulden	Johnson, Rolette	Saumur
Braun	Kolpin	Schwartz
Bubel	Langley	Schmalenberger
Burau	Larson, Ward	Schnell
Bymers	Larson, Wells	Sellens
Callahan	Leet	Severson



Carlson	Levin	Sharpe
Coghlan	Lillehaugen	Shure
Collette	Lunde	Starck
Crockett	McInnes	Sticka
Dahlen	Manstrom	Stormon
Dalzell	Marks	Twichell
Devlin	Mittag	Wambheim
Drovdal	Moe	Welder
Ekren	Mollet	Welk
Falconer	Monson	Westby
Fitch	Morland	Williams, Richland
Fleck	Morrison	Williams, Sargent
Forseth	Mortenson	Williams, Stutsman
Fraser	Myers	Wolf, McIntosh
Fuglestad	Nelson	Wolf, Morton
Gainor	Nystrom	Mr. Speaker
Graham	Olson, Barnes	

Those voting in the negative were:

Tuff

Absent and not voting:

Arndt	Haugen	Johnson, Richland
Benno	Hofstrand	Stair
Gackle	Jennings	

So the bill passed as amended and the title was agreed to.

Senate Bill No. 30. 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, 96; nays, 3; absent and not voting, 14.

Those voting in the affirmative were:

Aker	Halcrow	Olson, Bowman
Allen, Grand Forks	Halvorson	Ohnstad
Allen, Pierce	Haugland	Ostgulen
Anderson	Heckman	Peterson, Bottin'au
Bagge	Hegge	Peterson, Ransom
Bauer	Hildre	Pyle
Baumgartner	Hogoboom	Rettke
Belzer	Holm	Rohde
Bergesen	Hovey	Rohrer
Bjella	Iszler	Runk
Blair	Johnson, Cass	Sailer
Bolmeier	Johnson, Rolette	Sandness
Boulden	Kolpin	Saumur
Braun	Langley	Schwartz
Eubel	Larson, Ward	Schmalenberger
Burau	Larson, Wells	Schnell
Bymers	Leet	Severson
Callahan	Levin	Sharpe
Carlson	Lillehaugen	Starck
Collette	Lunde	Sticka
Dahlen	McInnes	Stormon
Dalzell	Manstrom	Twichell
Devlin	Marks	Tuff
Drovdal	Mittag	Wambheim
Ekren	Mollet	Welder

Fitch	Monson	Welk
Forseth	Morland	Westby
Fraser	Morrison	Williams, Richland
Fuglestad	Mortenson	Williams, Stutsm'n
Gainor	Myers	Wolf, McIntosh
Graham	Nelson	Wolf, Morton
Haag	Olson, Barnes	Mr. Speaker
Those voting in the negative were:		
Crockett	Moe	Williams, Sargent
Absent and not voting:		
Arndt	Gackle	Nystrom
Benno	Haugen	Sellens
Coghlan	Hofstrand	Shure
Falconer	Jennings	Stair
Fleck	Johnson, Richland	

So the bill passed as amended and the title was agreed to.

Senate Bill No. 31. A Bill for an Act Making an Appropriation for the General Mainenance, 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, 98; nays, 0; absent and not voting, 15.

Those voting in the affirmative were:

Aker	Halvorson	Ohnstad
Allen, Grand Forks	Haugland	Ostgulen
Allen, Pierce	Heckman	Peterson, Bottina'u
Anderson	Hegge	Peterson, Ransom
Bagge	Hildre	Pyle
Bauer	Hogoboom	Rettke
Baumgartner	Holm	Rohde
Belzer	Hovey	Rohrer
Bergesen	Iszler	Runk
Bjella	Johnson, Cass	Sailer
Blair	Johnson, Rolette	Sandness
Bolmeier	Kolpin	Saumur
Braun	Langley	Schwartz
Bubel	Larson, Ward	Schmalenberger
Bureau	Larson, Wells	Schnell
Bymers	Leet	Severson
Callahan	Levin	Sharpe
Carlson	Lillehaugen	Starck
Collette	Lunde	Sticka
Dahlen	McInnes	Stormon
Dalzell	Manstrom	Twichell
Devlin	Marks	Tuff
Drovdal	Moe	Wambheim
Ekren	Mollet	Welder
Falconer	Monson	Welk
Fitch	Morland	Westby
Forseth	Morrison	Williams, Richland
Fraser	Mortenson	Williams, Sargent
Fuglestad	Myers	Williams, Stutsm'n
Gainor	Nelson	Wolf, McIntosh
Graham	Nystrom	Wolf, Morton
Haag	Olson, Barnes	Mr. Speaker
Halcrow	Olson, Bowman	

## Absent and not voting:

Arndt	Fleck	Johnson, Richland
Benno	Gackle	Mittag
Boulden	Haugen	Sellens
Coghlan	Hofstrand	Shure
Crockett	Jennings	Stair

So the bill passed as amended and the title was agreed to.

## MESSAGES FROM THE SENATE

Senate Chamber

Bismarck, March 4, 1943

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 41. A Bill for an Act to Amend and Re-enact Section 988 of the Compiled Laws of the State of North Dakota for the Year of 1913, as Amended and Re-enacted by Chapter 201 of the 1923 Session Laws and Chapter 132 of the 1925 Session Laws, Relating to the Disability of Electors in Marking Their Ballots.

Senate Bill No. 61. A Bill for an Act to Amend and Re-enact Section 8 of Chapter 241, Laws of 1937, Pertaining to Field Auditors.

Senate Bill No. 65. A Bill for an Act Making an Appropriation to Defray Expenses of the Delegates to National Political Conventions as Prescribed by Section 916 of the Compiled Laws of 1913.

Senate Bill No. 75. A Bill for an Act Amending and Re-enacting Section 3 of Chapter 163 of the Session Laws of 1939, Relating to Safety Rules.

Senate Bill No. 76. A Bill for an Act Amending and Re-enacting Section 5 of Chapter 168 of the Session Laws of the State of North Dakota for the Year 1919 and Acts Amendatory Thereof, Relating to Inspection of Mines.

Senate Bill No. 78. A Bill for an Act Providing for Reimbursement for Living Expenses of the Members of the State Legislature While in Attendance at the Session, Making an Appropriation Therefor; and Declaring an Emergency.

Senate Bill No. 84. A Bill for an Act to Amend and Re-enact Section 3276 of the Compiled Laws of North Dakota for 1913 Relating to Supervision of Fiscal Affairs by the County Commissioners, and Repealing All Acts or Parts of Acts in Conflict Herewith.

Senate Bill No. 96. A Bill for an Act to Amend and Re-enact Sub-section (b) of Section 5 of Chapter 235 of the Session Laws of North Dakota for the Year 1929, as Amended and Re-enacted by Chapter 297 of the Session Laws of North Dakota for the Year 1931, and as Amended and Re-enacted by Chapter 208 of the Session Laws of North Dakota for the Year 1935, and as Amended and Re-enacted by Chapter 175 of the Session Laws of North Dakota for the Year 1937, as Amended and Re-enacted by Chapter 210 of the Session Laws of North Dakota for the Year 1941, Relating to Tax Limitations of Cities.

Senate Bill No. 97. A Bill for an Act to Amend and Re-enact Section 1 of Chapter 132 of the Session Laws of 1933, Relating to the Investment of Funds of Domestic, Insurance Companies, and Declaring an Emergency.

Senate Bill No. 99. A Bill for an Act to Amend and Re-enact Section 4881a7 of the 1925 Supplement to the Compiled Laws of North Dakota, Relating to Incorporated Mutual Insurance Companies, and Declaring an Emergency.

Senate Bill No. 100. A Bill for an Act to Amend and Re-enact Section 5061 of the Compiled Laws of North Dakota for the Year 1913, Relating to the Government of Fraternal Benefit Societies, and Declaring an Emergency.

Senate Bill No. 101. A Bill for an Act to Amend and Re-enact Section 4863 of the 1925 Supplement to the Compiled Laws of North Dakota for the Year 1913, as Amended by Chapter 145 of the Session Laws of 1929, and Further Amended by Chapter 131 of the Session Laws of 1933, Relating to Capital Stock of Domestic and Other Insurance Companies, and Declaring an Emergency.

Senate Bill No. 120. A Bill for an Act Making an Appropriation for the General Maintenance, Administration, Salaries and Other Expenses for the State Hospital for the Insane at Jamestown, North Dakota, and Prescribing a Limitation as to the Availability of the Same.

Senate Bill No. 123. A Bill for an Act to Authorize the State Highway Commissioner to Cancel Certain Contracts for the Construction, Reconstruction, or Repair of Highways or Bridges Which Cannot Be Performed Because of War Conditions, and to Make Full Settlement with Such Contractors, and Declaring an Emergency.

Senate Bill No. 125. A Bill for an Act to Amend and Re-enact Section 15, Chapter 187, Session Laws of 1941, Providing for the Issuance of Temporary Permits, and Declaring an Emergency.

Senate Bill No. 131. A Bill for an Act to Amend and Re-enact Section 27 of Chapter 148 of the Session Laws of North Dakota for 1931 Relating to County Auditors' Bonds, Reports and Fees and Repealing Chapter 160 of the Session Laws of North Dakota for 1941 and All Acts or Parts of Acts in Conflict Herewith.

Senate Bill No. 133. A Bill for an Act to Regulate and Control the Barber Shop Business of the State of North Dakota; Conferring Upon the State Board of Barber Examiners Powers and Jurisdiction with Relation Thereto, Defining Such Powers, Jurisdiction and Duties; Authorizing the Said Board to Approve Price Schedules and to Make Orders Fixing Minimum Prices for Barber Services; Providing for Judicial Review of Such Acts of Said Board; Providing Penalties for the Violation of This Act.

Senate Bill No. 136. A Bill for an Act to Limit the Time for Commencement of All Actions and Interposition of All Defenses and Counterclaims Grounded Upon Certain Defects in Proceedings for and Preliminary to Foreclosure of Real Estate Mortgages Where the Foreclosure Sales in Such Proceedings Were Had Prior to January 1st, 1943, and to Validate and Confirm Such Mortgage Foreclosure Sales.

Senate Bill No. 152. A Bill for an Act to Amend and Re-enact Section Six (6) of Chapter 110 of the Session Laws of 1937 Relating to License Fees of Public Contractors, and Declaring an Emergency.

Senate Bill No. 162. A Bill for an Act Making an Appropriation of \$5,000.00 Each for the Completion of the Armories at Carrington, North Dakota, and Bottineau, North Dakota, and Providing for the Manner of Disbursing Said Funds, and Declaring an Emergency.

Senate Bill No. 168. A Bill for an Act Regulating the Expenditure of Monies Appropriated by the Legislative As-

sembly of the State of North Dakota for Emergency Purposes, Fixing the Methods for Obtaining Approval for Such Expenditures, Providing Penalties for Violation Hereof, and Repealing All Acts or Parts of Acts in Conflict Herewith.

Senate Bill No. 170. A Bill for an Act Regulating the Business of Receiving Monies as Agent for Another for the Purpose of Depositing the Same in a Bank, Requiring a License Therefor, and Providing Penalties for the Violation Thereof.

Senate Bill No. 185. A Bill for an Act Providing for the Disposition of Property Where There Is No Sufficient Evidence That Persons Having Died Otherwise Than Simultaneously, and to Make Uniform the Law With Reference Thereto.

Senate Bill No. 188. A Bill for an Act to Regulate the Practice in the District Courts and County Courts of Increased Jurisdiction, to Provide for Conferences in Advance of Trial, and the Simplification of Issues and Other Purposes; and Giving the Judge Power to Make Orders in Connection With Such Conferences.

Senate Bill No. 190. A Bill for an Act to Amend and Re-enact Section 2 of Chapter 216 of the Session Laws of 1941 so as to Extend the Term of Office of Members of the Governmental Survey Commission Until January 1, 1945, Appropriating for the Use of the Commission the Balance Remaining Unexpended in the Governmental Survey Commission Fund Created Pursuant to Section 14 of Said Chapter 216 of the Session Laws of 1941, and Declaring an Emergency.

Senate Bill No. 197. A Bill for an Act to Amend and Re-enact Section 819 of the Compiled Laws of North Dakota for 1913 and to Provide for Keeping Jury Lists Filed With Names of Qualified Jurors.

Senate Concurrent Resolution "B." Authorizing the Secretary of State to Supply 1942 North Dakota Blue Books Free of Charge to New Members of the Twenty-eighth Legislative Assembly.

Senate Concurrent Resolution "W." A Concurrent Resolution Providing for the Amendment of Section 45 of the Constitution of the State of North Dakota.

Senate Concurrent Resolution "1-B." A Concurrent Resolution Protesting Favoritism for Youth of Japanese Extraction, in the Advantages of Higher Education.

Senate Concurrent Resolution "1-E." A Concurrent Resolution Calling for the Appointment of a Committee from Both Houses of the North Dakota Legislature to Study and Examine the Work of the Interim Legislative Committee on Code Revision, to Prepare Necessary Contracts, and Present the Same to the Legislature for Its Ratification.

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

W. J. TROUT, Secretary.

Senate Chamber

Bismarck, March 4, 1943

Mr. Speaker: I have the honor to return:

House Bill No. 8. A Bill for an Act Making an Appropriation to the Livestock Sanitary Board, for Its Operating and Maintenance Expense and for Indemnifying Owners of

Animals, to the Bangs Disease Fund and to the Bovine Tuberculosis Fund.

House Bill No. 13. 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.

House Bill No. 26. 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.

House Bill No. 30. A Bill for an Act Making an Appropriation and an Additional 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 Declaring an Emergency.

House Bill No. 75. 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.

House Bill No. 95. A Bill for an Act Creating a Veterans' Emergency Fund, and Providing an Appropriation Therefor, and Providing for the Use of Such Fund by the Veterans' Service Commissioner, and the Manner of Its Disbursement.

House Bill No. 99. A Bill for an Act Making an Appropriation to Provide Funds for the Maintenance of the North Dakota State Guard, as Provided for Under Chapter 230 of the North Dakota Session Laws of 1941, and to Meet Other Requirements Prescribed by the Federal Statutes, and Declaring an Emergency.

House Bill No. 105. A Bill for an Act to Amend and Re-enact Section 9115 of the Compiled Laws of North Dakota for 1913, Relating to the Issuance of Executions on Judgments in Justice Court.

House Bill No. 106. A Bill for an Act to Amend and Re-enact Section 1 of Chapter 220 of the Session Laws of North Dakota for the Year 1935, Relating to Expense Accounts of Public Officers, Specifying the Amount to Be Allowed for Personal Sustenance of Officers, Agents and Employees, Exempting the Governor, of the State of North Dakota, or of Any of Its Subdivisions, While Upon Public Expense Account, Repealing All Acts or Parts of Acts in Conflict Herewith, and Declaring an Emergency.

House Bill No. 107. A Bill for an Act to Amend and Re-enact Subsections 1 and 2 of Section 1, Chapter 273, Session Laws of North Dakota for the Year 1941; Providing for an Adjustment of Delinquent Taxes for 1939 and Prior Years, and Repealing All Acts or Parts of Acts in Conflict Therewith Including Certain Exceptions, and Declaring an Emergency.

House Bill No. 109. A Bill for an Act to Amend and Re-enact Section 3610 of Article 7, of Chapter 44 of the 1913 Compiled Laws, by Adding Thereto a Provision that in Cities that Have Adopted the City Manager Form of Government, the City Manager Shall Appoint and Remove the City Treasurer with the Approval of the City Council, and that in Cities Having Adopted the Provisions of Chapter 173 of the

Session Laws of North Dakota for the Year 1937, Known as the Civil Service Act, the City Treasurer Shall Be Appointed as Other Full-time City Employees, and Providing that Such City Treasurer May Be Included Within and Under the Provisions of the Civil Service Act, and Repealing All Acts and Parts of Acts in Conflict Herewith.

House Bill No. 118. A Bill for an Act to Amend and Re-enact Section 363 of the 1913 Compiled Laws of North Dakota, as Amended and Re-enacted by Chapter 231 of the Session Laws of North Dakota for 1931, as Amended and Re-enacted by Chapter 223 of the Session Laws of North Dakota for 1933, Relating to the Fixing and Collecting and Distribution of Fees at the Leasing and Sale of School Lands.

House Bill No. 123. A Bill for an Act to Amend and Re-enact Section 1782 of the 1925 Supplement to the Compiled Laws of North Dakota, Relating to Appointment of Commandant and Subordinate Officers of the Soldiers' Home, and Declaring an Emergency.

House Bill No. 124. A Bill for an Act to Amend and Re-enact Section 1779 of the Supplement to the Compiled Laws, 1913, as Amended by Chapter 200 of the Session Laws, 1933; Board of Trustees of North Dakota Soldiers' Home, and Declaring an Emergency.

House Bill No. 126. A Bill for an Act to Amend and Re-enact Section 2 of Chapter 237 of the 1939 Session Laws, Relating to the Terms of Lease by Counties of Real Property Acquired by Tax-Deed, and Declaring an Emergency.

House Bill No. 139. A Bill for an Act to Regulate the Practice of Professional Engineering; Creating a State Board of Registration for Professional Engineers; Defining Its Powers and Duties; Providing for Registration of Professional Engineers; Fixing Fees Therefor; Imposing Certain Duties Upon the State and the Political Subdivisions Thereof in Connection with Public Works; and Providing Penalties for Violation of Its Provisions.

House Bill No. 140. A Bill for an Act to Amend and Re-enact Section 4398, of the 1925 Supplement Relating to the Residence Requirements for Dissolution of Marriage and Declaring an Emergency.

House Bill No. 144. A Bill for an Act to Regulate the Sale of Anti-Freeze; to Provide for the Inspection Thereof; to Prevent Fraud and Deception in the Sale of Anti-Freeze; to Prevent Adulteration and Misbranding Thereof; to Provide for the Enforcement of the Provisions of the Act; to Provide Licensing, Payment and Disposition of License Fees; and Provide Penalties for Violation Thereof.

House Bill No. 145. A Bill for an Act to Provide for the Dissolution of Village Park Districts, and Outlining the Procedure to Be Followed.

House Bill No. 166. A Bill for an Act Authorizing Employers to Pay to the Surviving Spouse of a Deceased Employee, Wages Owed to the Deceased Employee for Work, Labor or Services Performed for the Employer to the Extent of Four Hundred Dollars (\$400.00) When No Executor or Administrator Has Been Appointed, and Providing for the Discharge of the Employer from Such Obligation by and to the Extent of Such Payment, and Providing That Such Payment Shall Apply in Diminution of Allowance to Family

Under Section 8725 Compiled Laws of North Dakota, 1913.

House Bill No. 167. A Bill for an Act to Amend and Re-enact Section 5, Chapter 5 of the Session Laws of the State of North Dakota for the Year 1937, Relating to Dealers in Livestock; Authorizing the Public Service Commission to Appoint Inspectors With Powers of Peace Officers for the Enforcement of the Provisions of Said Act.

House Bill No. 170. A Bill for an Act to Amend and Re-enact Chapter 262, Laws of 1941, Relating to the Preservation of the Right to Benefits Under the North Dakota Unemployment Compensation Law for Persons Entering the Military or Naval Service During the Period of Such Service, Extending the Provisions Thereof to Members of the Auxiliary Military or Naval Services, Extending and Limiting the Time of Preservation of Such Rights, Providing Necessary Definitions, Authorizing the Unemployment Compensation Division to Receive and Disburse Funds Provided by the United States Government for Any Special Unemployment Compensation Programs, Repealing the Inconsistent Provisions and Declaring an Emergency.

House Bill No. 201. A Bill for an Act to Amend and Re-enact Section 5 of Chapter 276 of the Session Laws of 1931 Providing for Abatements of Real and Personal Property Taxes, Due to Depreciation or Other Cause, and Declaring an Emergency.

House Bill No. 235. A Bill for an Act Making it a Criminal Offense for a Parent or Other Person Legally Responsible for the Care or Support of a Child to Abandon Such Child; Providing for Penalty; Repealing All Acts in Conflict Herewith, and Declaring an Emergency.

House Bill No. 248. A Bill for an Act Providing for the Recording of Discharge Papers from the National Guard, the Army, Navy, Marine Corps and Other Branches of the Military Forces, and Declaring an Emergency.

House Bill No. 251. A Bill for an Act Making an Appropriation for the Payment of Janitor Services of the House of Representatives of the 28th Legislative Assembly.

House Bill No. 252. A Bill for an Act Making an Appropriation for Expenses of the 28th Legislative Assembly, and Declaring an Emergency.

House Concurrent Resolution "R." Memorializing Congress of the United States to Lift Restrictions and Priorities on Batteries Used for Telephones and Radios for Farms and Residents in Rural Communities.

House Concurrent Resolution "V." Memorializing Congress and the President to Authorize the Indians to Elect Their Commissioner of Indian Affairs and Other Administrative Officials and That Treaty Rights and Claims be Promptly Adjudicated and Paid.

House Concurrent Resolution "X." A Concurrent Resolution Providing for the Amendment of Section 45 of the Constitution of North Dakota.

Which the President has signed.

W. J. TROUT, Secretary.

#### SECOND READING OF SENATE BILLS

Senate Bill No. 33. 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, 96; nays, 0; absent and not voting, 17.

Those voting in the affirmative were:

Aker	Halcrow	Olson, Bowman
Allen, Grand Forks	Halvorson	Ohnstad
Allen, Pierce	Haugland	Ostgulen
Anderson	Heckman	Peterson, Bottin'au
Bagge	Hegge	Peterson, Ransom
Bauer	Hildre	Pyle
Baumgartner	Hogoboom	Rettke
Bergesen	Holm	Rohde
Bjella	Hovey	Rohrer
Blair	Iszler	Runck
Bolmeier	Johnson, Cass	Sailer
Boulden	Johnson, Rolette	Sandness
Braun	Kolpin	Saumur
Bubel	Langley	Schwartz
Bureau	Larson, Ward	Schmalenberger
Bymers	Larson, Wells	Severson
Callahan	Leet	Sharpe
Carlson	Levin	Starck
Collette	Lillehaugen	Sticka
Crockett	Lunde	Stormon
Dahlen	McInnes	Twichell
Dalzell	Manstrom	Tuff
Devlin	Marks	Wambheim
Drovdal	Moe	Welder
Ekren	Mollet	Welk
Falconer	Morland	Westby
Fitch	Morrison	Williams, Richland
Forseth	Mortenson	Williams, Sargent
Fraser	Myers	Williams, Stutsman
Fuglestad	Nelson	Wolf, McIntosh
Gainor	Nystrom	Wolf, Morton
Haag	Olson, Barnes	Mr. Speaker
Absent and not voting:		
Arndt	Graham	Monson
Belzer	Haugen	Schnell
Benno	Hofstrand	Sellens
Coghlan	Jennings	Shure
Fleck	Johnson, Richland	Stair
Gackle	Mittag	

So the bill passed as amended and the title was agreed to.

Senate Bill No. 32. A Bill for an Act Making an Appropriation for the Purpose of Defraying the Expenses of the Maintenance and Operation of the State of North Dakota Doing Business as the North Dakota Mill and Elevator Association.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 98; nays, 0; absent and not voting, 15.

Those voting in the affirmative were:

Aker	Halvorson	Ohnstad
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Allen, Grand Forks	Haugland	Ostgulen
Allen, Pierce	Heckman	Peterson, Bottin'au
Anderson	Hegge	Peterson, Ransom
Bagge	Hildre	Pyle
Bauer	Hogoboom	Rettke
Baumgartner	Holm	Rohde
Bergesen	Hovey	Rohrer
Bjella	Iszler	Runk
Blair	Johnson, Cass	Sailer
Bolmeier	Johnson, Rolette	Sandness
Boulden	Kolpin	Saumur
Braun	Langley	Schwartz
Bubel	Larson, Ward	Schmalenberger
Bureau	Larson, Wells	Schnell
Bymers	Leet	Severson
Callahan	Levin	Sharpe
Carlson	Lillehaugen	Starck
Collette	Lunde	Sticka
Crockett	McInnes	Stormon
Dahlen	Manstrom	Twichell
Dalzell	Marks	Tuff
Devlin	Mittag	Wambheim
Drovdal	Moe	Welder
Ekren	Mollet	Welk
Falconer	Morland	Westb
Fitch	Morrison	Williams, Richland
Forseth	Mortenson	Williams, Sargent
Fraser	Myers	Williams, Stutsm'n
Fuglestad	Nelson	Wolf, McIntosh
Gainor	Nystrom	Wolf, Morton
Haag	Olson, Barnes	Mr. Speaker
Halcrow	Olson, Bowman	
Absent and not voting:		
Arndt	Gackle	Johnson, Richland
Belzer	Graham	Monson
Benno	Haugen	Sellens
Coghlan	Hofstrand	Shure
Fleck	Jennings	Stair

So the bill passed as amended and the title was agreed to.

Rep. Marks moved that the vote by which Senate Bill No. 32 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Rep. Ostgulen moved that the House do now recess until 7:15 o'clock p. m., tonight, which motion prevailed.

The House reconvened at 7:15 o'clock p. m., Speaker Beede presiding.

The Speaker announced the House would be on the twelfth order of business.

#### SIGNING OF BILLS

The Chief Clerk announced the Speaker was about to sign the following bills; immediately before signing each bill the title was publicly read.

- House Bill No. 64.
- House Bill No. 16.
- House Bill No. 68.
- House Bill No. 98.
- House Bill No. 100.
- House Bill No. 148.
- House Bill No. 173.

House Bill No. 174.  
 House Bill No. 182.  
 House Bill No. 188.  
 House Bill No. 192.  
 House Bill No. 196.  
 House Bill No. 243.  
 House Bill No. 250.

Memorial Resolution regarding the late Dr. A. O. Arneson.

And the Speaker signed each of the above bills and resolutions in the presence of the House.

#### HOUSE COMMITTEE ON ENROLLMENT AND ENGROSSMENT

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

House Bill No. 16.  
 House Bill No. 64.  
 House Bill No. 98.  
 House Bill No. 100.  
 House Bill No. 173.  
 House Bill No. 182.  
 House Bill No. 192.  
 House Bill No. 196.

And find the same correctly Enrolled.

REP. MORLAND, Chairman.

Rep. Ekren moved that the report be adopted, which motion prevailed, and the report was adopted.

#### REPORTS OF SELECT COMMITTEES

Mr. Speaker: Your Conference Committee to whom was referred House Bill No. 110, beg leave to make the following report:

The Senate recede from its amendment in Section 2, Line 6, and that the figure "\$7,500.00" be stricken out and the figure "\$6,500.00" be inserted.

In Line 8 the Senate also recede from its amendment and that the figure "\$4,500.00" be stricken out and that the figure "\$4,000.00" be inserted.

For the House:  
 RAY SCHNELL  
 EDWIN L. BAGGE  
 K. A. FITCH

For the Senate:  
 WM. WATT  
 RILEY R. MORGAN  
 R. M. STREIBEL

Rep. Schnell moved that the House adopt the report of the Conference Committee.

Rep. Lillehaugen offered as a substitute motion that the House reject the report of the Conference Committee on House Bill No. 110.

The chair was in doubt.

A rising vote disclosed 26 for and 47 against so the motion was lost.

The question was on the motion of Rep. Schnell, which motion prevailed, and the report of the Conference Committee was adopted.

Rep. Wolf of McIntosh moved that the rules be suspended and House Bill No. 110 be placed on second reading and final passage, which motion prevailed.

Rep. Bergesen moved that action on House Bill No. 110 be made a special order of business after 8:30 o'clock to-night, which motion prevailed.

The Conference Committee on House Bill No. 244 made the following report:

Mr. Speaker: Your Conference Committee to whom was referred House Bill No. 244, have had the same under consideration and recommend that the same as it was passed by the Senate be further amended as follows:

After the words "Motor Fuel" in Line 23 in Section 3 of House Bill No. 244, as printed on Page 608 of the Journal of the Senate, insert a comma, and insert the following words: "except motor fuel used in the construction, reconstruction or repair of State or County highways."

And when so amended recommend the same do pass.

For the House:

L. L. TWICHELL  
WALTER BUBEL  
H. W. McINNES

For the Senate:

MILTON RUE  
CARROLL E. DAY

Rep. Twichell moved that the report be adopted, which motion prevailed and the report was adopted.

Rep. Twichell moved that the rules be suspended and that House Bill No. 244 be considered properly engrossed and placed on second reading and final passage, which motion prevailed.

### SECOND READING OF HOUSE BILLS

House Bill No. 244. A Bill for an Act to Permit the Purchase by the State, County, Township and Other Municipalities of North Dakota of Tax Exempt Gasoline for the Construction, Reconstruction or Maintenance of Highways, Public Roads, Streets and Airports; and Declaring an Emergency.

Was read the second time.

### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 99; nays, 0; absent and not voting, 14.

Those voting in the affirmative were:

Aker	Halvorson	Olson, Bowman
Allen, Grand Forks	Haugland	Ohnstad
Allen, Pierce	Heckman	Ostgulen
Anderson	Hildre	Peterson, Ransom
Arndt	Hofstrand	Pyle
Bagge	Hogboom	Rettke
Bauer	Holm	Rohde
Baumgartner	Hovey	Rohrer
Belzer	Iszler	Runck
Bergesen	Jennings	Sailer
Bjella	Johnson, Richland	Sandness
Blair	Johnson, Rolette	Schmalenberger
Bolmeier	Langley	Saumur

Boulden	Larson, Ward	Schnell
Braun	Larson, Wells	Sellens
Bubel	Leet	Severson
Bureau	Levin	Shure
Callahan	Lillehaugen	Stair
Carlson	Lunde	Starck
Coghlan	McInnes	Sticka
Crockett	Manstrom	Stormon
Dahlen	Marks	Twichell
Dalzell	Mittag	Tuff
Drovdal	Moe	Wambheim
Ekren	Mollet	Welder
Fitch	Monson	Welk
Forseth	Morland	Westby
Fraser	Morrison	Williams, Richland
Gackle	Mortenson	Williams, Sargent
Gainor	Myers	Williams, Stutsm'n
Graham	Nelson	Wolf, McIntosh
Haag	Nystrom	Wolf, Morton
Halcrow	Olson, Barnes	Mr. Speaker
Absent and not voting:		
Benno	Fleck	Kolpin
Bymers	Fuglestad	Peterson, Bottina'u
Collette	Haugen	Schwartz
Devlin	Hegge	Sharne
Falconer	Johnson, Cass	

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

#### HOUSE COMMITTEE ON ENROLLMENT AND ENGROSSMENT

Mr. Speaker: Your committee on Enrollment and Engrossment respectfully report that they have examined the following bills and resolutions:

House Bill No. 44.  
House Bill No. 78.  
House Bill No. 87.  
House Bill No. 127.  
House Bill No. 214.  
House Bill No. 220.  
House Concurrent Resolution "T".  
House Concurrent Resolution "1-C".

And find the same correctly enrolled.

REP. MORLAND, Chairman.

Rep. Ekren moved that the report be adopted, which motion prevailed, and the report was adopted.

#### MESSAGES FROM THE GOVERNOR

State of North Dakota

#### OFFICE OF THE GOVERNOR

Bismarck, March 4, 1943

To the House of Representatives of the State of North Dakota:

This is to notify you that I have approved the following House Bill:

House Bill No. 49. A Bill for an Act for the Adoption of the Revised Code of North Dakota for 1943, Consisting of

Sixty-five Titles, as a Complete Body of Laws, and Repealing All Laws Not Specifically Excepted.

And the same has been filed with the Secretary of State.

JOHN MOSES, Governor.

Bismarck, February 3, 1943

To the House of Representatives of the State of North Dakota:

This is to notify that I have approved the following House bills:

House Bill No. 136. A Bill for an Act to Amend and Re-enact Subsection 31 of Section 3514 of the 1913 Compiled Laws, Relating to the Fees to Be Charged by Sheriffs for Boarding Prisoners, and Declaring an Emergency.

House Bill No. 25. 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.

House Bill No. 150. A Bill for an Act to Amend and Re-enact Section 1 of Chapter 207, Session Laws of 1935, as Amended by Section 1 of Chapter 209, Session Laws of 1941, Relating to Refunding Special Improvement Warrants, Validating Proceedings Heretofore Taken for Such Refunding and Warrants Issued Thereunder, and Declaring an Emergency.

And the same have been filed with the Secretary of State.

JOHN MOSES, Governor.

Bismarck, March 2, 1943

To the House of Representatives of the State of North Dakota:

This is to notify you that I have approved the following House bills:

House Bill No. 5. 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 1913, the Same Being Sections 283c1 to 283c6, Inclusive, and Section 283c10 of the Supplement to the 1913 Compiled Laws of North Dakota.

And the same has been filed with the Secretary of State.

JOHN MOSES, Governor.

Bismarck, March 2, 1943

To the House of Representatives of the State of North Dakota:

This is to notify you that I have approved the following House bill:

House Bill No. 83. A Bill for an Act to Equalize Taxation and Replace in Part the Tax on Property; to Provide the Public Revenue to Be Used for Such Replacement by Imposing a Tax on the Gross Receipts from Retail Sales as Defined Herein; to Provide for the Collection of Such Tax, the Distribution and Use of the Revenue Derived Therefrom, and the Administration of Said Law; to Provide for Certain Deductions and Exemptions; Establishing a Lien for the Payment of Such Tax; to Fix Fines and Penalties for the Violation of the Provisions of This Act; to Repeal All Laws or

Parts of Laws in Conflict Herewith, and Declaring an Emergency.

And the same has been filed with the Secretary of State.

JOHN MOSES, Governor.

Bismarck, February 26, 1943

To the House of Representatives of the State of North Dakota:

This is to notify you that I have approved the following House Bill:

House Bill No. 24. A Bill for an Act to Provide for the Payment of the Expenses of Auditing and Examining the Affairs of the State Industrial Institutions, and the Special Departments and Its Subdivisions, of the State of North Dakota, Designating and Appropriating the Funds from Which Paid; Providing for the Payment of Said Collection Into the Special Fund in the State Treasury; Providing for Repeal of Acts.

And the same has been filed with the Secretary of State.

JOHN MOSES, Governor.

#### SECOND READING OF SENATE BILLS

Senate Bill No. 183. A Bill for an Act to Amend and Re-enact Chapter 137 of the 1939 Session Laws Relating to Marihuana, and Defining Marihuana as a Narcotic and a Habit-forming Drug; Prohibiting the Cultivation, Sale or Gift Thereof, Except Under Certain Circumstances; Permitting the Establishment of a Hemp Mill; 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, as amended, the roll was called and there were ayes, 43; nays, 59; absent and not voting, 11.

Those voting in the affirmative were:

Arndt	Hofstrand	Sailer
Bagge	Jennings	Sandness
Baumgartner	Johnson, Richland	Saumur
Belzer	Larson, Ward	Schmalenberger
Benno	Manstrom	Schnell
Bergesen	Mollet	Severson
Braun	Mortenson	Sharpe
Bubel	Nelson	Shure
Carlson	Nystrom	Stair
Dalzell	Olson, Barnes	Twichell
Falconer	Ostgulen	Wambheim
Fuglestad	Rettke	Williams, Stutsm'n
Graham	Rohde	Wolf, Morton
Halcrow	Rohrer	Mr. Speaker
Haugen		

Those voting in the negative were:

Allen, Pierce	Haugland	Monson
Anderson	Heckman	Morland
Bauer	Hegge	Morrison
Bjella	Hildre	Myers
Blair	Hogoboom	Olson, Bowman
Bolmeier	Holm	Ohnstad
Boulden	Hovey	Peterson, Ransom
Bymers	Iszler	Pyle

Callahan	Johnson, Rolette	Runck
Coghlan	Kolpin	Sellens
Dahlen	Langley	Starck
Devlin	Larson, Wells	Sticka
Drovdal	Leet	Stormon
Ekren	Levin	Tuff
Fitch	Lillehaugen	Welk
Fleck	Lunde	Westby
Forseth	McInnes	Williams, Richland
Fraser	Marks	Williams, Sargent
Gackle	Mittag	Wolf, McIntosh
Gainor	Moe	
Absent and not voting:		
Aker	Crockett	Peterson, Bottin'au
Allen, Grand Forks	Haag	Schwartz
Burau	Halvorson	Welder
Collette	Johnson, Cass	

So the bill was declared lost.

Rep. Bauer moved that the vote by which Senate Bill No. 183 was lost be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Rep. Twichell: "I wouldn't vote for this measure if I thought it in any way did away with the penalty for growing marihuana in the State, but it leaves the penalty on and provides that it can be raised under government supervision and therefore I vote 'aye'."

Rep. Bauer: "I have read this bill over since voting and I want to change my vote. I want it changed to 'No'. I would rather have a den of live rattlesnakes in my house than to raise Marihuana whether it is under government supervision or not. The liquor business is also under government supervision. I want to change my vote to 'No'."

Senate Bill No. 210. A Bill for an Act to Amend and Re-enact Sub-section (b) of Section 1 of the Initiated Measure Adopted June 30, 1926 Relating to the Definition of "Motor Vehicle Fuels."

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 95; nays, 8; absent and not voting, 10.

Those voting in the affirmative were:

Allen, Grand Forks	Gainor	Olson, Barnes
Allen, Pierce	Graham	Olson, Bowman
Arndt	Halcrow	Ohnstad
Bagge	Haugen	Ostgulen
Bauer	Haugland	Peterson, Ransom
Baumgartner	Heckman	Pyle
Belzer	Hildre	Rettke
Benno	Hofstrand	Rohrer
Bergesen	Hogoboom	Runck
Bjella	Holm	Sailer
Blair	Hovey	Sandness
Bolmeier	Jennings	Saumur
Boulden	Johnson, Richland	Schmalenberger
Braun	Johnson, Rolette	Schnell
Bubel	Kolpin	Sellens
Burau	Langley	Severson



Bymers	Larson, Wells	Sharpe
Callahan	Leet	Shure
Carlson	Levin	Stair
Coghlan	Lillehaugen	Starck
Dahlen	Lunde	Sticka
Dalzell	McInnes	Stormon
Devlin	Manstrom	Twichell
Drovdal	Marks	Wambheim
Ekren	Mittag	Welk
Falconer	Moe	Westby
Fitch	Mollet	Williams, Sargent
Fleck	Monson	Williams, Stutsm'n
Forseth	Mortenson	Wolf, McIntosh
Fraser	Myers	Wolf, Morton
Fuglestad	Nelson	Mr. Speaker
Gackle	Nystrom	
Those voting in the negative were:		
Anderson	Morland	Tuff
Iszler	Morrison	Williams, Richland
Larson, Ward	Rohde	
Absent and not voting:		
Aker	Halvorson	Peterson, Bottin'au
Collette	Hegge	Schwartz
Crockett	Johnson, Cass	Welder
Haag		

So the bill passed and the title was agreed to.

Rep. Twichell moved that the vote by which Senate Bill No. 210 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senate Bill No. 142. A Bill for an Act Authorizing the State of North Dakota to Exchange Tracts of Land Located Within the Diminished Borders of Fort Berthold Reservation for Lands Owned by the United States Government Outside of the Diminished Borders of said Fort Berthold Reservation; Providing for Appraisals, and Execution of Conveyance.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 103; nays, 1; absent and not voting, 9.

Those voting in the affirmative were:		
Allen, Grand Forks	Halcrow	Nystrom
Allen, Pierce	Halvorson	Olson, Barnes
Anderson	Haugen	Olson, Bowman
Arndt	Haugland	Ohnstad
Bagge	Heckman	Ostgulen
Bauer	Hildre	Peterson, Ransom
Baumgartner	Hofstrand	Pyle
Belzer	Hogoboom	Rettke
Benno	Holm	Rohde
Bergesen	Hovey	Rohrer
Bjella	Iszler	Runck
Blair	Jennings	Sailer
Bolmeier	Johnson, Cass	Saumur
Braun	Johnson, Richland	Schmalenberger
Bubel	Johnson, Rolette	Schnell
Burau	Kolpin	Sellens
Bymers	Langley	Severson

Callahan	Larson, Ward	Sharpe
Carlson	Larson, Wells	Shure
Coghlan	Leet	Stair
Crockett	Levin	Starck
Dahlen	Lillehaugen	Sticka
Dalzell	Lunde	Stormon
Devlin	McInnes	Twichell
Drovdal	Manstrom	Tuff
Ekren	Marks	Wambheim
Falconer	Mittag	Welk
Fitch	Mollet	Westby
Fleck	Monson	Williams, Richland
Forseth	Morland	Williams, Sargent
Fraser	Morrison	Williams, Stutsm'n
Fuglestad	Mortenson	Wolf, McIntosh
Gackle	Myers	Wolf, Morton
Gainor	Nelson	Mr. Speaker

Those voting in the negative were:

Moe

Absent and not voting:

Aker	Haag	Sandness
Boulden	Hegge	Schwartz
Collette	Peterson, Bottin'au	Welder

So the bill passed and the title was agreed to.

Rep. Anderson moved that the vote by which Senate Bill No. 142 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senate Bill No. 102. A Bill for an Act to Amend and Re-enact Section 172 of the Compiled Laws of North Dakota for the Year 1913, Relating to the Duties of the Commissioner of Insurance, 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, 102; nays, 2; absent and not voting, 9.

Those voting in the affirmative were:

Allen, Pierce	Haugen	Olson, Bowman
Anderson	Haugland	Ohnstad
Arndt	Heckman	Ostgulen
Bagge	Hildre	Peterson, Bottina'u
Bauer	Hofstrand	Peterson, Ransom
Baumgartner	Hogboom	Pyle
Belzer	Holm	Rettke
Benno	Hovey	Rohde
Bergesen	Iszler	Rohrer
Ejella	Jennings	Runck
Bolmeier	Johnson, Cass	Sailer
Braun	Johnson, Richland	Sandness
Bubel	Johnson, Rolette	Saumur
Burau	Kolpin	Schmalenberger
Bymers	Langley	Schnell
Callahan	Larson, Ward	Sellens
Carlson	Larson, Wells	Severson
Coghlan	Leet	Sharpe
Collette	Levin	Shure
Crockett	Lillehaugen	Stair
Dahlen	Lunde	Starck

Devlin	McInnes	Sticka
Drovdal	Manstrom	Stormon
Ekren	Marks	Twichell
Falconer	Mittag	Tuff
Fitch	Moe	Wambheim
Forseth	Mollet	Welk
Fraser	Monson	Westby
Fuglestad	Morland	Williams, Richland
Gackle	Morrison	Williams, Stutsman
Gainor	Mortenson	Williams, Sargent
Graham	Nelson	Wolf, McIntosh
Halcrow	Nystrom	Wolf, Morton
Halvorson	Olson, Barnes	Mr. Speaker

Those voting in the negative were:  
Allen, Grand Forks Myers

Absent and not voting:

Aker	Dalzell	Hegge
Blair	Fleck	Schwartz
Boulden	Haag	Welder

So the bill passed, as amended, and the title was agreed to.

Rep. Rohde moved that the vote by which Senate Bill No. 102 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senate Bill No. 209. A Bill for an Act Authorizing the Code Revision Commission to Incorporate the Session Laws Adopted by the Twenty-Eighth Legislative Assembly in the North Dakota Revised Code of 1943; to Rearrange, Renumber, and Correct Typographical Errors in Such Code; and to Prepare the Same for Publication, 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, 105; nays, 0; absent and not voting, 8.

Those voting in the affirmative were:

Aker	Gainor	Olson, Barnes
Allen, Grand Forks	Graham	Olson, Bowman
Allen, Pierce	Halcrow	Ohnstad
Anderson	Halvorson	Ostgulen
Arndt	Haugland	Peterson, Bottin'au
Bagge	Heckman	Peterson, Ransom
Bauer	Hildre	Pyle
Baumgartner	Hofstrand	Rettke
Belzer	Hogboom	Rohde
Benno	Holm	Rohrer
Bergesen	Hovey	Runck
Bjella	Iszler	Sailer
Blair	Jennings	Sandness
Bolmeier	Johnson, Cass	Saumur
Boulden	Johnson, Richland	Schmalenberger
Braun	Johnson, Rolette	Schnell
Bubel	Kolpin	Sellens
Bureau	Langley	Severson
Callahan	Larson, Ward	Sharpe
Carlson	Larson, Wells	Shure
Coghlan	Levin	Starck
Collette	Lillehaugen	Sticka

Crockett	McInnes	Stair
Dahlen	Manstrom	Stormon
Dalzell	Marks	Twichell
Devlin	Mittag	Tuff
Drovdal	Moe	Wambheim
Ekren	Mollet	Welk
Falconer	Monson	Westby
Fitch	Morland	Williams, Richland
Fleck	Morrison	Williams, Sargent
Fraser	Mortenson	Williams, Stutsm'n
Forseth	Myers	Wolf, McIntosh
Fuglestad	Nelson	Wolf, Morton
Gackle	Nystrom	Mr. Speaker
Absent and not voting:		
Bymers	Hegge	Schwartz
Haag	Leet	Welder
Haugen	Lunde	

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

Rep. Callahan moved that the vote by which Senate Bill No. 209 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senate Bill No. 112. A Bill for an Act to Amend and Re-enact Section 2160 of the Compiled Laws of North Dakota of the Year 1913 Relating to Issuance of Receipts.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 95; nays, 8; absent and not voting, 10.

Those voting in the affirmative were:

Aker	Fraser	Nelson
Allen, Grand Forks	Fuglestad	Nystrom
Allen, Pierce	Gackle	Olson, Barnes
Anderson	Gainor	Olson, Bowman
Arndt	Halcrow	Ohnstad
Bagge	Halvorson	Ostgulen
Bauer	Haugen	Peterson, Bottina'u
Baumgartner	Haugland	Peterson, Ransom
Belzer	Hildre	Pyle
Benno	Hogoboom	Rettke
Bergesen	Holm	Rohde
Bjella	Hovey	Rohrer
Blair	Iszler	Sailer
Bolmeier	Jennings	Sandness
Boulden	Johnson, Cass	Saumur
Braun	Johnson, Richland	Schmalenberger
Bubel	Johnson, Rolette	Schnell
Bureau	Kolpin	Sellens
Bymers	Langley	Severson
Callahan	Larson, Ward	Sharpe
Carlson	Larson, Wells	Shure
Coghlan	Leet	Starck
Collette	Lillehaugen	Sticka
Crockett	McInnes	Stormon
Dahlen	Manstrom	Twichell
Dalzell	Marks	Tuff
Devlin	Mittag	Wambheim

Drovdal	Moe	Williams, Stutsm'n
Ekren	Mollet	Wolf, McIntosh
Falconer	Monson	Wolf, Morton
Fitch	Morland	Mr. Speaker
Forseth	Mortenson	
Those voting in the	negative were:	
Levin	Stair	Williams, Richland
Morrison	Welk	Williams, Sargent
Myers	Westby	
Absent and not voting:		
Fleck	Hegge	Runck
Graham	Hofstrand	Schwartz
Haag	Lunde	Welder
Heckman		

So the bill passed as amended and the title was agreed to.

Rep. Rohde moved that the vote by which Senate Bill No. 112 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Rep. Schnell requested that the House be on the seventh order of business, which request was granted.

Rep. Schnell moved that the House reconsider the vote by which the report of the Conference Committee on House Bill No. 110 was adopted, which motion prevailed.

Rep. Schnell moved that the House reject the report of the Conference Committee on House Bill No. 110, which motion prevailed.

Rep. Schnell moved that a new Conference Committee be appointed on House Bill No. 110, which motion prevailed.

The Speaker appointed on the Conference Committee, Reps. Johnson of Richland, Holm and Haugen.

Senate Bill No. 56. A Bill for an Act to Appropriate Twenty Thousand (\$20,000.00) Dollars for the Biennium to Provide for the Control of Predatory Animals Such as Wolves, Coyotes, Bobcats and Other Predatory Animals Which Are Injurious to Livestock, Poultry and Game Animals and Birds; to Authorize Cooperation with the United States in the Control of Such Predatory Animals; and in Addition Thereto Appropriating for the Same Purpose the Net Proceeds of Furs, Skins or Specimens Sold, Making Such Proceeds Available in a Sum Not to Exceed Twenty Thousand (\$20,000.00) Dollars, and to Provide for Funds to Enable the Department of Agriculture and Labor to Carry Out the Provisions of This Act; Repealing All Acts or Parts of Acts in Conflict Herewith and Declaring an Emergency.

Was read the second time.

Rep. Dazell moved the previous question.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 57; nays, 53; absent and not voting, 3.

Those voting in the affirmative were:

Aker	Hofstrand	Olson, Barnes
Allen, Grand Forks	Holm	Olson, Bowman
Benno	Iszler	Rohde
Bjella	Jennings	Rohrer
Bolmeier	Larson, Wells	Schmalenberger
Braun	Leet	Schnell

Bubel	Levin	Sellens
Burau	Lillehaugen	Severson
Carlson	Lunde	Sharpe
Collette	Manstrom	Stair
Crockett	Mittag	Starck
Dalzell	Mollet	Sticka
Devlin	Monson	Stormon
Fitch	Morland	Wambheim
Fleck	Morrison	Welk
Forseth	Mortenson	Williams, Richland
Halvorson	Myers	Wolf, McIntosh
Haugen	Nelson	Wolf, Morton
Hildre	Nystrom	Mr. Speaker
Those voting in the negative were:		
Allen, Pierce	Gackle	Ohnstad
Anderson	Gainor	Ostgulen
Arndt	Graham	Peterson, Bottin'au
Bagge	Halcrow	Peterson, Ransom
Bauer	Haugland	Pyle
Baumgartner	Heckman	Rettke
Belzer	Hegge	Runk
Bergesen	Hogoboom	Sailer
Blair	Hovey	Sandness
Boulden	Johnson, Cass	Saumur
Bymers	Johnson, Richland	Schwartz
Callahan	Johnson, Rolette	Shure
Coghlan	Kolpin	Twichell
Dahlen	Langley	Tuff
Drovdal	Larson, Ward	Westby
Ekren	McInnes	Williams, Sargent
Falconer	Marks	Williams, Stutsm'n
Fuglestad	Moe	

Absent and not voting:

Fraser                      Haag                      Welder

So the bill passed as amended and the title was agreed to.

Rep. Morrison 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.

Speaker Beede: "Killing the coyotes is pretty serious business in some parts of the State and while I would prefer to see more money spent for bounties. Yet I do not see how killing the bill will give us more money for bounties, so I vote 'Aye'."

Senate Bill No. 110. A Bill for an Act to Amend and Re-enact Section 2157 of the Compiled Laws of North Dakota of the Year 1913 as Amended by Chapter 228 of the Session Laws of 1929 Relating to the Issuance of Tax Receipts and the Form 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, 101; nays, 5; absent and not voting, 7.

Those voting in the affirmative were:

Aker	Gackle	Nystrom
Allen, Grand Forks	Gainor	Olson, Barnes
Allen, Pierce	Halcrow	Olson, Bowman
Arndt	Halvorson	Ohnstad

Anderson	Haugen	Ostgulen
Bagge	Haugland	Peterson, Bottin'au
Bauer	Heckman	Peterson, Ransom
Baumgartner	Hegge	Pyle
Belzer	Hildre	Rettke
Benno	Hofstrand	Rohde
Bergesen	Hogoboom	Rohrer
Bjella	Holm	Runck
Blair	Hovey	Sailer
Bolmeier	Iszler	Sandness
Boulden	Jennings	Saumur
Braun	Johnson, Cass	Schwartz
Bubel	Johnson, Richland	Sellens
Bureau	Johnson, Rolette	Severson
Bymers	Kolpin	Sharpe
Callahan	Langley	Shure
Carlson	Larson, Ward	Starck
Coghlan	Leet	Sticka
Collette	Lillehaugen	Stormon
Dahlen	Lunde	Twichell
Dalzell	McInnes	Tuff
Devlin	Manstrom	Wambheim
Drovdal	Marks	Welk
Ekren	Mittag	Westby
Falconer	Moe	Williams, Sargent
Fitch	Mollet	Williams, Stutsm'n
Fleck	Monson	Wolf, McIntosh
Forseth	Morland	Wolf, Morton
Fraser	Mortenson	Mr. Speaker
Fuglestad	Nelson	
Those voting in the	negative were:	
Levin	Myers	Williams, Richland
Morrison	Stair	
Absent and not voting:		
Crockett	Larson, Wells	Schnell
Graham	Schmalenberger	Welder
Haag		

So the bill passed as amended and the title was agreed to.

Rep. Rohde moved that the vote by which Senate Bill No. 110 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senate Bill No. 5. A Bill for an Act Making an Appropriation for the Operation, Maintenance and Miscellaneous Expenses of the Poultry Improvement Board.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 105; nays, 1; absent and not voting, 7.

Those voting in the affirmative were:

Aker	Gainor	Nystrom
Allen, Grand Forks	Graham	Olson, Barnes
Allen, Pierce	Halcrow	Olson, Bowman
Anderson	Halvorson	Ohnstad
Arndt	Haugen	Ostgulen
Bagge	Haugland	Peterson, Ransom
Bauer	Heckman	Pyle
Baumgartner	Hegge	Rettke
Belzer	Hildre	Rohde

Benno	Hofstrand	Rohrer
Bergesen	Hogboom	Runck
Bjella	Holm	Sailer
Blair	Hovey	Sandness
Bolmeier	Iszler	Schwartz
Boulden	Jennings	Schmalenberger
Braun	Johnson, Cass	Schnell
Bubel	Johnson, Richland	Sellens
Bureau	Johnson, Rolette	Severson
Bymers	Langley	Sharpe
Callahan	Larson, Ward	Shure
Carlson	Leet	Stair
Coghlan	Levin	Starck
Collette	Lillehaugen	Sticka
Dahlen	Lunde	Stormon
Dalzell	McInnes	Twichell
Devlin	Manstrom	Tuff
Drovdal	Marks	Wambheim
Ekren	Moe	Welk
Falconer	Mollet	Westby
Fitch	Monson	Williams, Richland
Fleck	Morland	Williams, Sargent
Forseth	Morrison	Williams, Stutsm'n
Fraser	Mortenson	Wolf, McIntosh
Fuglestad	Myers	Wolf, Morton
Gackle	Nelson	Mr. Speaker

Those voting in the negative were:

Mittag

Absent and not voting:

Crockett	Larson, Wells	Saumur
Haag	Peterson, Bottin'au	Welder
Kolpin		

So the bill passed as amended and the title was agreed to.

Senate Bill No. 12. A Bill for an Act Making an Appropriation for Administration and Expenses for the Liquor Control Act.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 105; nays, 0; absent and not voting, 8.

Those voting in the affirmative were:

Aker	Haugland	Olson, Bowman
Allen, Pierce	Heckman	Ohnstad
Anderson	Hegge	Ostgulen
Arndt	Hildre	Peterson, Bottin'au
Bagge	Hofstrand	Peterson, Ransom
Baumgartner	Hogboom	Pyle
Belzer	Holm	Rettke
Benno	Hovey	Rohde
Bjella	Iszler	Rohrer
Blair	Jennings	Runck
Bolmeier	Johnson, Cass	Sailer
Boulden	Johnson, Richland	Sandness
Braun	Johnson, Rolette	Saumur
Bubel	Kolpin	Schwartz
Bymers	Langley	Schmalenberger
Callahan	Larson, Ward	Schnell
Carlson	Larson, Wells	Sellens



Coghlan	Leet	Severson
Collette	Levin	Sharpe
Dahlen	Lillehaugen	Shure
Dalzell	Lunde	Stair
Devlin	McInnes	Starck
Drovdal	Manstrom	Sticka
Ekren	Marks	Stormon
Falconer	Mittag	Twichell
Fitch	Moe	Tuff
Fleck	Mollet	Wambheim
Forseth	Monson	Welk
Fraser	Morland	Westby
Fuglestad	Morrison	Williams, Richland
Gackle	Mortenson	Williams, Sargent
Gainor	Myers	Williams, Stutsm'n
Halcrow	Nelson	Wolf, McIntosh
Halvorson	Nystrom	Wolf, Morton
Haugen	Olson, Barnes	Mr. Speaker
Absent and not voting:		
Allen, Grand Forks	Burau	Haag
Bauer	Crockett	Welder
Bergesen	Graham	

So the bill passed as amended and the title was agreed to.

Senate Bill No. 19. A Bill for an Act Making an Appropriation for Salaries and Expenses for the State Seed Department.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 103; nays, 1; absent and not voting, 9.

Those voting in the affirmative were:

Aker	Halvorson	Olson, Barnes
Allen, Pierce	Haugen	Ohnstad
Anderson	Haugland	Ostgulen
Arndt	Heckman	Peterson, Bottin'au
Bagge	Hegge	Peterson, Ransom
Bauer	Hildre	Pyle
Baumgartner	Hofstrand	Rettke
Belzer	Hogoboom	Rohde
Benno	Holm	Rohrer
Bergesen	Hovey	Runck
Blair	Iszler	Sailer
Boulden	Jennings	Saumur
Bolmeier	Johnson, Cass	Schwartz
Braun	Johnson, Rolette	Schmalenberger
Bubel	Kolpin	Schnell
Bymers	Langley	Sellens
Callahan	Larson, Ward	Severson
Carlson	Larson, Wells	Sharpe
Coghlan	Leet	Shure
Collette	Levin	Stair
Crockett	Lillehaugen	Starck
Dahlen	Lunde	Sticka
Dalzell	McInnes	Stormon
Devlin	Manstrom	Twichell
Drovdal	Marks	Tuff
Ekren	Mittag	Wambheim
Falconer	Mollet	Welk

Fitch	Monson	Westby
Fleck	Morland	Williams, Richland
Forseth	Morrison	Williams, Sargent
Fraser	Mortenson	Williams, Stutsm'n
Fuglestad	Myers	Wolf, McIntosh
Gackle	Nelson	Wolf, Morton
Gainor	Nystrom	Mr. Speaker
Halcrow		

Those voting in the negative were:

Moe

Absent and not voting:

Allen, Grand Forks	Graham	Olson, Bowman
Bjella	Haag	Sandness
Burau	Johnson, Richland	Welder

So the bill passed as amended and the title was agreed to.

Senate Bill No. 55. A Bill for an Act to Amend and Re-enact Section 57 of Chapter 148 of the Session Laws of 1931, as Amended by Chapter 154 of the Session Laws of 1941 Giving the Governor Certain Powers Relative to Game and Fish, Limiting Such Power and Authorizing the Governor to Declare Foxes Predatory Animals in Certain Areas, and Dispensing with Licenses Relative to Foxes When Declared Predatory.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 97; nays, 11; absent and not voting, 5.

Those voting in the affirmative were:

Aker	Halcrow	Olson, Bowman
Allen, Grand Forks	Haugen	Ohnstad
Allen, Pierce	Haugland	Ostgulen
Anderson	Heckman	Peterson, Bottina'u
Arndt	Hegge	Peterson, Ransom
Bagge	Hildre	Pyle
Baumgartner	Hofstrand	Rohde
Benno	Hogoboom	Rohrer
Bergesen	Holm	Runck
Bjella	Hovey	Sailer
Blair	Iszler	Sandness
Bolmeier	Jennings	Saumur
Boulden	Johnson, Cass	Schwartz
Braun	Johnson, Rolette	Schnell
Bubel	Langley	Sellens
Burau	Larson, Ward	Severson
Bymers	Larson, Wells	Sharpe
Callahan	Leet	Shure
Carlson	Lillehaugen	Stair
Collette	Lunde	Starck
Crockett	McInnes	Sticka
Dahlen	Manstrom	Stormon
Dalzell	Marks	Twichell
Devlin	Mittag	Wambheim
Drovdal	Mollet	Welk
Ekren	Morland	Westby
Falconer	Morrison	Williams, Richland
Fitch	Mortenson	Williams, Sargent
Fleck	Myers	Williams, Stutsm'n
Forseth	Nelson	Wolf, McIntosh

Gackle	Nystrom	Wolf, Morton
Gainor	Olson, Barnes	Mr. Speaker
Graham		
Those voting in the negative were:		
Belzer	Halvorson	Monson
Coghlan	Kolpin	Rettke
Fraser	Levin	Tuff
Fuglestad	Moe	
Absent and not voting:		
Bauer	Johnson, Richland	Welder
Haag	Schmalenberger	

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

Rep. Rohde moved that the vote by which Senate Bill No. 55 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 Re-enact Sections 1, 2, 5, 6, 8 and 10 of That Certain Initiated Law Adopted by the Voters of the State of North Dakota, at the Primary Election Held June 29, 1932, Entitled as Follows: "An Act Reducing and Fixing the Salaries of the Following County Officials Hereafter Elected: Auditor, Treasurer, Sheriff, Superintendent of Schools, Register of Deeds, County Judge, State's Attorney, and Clerk of District Court, and Providing for the Appointment of Certain Deputies, Clerks and Assistants to Such Officials and Fixing Their Salaries, and for Payment of All Fees to the County, and Fixing the Per Diem and Mileage of County Commissioners and Repealing Section 3551a2, 1925 Supplement to the Compiled Laws of 1913, Chapters 114 and 115 of the Laws of 1927, Chapter 108 of the Laws of 1929, Chapter 117 of the Laws of 1931, and All Acts and Parts of Acts so Far as in Conflict Herewith," and Repealing Sections 3, 4 and 9 of Said Initiated Law and All Acts and Parts of Acts in Conflict Herewith, and Declaring an Emergency.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 107; nays, 0; absent and not voting, 5; passed, 1.

Those voting in the affirmative were:

Aker	Halcrow	Olson, Barnes
Allen, Grand Forks	Halvorson	Olson, Bowman
Allen, Pierce	Haugen	Ohnstad
Anderson	Haugland	Ostgulen
Arndt	Heckman	Peterson, Bottin'au
Bagge	Hegge	Peterson, Ransom
Baumgartner	Hildre	Pyle
Belzer	Hofstrand	Rettke
Benno	Hogoboom	Rohde
Bergesen	Holm	Rohrer
Bjella	Hovey	Runck
Bolmeier	Iszler	Sailer
Boulden	Jennings	Sandness
Braun	Johnson, Cass	Saumur
Bubel	Johnson, Richland	Schwartz
Bureau	Kolpin	Schmalenberger
Bymers	Langley	Schnell

Callahan	Larson, Ward	Sellens
Carlson	Larson, Wells	Severson
Coghlan	Leet	Sharpe
Collette	Levin	Stair
Crockett	Lillehaugen	Starck
Dahlen	Lunde	Sticka
Dalzell	McInnes	Stormon
Devlin	Manstrom	Twichell
Drovdal	Marks	Tuff
Ekren	Mittag	Wambheim
Falconer	Moe	Welk
Fitch	Mollet	Westby
Fleck	Monson	Williams, Richland
Forseth	Morland	Williams, Sargent
Fraser	Morrison	Williams, Stuts'm'n
Fuglestad	Mortenson	Wolf, McIntosh
Gackle	Myers	Wolf, Morton
Gainor	Nelson	Mr. Speaker
Graham	Nystrom	
Absent and not voting:		
Bauer	Haag	Welder
Blair	Johnson, Rolette	
Passed:		
Shure		

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

Rep. Saumur 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. 149. A Bill for an Act to Amend and Re-enact Subsection (c) of Section 51 of the Session Laws of North Dakota for the Year 1927, Providing for the Tilting of Motor Vehicle Headlights, 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, 102; nays, 4; absent and not voting, 7.

Those voting in the affirmative were:

Aker	Fuglestad	Myers
Allen, Grand Forks	Gackle	Nelson
Allen, Pierce	Gainor	Nystrom
Anderson	Graham	Olson, Bowman
Arndt	Halcrow	Ohnstad
Bagge	Halvorson	Peterson, Bottin'au
Bauer	Haugen	Peterson, Ransom
Baumgartner	Haugland	Pyle
Belzer	Heckman	Rettke
Benno	Hegge	Runck
Bergesen	Hildre	Rohde
Bjella	Hofstrand	Rohrer
Blair	Hogoboom	Sandness
Bolmeier	Holm	Schwartz
Boulden	Hovey	Schmalenberger
Braun	Iszler	Schnell
Bubel	Jennings	Sellens
Burau	Johnson, Cass	Severson
Bymers	Johnson, Richland	Sharpe
Callahan	Johnson, Rolette	Shure

Carlson	Kolpin	Stair
Coghlan	Larson, Ward	Starck
Collette	Larson, Wells	Sticka
Crockett	Leet	Stormon
Dahlen	Levin	Twichell
Dalzell	Lillehaugen	Wambheim
Devlin	Lunde	Welk
Drovdal	McInnes	Westby
Ekren	Manstrom	Williams, Richland
Falconer	Mollet	Williams, Sargent,
Fitch	Monson	Williams, Stutsm'n
Fleck	Morland	Wolf, McIntosh
Forseth	Morrison	Wolf, Morton
Fraser	Mortenson	Mr. Speaker

Those voting in the negative were:

Marks	Moe	Ostgulen
Mittag		
Absent and not voting:		
Haag	Sailer	Tuff
Langley	Saumur	Welder
Olson, Barnes		

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

Rep. Rohde moved that the vote by which Senate Bill No. 149 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senate Bill No. 181. A Bill for an Act to Make it the Duty of the Public Welfare Board of North Dakota to Eliminate Disparity in the Amount of Old Age Assistance Between the Counties of the State of North Dakota, Authorizing a Full or Part-time Deputy Executive Director, Directing Discharge of Executive Director or Deputy Executive Director, Requiring Liberal Construction of the Public Welfare Law and Declaring an Emergency.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 83; nays, 22; absent and not voting, 8.

Those voting in the affirmative were:

Aker	Graham	Nelson
Allen, Pierce	Halcrow	Olson, Bowman
Anderson	Halvorson	Ohnstad
Arndt	Haugen	Ostgulen
Bagge	Haugland	Peterson, Bottina'u
Bauer	Hegge	Pyle
Baumgartner	Hildre	Rettke
Belzer	Hofstrand	Rohde
Bergesen	Hogoboom	Rohrer
Bjella	Holm	Runck
Bolmeier	Iszler	Schwartz
Braun	Jennings	Schmalenberger
Burau	Johnson, Richland	Schnell
Bymers	Johnson, Rolette	Sellens
Callahan	Langley	Severson
Carlson	Larson, Ward	Stair
Coghlan	Larson, Wells	Starck
Collette	Leet	Sticka

Crockett	Lunde	Stormon
Dahlen	Marks	Tuff
Dalzell	Mittag	Welk
Drovdal	Moe	Williams, Richland
Ekren	Mollet	Williams, Sargent
Falconer	Monson	Williams, Stutsm'n
Forseth	Morland	Wolf, McIntosh
Fraser	Morrison	Wolf, Morton
Gackle	Mortenson	Mr. Speaker
Gainor	Myers	
Those voting in the negative were:		
Allen, Grand Forks	Heckman	Manstrom
Blair	Hovey	Olson, Barnes
Boulden	Johnson, Cass	Peterson, Ransom
Bubel	Kolpin	Sandness
Devlin	Levin	Shure
Fitch	McInnes	Twichell
Fleck	Nystrom	Wambheim
Fuglestad		
Absent and not voting:		
Benno	Sailer	Welder
Haag	Saumur	Westby
Lillehaugen	Sharpe	

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

Rep. Ekren moved that the vote by which Senate Bill No. 181 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Rep. Allen of Grand Forks: "I wish to explain my vote. I don't see anything in this bill that was not in the recommendation of the Welfare Committee. I see no reason for the bill so I vote 'No'."

Senate Bill No. 192. A Bill for an Act to Encourage the Investment of Moneys in the State of North Dakota, and to Encourage the Development of the Natural Resources of This State, and to Provide a Market for the Gas and Oil Deposits in the State, Including Those Owned by the State of North Dakota, and the Counties Thereof, and to Permit the Marketing of Such Natural Resources by Selling and Delivering to the State, County and School Districts of Gas and Oil, Upon Condition That the Seller or Carrier Purchase From Production or Produce in This State an Amount of Gas or Oil at Least Equivalent to the Amount It Delivers to Said State, County and School District Buildings and Requiring Such Sellers and Carriers to Make Reports of Its Sales and Purchases and Production, Under Oath, and Providing a Penalty for Violation Thereof; Repealing All Acts in Conflict, and Declaring an Emergency.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 68; nays, 37; absent and not voting, 8.

Those voting in the affirmative were:

Aker	Fuglestad	Monson
Allen, Grand Forks	Gainor	Morland
Allen, Pierce	Graham	Morrison
Anderson	Halcrow	Mortenson

Bagge	Halvorson	Myers
Bauer	Hildre	Nystrom
Baumgartner	Hofstrand	Olson, Bowman
Bjella	Hogoboom	Ostgulen
Boulden	Holm	Peterson, Bottin'au
Bymers	Iszler	Rohde
Callahan	Johnson, Richland	Rohrer
Carlson	Kolpin	Runk
Coghan	Larson, Ward	Sandness
Collette	Larson, Wells	Saumur
Crockett	Leet	Schwartz
Dahlen	Levin	Stair
Dalzell	Lillehaugen	Starck
Devlin	Lunde	Stormon
Drovdal	Manstrom	Tuff
Falconer	Marks	Williams, Richland
Fitch	Mittag	Williams, Sargent
Forseth	Moe	Mr. Speaker
Fraser	Mollet	
Those voting in the negative were:		
Arndt	Hegge	Schnell
Belzer	Hovey	Sellens
Blair	Jennings	Severson
Bolmeier	Johnson, Cass	Shure
Braun	Johnson, Rolette	Sticka
Bubel	McInnes	Twichell
Burau	Olson, Barnes	Wambheim
Ekren	Ohnstad	Welk
Fleck	Peterson, Ransom	Westby
Gackle	Pyle	Williams, Stutsman
Haugen	Rettke	Wolf, McIntosh
Haugland	Schmalenberger	Wolf, Morton
Heckman		
Absent and not voting:		
Benno	Langley	Sharpe
Bergesen	Nelson	Welder
Haag	Sailer	

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

Rep. Ostgulen moved that the vote by which Senate Bill No. 192 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Rep. Marks: "I wish to explain my vote on this. I worked hard on this bill six years ago but it lost out. I am again for it 100% because it is the cheapest fuel we have in North Dakota. I vote 'aye'."

Senate Concurrent Resolution "H." A Concurrent Resolution Providing for the Amendment of Section 158 of Article 9 of the Constitution of North Dakota as Amended by Article 13 of the Amendments Thereof as Further Amended by Article 50 of the Amendments Thereof, Relating to the Sale of School and Public Lands, and for Resale to Purchasers on Contract Whose Contracts Have Been Cancelled.

Was read the second time.

#### ROLL CALL

The question being on the adoption of Senate Concurrent Resolution "H", the roll was called and there were ayes, 107; nays, 0; absent and not voting, 6.

Those voting in the affirmative were:

Aker	Halcrow	Olson, Barnes
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Allen, Grand Forks	Halvorson	Olson, Bowman
Allen, Pierce	Haugen	Ohnstad
Anderson	Haugland	Ostgulen
Arndt	Heckman	Peterson, Bottina'u
Bagge	Hegge	Peterson, Ransom
Bauer	Hildre	Pyle
Baumgartner	Hofstrand	Rettke
Belzer	Hogboom	Rohde
Benno	Holm	Rohrer
Bergesen	Hovey	Runck
Bjella	Iszler	Sailer
Blair	Jennings	Sandness
Bolmeier	Johnson, Cass	Saumur
Boulden	Johnson, Richland	Schwartz
Braun	Johnson, Rolette	Schmalenberger
Bubel	Kolpin	Schnell
Burau	Langley	Sellens
Bymers	Larson, Ward	Sharpe
Callahan	Larson, Wells	Shure
Carlson	Leet	Stair
Coghlan	Levin	Starck
Collette	Lillehaugen	Sticka
Dahlen	Lunde	Stormon
Dalzell	Manstrom	Tuff
Devlin	Marks	Twichell
Drovdal	Mittag	Wambheim
Ekren	Moe	Welk
Falconer	Mollet	Westby
Fitch	Monson	Williams, Richland
Fleck	Morland	Williams, Sargent
Forseth	Morrison	Williams, Stutsm'n
Fraser	Mortenson	Wolf, McIntosh
Fuglestad	Myers	Wolf, Morton
Gainor	Nelson	Mr. Speaker
Graham	Nystrom	
Absent and not voting:		
Crockett	Haag	Severson
Gackle	McInnes	Welder

So the resolution, as amended, was adopted.

Senate Bill No. 175. A Bill for an Act Amending and Re-enacting Section 17 of Chapter 14 of the Session Laws of 1941 Relating to the State Seed Department.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 110; nays, 0; absent and not voting, 3.

Those voting in the affirmative were:

Aker	Graham	Olson, Barnes
Allen, Grand Forks	Halcrow	Olson, Bowman
Allen, Pierce	Halvorson	Ohnstad
Anderson	Haugen	Ostgulen
Arndt	Haugland	Peterson, Bottin'au
Bagge	Heckman	Peterson, Ransom
Bauer	Hegge	Pyle
Baumgartner	Hildre	Rettke
Belzer	Hofstrand	Rohde
Benno	Hogboom	Rohrer
Bergesen	Holm	Runck



Bjella	Hovey	Sailer
Blair	Iszler	Sandness
Bolmeier	Jennings	Saumur
Boulden	Johnson, Cass	Schwartz
Braun	Johnson, Richland	Schmalenberger
Bubel	Johnson, Rolette	Schnell
Burau	Kolpin	Sellens
Bymers	Langley	Severson
Callahan	Larson, Ward	Sharpe
Carlson	Larson, Wells	Shure
Coghlan	Leet	Starck
Collette	Levin	Stair
Crockett	Lillehaugen	Sticka
Dahlen	Lunde	Stormon
Dalzell	Manstrom	Tuff
Devlin	Marks	Twichell
Drovdal	Mittag	Wambheim
Ekren	Moe	Welk
Falconer	Mollet	Westby
Fitch	Monson	Williams, Richland
Fleck	Morland	Williams, Sargent
Forseth	Morrison	Williams, Stutsm'n
Fraser	Mortenson	Wolf, McIntosh
Fuglestad	Myers	Wolf, Morton
Gackle	Nelson	Mr. Speaker
Gainor	Nystrom	
Absent and not voting:		
Haag	McInnes	Welder

So the bill passed, as amended, and the title was agreed to.

Senate Bill No. 21. 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, 106; nays, 0; absent and not voting, 7.

Those voting in the affirmative were:

Aker	Gainor	Nystrom
Allen, Grand Forks	Graham	Olson, Barnes
Allen, Pierce	Halcrow	Olson, Bowman
Anderson	Halvorson	Ohnstad
Arndt	Haugen	Ostgulen
Bagge	Haugland	Peterson, Bottin'au
Bauer	Heckman	Peterson, Ransom
Baumgartner	Hegge	Pyle
Belzer	Hildre	Rettke
Benno	Hofstrand	Rohde
Bergesen	Hogoboom	Rohrer
Bjella	Holm	Runck
Blair	Hovey	Sailer
Bolmeier	Iszler	Saumur
Boulden	Jennings	Schwartz
Braun	Johnson, Cass	Schnell
Bubel	Johnson, Richland	Sellens
Burau	Johnson, Rolette	Severson
Bymers	Kolpin	Sharpe
Callahan	Langley	Shure

Carlson	Larson, Ward	Stair
Coghlan	Larson, Wells	Starck
Collette	Leet	Sticka
Crockett	Lillehaugen	Stormon
Dahlen	Lunde	Twichell
Dalzell	Manstrom	Tuff
Devlin	Marks	Wambheim
Drovdal	Mittag	Welk
Ekren	Moe	Westby
Falconer	Mollet	Williams, Richland
Fitch	Monson	Williams, Sargent
Fleck	Morland	Williams, Stutsman
Forseth	Morrison	Wolf, McIntosh
Fraser	Myers	Wolf, Morton
Fuglestad	Nelson	Mr. Speaker
Gackle		

Absent and not voting:

Haag	Mortenson	Schmalenberger
Levin	Sandness	Welder
McInnes		

So the bill passed, as amended, and the title was agreed to.

Rep. Lillehaugen moved that the vote by which Senate Bill No. 21 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Rep. Graham moved that action on Senate Bill No. 7 be deferred one legislative day, which motion prevailed.

Senate Bill No. 15. A Bill for an Act Making an Appropriation for Operation and Maintenance of the Auto Transportation Division.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 107; nays, 0; absent and not voting, 6.

Those voting in the affirmative were:

Aker	Halcrow	Olson, Barnes
Allen, Grand Forks	Halvorson	Olson, Bowman
Allen, Pierce	Haugen	Ohnstad
Anderson	Haugland	Ostgulen
Arndt	Heckman	Peterson, Bottin'au
Bagge	Hegge	Peterson, Ransom
Bauer	Hildre	Pyle
Baumgartner	Hogoboom	Rettke
Belzer	Holm	Rohde
Benno	Hovey	Rohrer
Bergesen	Iszler	Runck
Bjella	Jennings	Sailer
Blair	Johnson, Cass	Sandness
Bolmeier	Johnson, Richland	Saumur
Boulden	Johnson, Rolette	Schwartz
Braun	Kolpin	Schmalenberger
Bubel	Langley	Schnell
Bureau	Larson, Ward	Sellens
Bymers	Larson, Wells	Severson
Callahan	Leet	Sharpe
Carlson	Lillehaugen	Shure
Coghlan	Lunde	Stair
Collette	Hofstrand	Starck

Crockett	McInnes	Sticka
Dahlen	Manstrom	Stormon
Dalzell	Marks	Twichell
Devlin	Mittag	Tuff
Drovdal	Moe	Wambheim
Ekren	Mollet	Welk
Falconer	Monson	Westby
Fitch	Morland	Williams, Sargent
Fleck	Morrison	Williams, Stutsm'n
Forseth	Mortenson	Wolf, McIntosh
Fraser	Myers	Wolf, Morton
Fuglestad	Nelson	Mr. Speaker
Gackle	Nystrom	
Absent and not voting:		
Gainor	Haag	Welder
Graham	Levin	Williams, Richland

So the bill passed, as amended, and the title was agreed to.

Senate Bill No. 16. A Bill for an Act Making an Appropriation for Salaries and Expenses of the Scale Inspection Division.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 105; nays, 0; absent and not voting, 8.

Those voting in the affirmative were:

Allen, Grand Forks	Haugen	Olson, Barnes
Allen, Pierce	Haugland	Olson, Bowman
Anderson	Heckman	Ohnstad
Arndt	Hegge	Ostgulen
Bagge	Hildre	Peterson, Bottin'au
Bauer	Hofstrand	Peterson, Ransom
Baumgartner	Hogoboom	Pyle
Belzer	Holm	Rettke
Benno	Hovey	Rohde
Bergesen	Iszler	Rohrer
Bjella	Jennings	Runek
Blair	Johnson, Cass	Sailer
Bolmeier	Johnson, Richland	Sandness
Boulden	Johnson, Rolette	Saumur
Braun	Kolpin	Schwartz
Bubel	Langley	Schmalenberger
Burau	Larson, Ward	Schnell
Bymers	Larson, Wells	Sellens
Callahan	Leet	Severson
Carlson	Levin	Sharpe
Coghlan	Lillehaugen	Shure
Collette	Lunde	Stair
Crockett	McInnes	Starck
Dahlen	Manstrom	Sticka
Devlin	Marks	Stormon
Ekren	Mittag	Twichell
Falconer	Moe	Tuff
Fitch	Mollet	Wambheim
Fleck	Monson	Welk
Forseth	Morland	Westby
Fraser	Morrison	Williams, Sargent
Fuglestad	Mortenson	Williams, Stutsm'n
Gackle	Myers	Wolf, McIntosh

Halcrow	Nelson	Wolf, Morton
Halvorson	Nystrom	Mr. Speaker
Absent and not voting:		
Aker	Gainor	Welder
Dalzell	Graham	Williams, Richland
Drovdal	Haag	

So the bill passed, as amended, and the title was agreed to.  
 Senate Bill No. 17. A Bill for an Act Making an Appropriation for Salaries and Expenses of the Livestock Division (Dealers).

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 105; nays, 0; absent and not voting, 8.

Those voting in the affirmative were:

Allen, Pierce	Halvorson	Olson, Barnes
Allen, Grand Forks	Haugen	Olson, Bowman
Anderson	Haugland	Ohnstad.
Arndt	Heckman	Ostgulen
Bagge	Hegge	Peterson, Bottin'au
Bauer	Hildre	Peterson, Ransom
Baumgartner	Hofstrand	Pyle
Belzer	Hogoboom	Rettke
Benno	Holm	Rohde
Bergesen	Hovey	Rohrer
Bjella	Iszler	Runk
Blair	Jennings	Sailer
Bolmeier	Johnson, Cass	Sandness
Boulden	Johnson, Richland	Schwartz
Braun	Johnson, Rolette	Schmalenberger
Bubel	Kolpin	Schnell
Bureau	Langley	Sellens
Bymers	Larson, Ward	Severson
Callahan	Larson, Wells	Sharpe
Coghlan	Leet	Shure
Collette	Levin	Stair
Crockett	Lillehaugen	Starck
Dahlen	Lunde	Sticka
Dalzell	McInnes	Stormon
Devlin	Manstrom	Twitchell
Drovdal	Marks	Tuff
Ekren	Mittag	Wambheim
Falconer	Moe	Welder
Fitch	Mollet	Welk
Forseth	Morland	Westby
Fraser	Morrison	Williams, Sargent
Fuglestad	Mortenson	Williams, Stutsm'n
Gackle	Myers	Wolf, McIntosh
Haag	Nelson	Wolf, Morton
Halcrow	Nystrom	Mr. Speaker

Absent and not voting:

Aker	Gainor	Saumur
Carlson	Graham	Williams, Richland
Fleck	Monson	

So the bill passed as amended and the title was agreed to.

Senate Bill No. 20. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Re-

pairs, New Building and Equipment of the School for the Deaf at Devils Lake, North Dakota.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 105; nays 0; absent and not voting, 8.

Those voting in the affirmative were:

Aker	Graham	Olson, Bowman
Allen, Grand Forks	Haag	Ohnstad
Allen, Pierce	Halcrow	Ostgulen
Anderson	Haugen	Peterson, Bottin'au
Arndt	Haugland	Peterson, Ransom
Bagge	Heckman	Pyle
Bauer	Hegge	Rettke
Baumgartner	Hildre	Rohde
Benno	Hofstrand	Rohrer
Bergesen	Hogoboom	Runck
Bjella	Holm	Sailer
Blair	Hovey	Sandness
Bolmeier	Iszler	Schwartz
Boulden	Jennings	Schmalenberger
Braun	Johnson, Cass	Schnell
Bubel	Johnson, Rolette	Sellens
Bureau	Kolpin	Severson
Bymers	Langley	Sharpe
Callahan	Larson, Ward	Shure
Carlson	Larson, Wells	Stair
Coghlan	Leet	Starck
Collette	Lillehaugen	Sticka
Crockett	McInnes	Stormon
Dahlen	Manstrom	Tuff
Dalzell	Marks	Twichell
Devlin	Mittag	Wambheim
Drovdal	Moe	Welder
Ekren	Mollet	Welk
Falconer	Monson	Westby
Fitch	Mortenson	Williams, Richland
Forseth	Morrison	Williams, Sargent
Fraser	Myers	Williams, Stutsm'n
Fuglestad	Nelson	Wolf, McIntosh
Gackle	Nystrom	Wolf, Morton
Gainor	Olson, Barnes	Mr. Speaker

Absent and not voting:

Belzer	Johnson, Richland	Morland
Fleck	Levin	Saumur
Halvorson	Lunde	

So the bill passed, as amended, and the title was agreed to.

#### REPORTS OF STANDING COMMITTEES

Mr. Speaker: The majority in Your Committee on Insurance to whom was referred Senate Bill No. 122, have had

the same under consideration and recommend that the same be indefinitely postponed.

L. W. BELZER  
 PETER PETERSON of Bottineau  
 K. A. FITCH  
 J. N. MOLLET  
 T. O. ROHDE  
 W. M. NELSON  
 RICHARD E. WOLF  
 RAY SCHNELL  
 EMANUEL MORTENSON  
 LEONAS MYERS

REP. PETERSON of Bottineau, Chairman.

Rep. Mollet moved that the report be adopted.

Mr Speaker: The minority in Your Committee on Insurance to whom was referred Senate Bill No. 122, have had the same under consideration and recommend that the same do pass.

P. I. DAHLEN  
 L. E. CALLAHAN  
 D. S. BLAIR  
 JOHN COGHLAN  
 C. F. ARNDT  
 E. G. SAILER

Rep. Bergesen moved that consideration of the report of the Standing Committee on Senate Bill No. 122 be deferred until 11:00 o'clock tomorrow, which motion prevailed.

Mr. Speaker: The majority in Your Committee on Insurance to whom was referred Senate Bill No. 127, have had the same under consideration and recommend that the same be indefinitely postponed.

L. W. BELZER  
 PETER PETERSON of Bottineau  
 K. A. FITCH  
 J. N. MOLLET  
 T. O. ROHDE  
 W. M. NELSON  
 RICHARD E. WOLF  
 RAY SCHNELL  
 EMANUEL MORTENSON  
 LEONAS MYERS

REP. PETERSON of Bottineau, Chairman.

Rep. Nelson moved that the report be adopted.

Mr. Speaker: The minority in Your Committee on Insurance to whom was referred Senate Bill No. 127, have had the same under consideration and recommend that the same do pass.

P. I. DAHLEN  
 L. E. CALLAHAN  
 D. S. BLAIR  
 JOHN COGHLAN  
 C. F. ARNDT  
 E. G. SAILER

Rep. Bergesen moved that consideration of the committee report on Senate Bill No. 127 be deferred until after 11 o'clock tomorrow, which motion prevailed.

Mr. Speaker: The majority in Your Committee on Insurance to whom was referred Senate Bill No. 129, have had the same under consideration and recommend that the same be indefinitely postponed.

L. W. BELZER  
 PETER PETERSON of Bottineau  
 K. A. FITCH  
 J. N. MOLLET  
 T. O. ROHDE  
 W. M. NELSON  
 RICHARD E. WOLF  
 RAY SCHNELL  
 EMANUEL MORTENSON  
 LEONAS MYERS

REP PETERSON of Bottineau, Chairman.

Rep. Rohde moved that the report be adopted.

Mr. Speaker: The minority in Your Committee on Insurance to whom was referred Senate Bill No. 129, have had the same under consideration and recommend that the same do pass.

P. I. DAHLEN  
 L. E. CALLAHAN  
 D. S. BLAIR  
 JOHN COGLAN  
 C. F. ARNDT  
 E. G. SAILER

Rep. Bergesen moved that consideration of the committee report on Senate Bill No. 129 be deferred until after 11 o'clock tomorrow, which motion prevailed.

Mr. Speaker: The majority in Your Committee on Insurance to whom was referred Senate Concurrent Resolution "1-G," have had the same under consideration and recommend that the same be indefinitely postponed.

L. W. BELZER  
 PETER PETERSON of Bottineau  
 K. A. FITCH  
 J. N. MOLLET  
 T. O. ROHDE  
 W. M. NELSON  
 RICHARD E. WOLF  
 RAY SCHNELL  
 EMANUEL MORTENSON  
 LEONAS MYERS

REP. PETERSON of Bottineau, Chairman.

Rep. Rohde moved that the report be adopted.

Mr. Speaker: The minority in Your Committee on Insurance to whom was referred Senate Concurrent Resolution "1-G," have had the same under consideration and recommend that the same do pass.

P. I. DAHLEN  
 L. E. CALLAHAN  
 D. S. BLAIF  
 JOHN COGLAN  
 C. F. ARNDT  
 E. G. SAILER

Rep. Bergesen moved that consideration of the committee report on Senate Concurrent Resolution "1-G" be deferred until after 11 o'clock tomorrow, which motion prevailed.

Rep. Boulden moved that the rules be suspended for the purpose of introducing House Concurrent Resolution "1-K," House Concurrent Resolution "1-L," and House Concurrent Resolution "1-M" and that same be placed on first reading at this time, which motion prevailed.

#### FIRST READING OF HOUSE CONCURRENT RESOLUTIONS

Rep. Johnson of Cass introduced:

##### HOUSE CONCURRENT RESOLUTION "1-K."

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF NORTH DAKOTA, THE SENATE CONCURRING THEREIN:

- 1 WHEREAS, A nationwide gasoline rationing system
- 1a has
- 2 been established for the main purpose of conserving
- 2a rubber
- 3 and transportation resources; and
- 4 WHEREAS, The administration of gasoline rationing,
- 4a as
- 5 far as State travel is concerned, has been placed with the
- 6 State Government Mileage Administrator; and
- 7 WHEREAS, There is considerable duplication of travel
- 8 in carrying on State business which in itself defeats the
- 9 purpose of the program;
- 10 NOW, THEREFORE, BE IT RESOLVED BY THE
- 10a HOUSE
- 11 OF REPRESENTATIVES OF THE STATE OF NORTH
- 11a DAKOTA,
- 12 THE SENATE CONCURRING, That all State depart-
- 12a ments, boards
- 13 or commissions doing State business cooperate to the
- 13a fullest
- 14 extent by ride sharing, car pooling, travel exchange or
- 15 whatever means is devised to facilitate this program.

Was read the first time.

The Committee on Livestock introduced:

##### HOUSE CONCURRENT RESOLUTION "1-L."

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF NORTH DAKOTA, THE SENATE CONCURRING THEREIN:

WHEREAS, agriculture in all its branches is the basic industry of the state of North Dakota, and

WHEREAS, the raising of livestock is one of the most important divisions of agriculture and one which brings into our state great wealth as well as makes possible the productive use of our uncultivated land, and

WHEREAS, it is necessary that there be scientific as well as practical knowledge on the part of our people respecting the breeding and care of the herds and flocks of this state, and

WHEREAS, the Department of Animal Husbandry of the Agricultural College is equipped to provide instruction and



furnish information respecting these exceedingly important matters to the people of the state through the county agents, the 4-H Clubs, and other organizations and individuals particularly interested in agricultural affairs.

NOW THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF NORTH DAKOTA, THE SENATE CONCURRING THEREIN, that the State Agricultural College be and is hereby requested to prepare a course of instruction suitable for use in the schools of this state concerning the breeds and strains of the several kinds of livestock and the particular qualities, characteristics and advantages of each of the several breeds and strains, the selection of breeding animals, and the care of livestock generally, and the means for the instruction of the children of this state therein be provided in the common schools.

BE IT FURTHER RESOLVED that the several agencies and individuals herein named be requested to urge and impress upon those engaged in the business of raising livestock the advantages of and the necessity for the improvement of their herds and flocks, especially by the procurement and use of good pure-bred sires.

BE IT FURTHER RESOLVED that copies of this resolution be sent to the following, to-wit: The State Board of Higher Education, the North Dakota Agricultural College, the North Dakota Extension Division, the State Superintendent of Public Instruction, the Livestock Sanitary Board, the Commissioner of Agriculture and Labor, the North Dakota Educational Association, the Greater North Dakota Association and the North Dakota Farmers Union.

Was read the first time.

Reps. Bergesen, Schnell and Fleck introduced:

HOUSE CONCURRENT RESOLUTION "1-M."

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF NORTH DAKOTA, THE SENATE CONCURRING THEREIN:

1 WHEREAS, The task of paramount importance now  
 1a confronting  
 2 us is to win the war; and to that end it is essential that  
 3 our means and energies be not dissipated, but be co-  
 3a ordinated  
 4 and expended so as to be most effective to perform the  
 4a great  
 5 task before us; and  
 6 WHEREAS, From time to time financial drives are  
 6a made  
 7 in this State by various organizations in support of  
 7a various  
 8 activities and purposes incident to or connected with the  
 9 prosecution of the war; and  
 10 WHEREAS, In most of such drives the people of the  
 10a State  
 11 are not consulted, but quotas are assigned to the State by  
 12 persons not familiar with the State or its economic

13 conditions; and

14 WHEREAS, It is impossible for each individual citizen  
15 to examine into the merits of the various appeals for  
15a funds;  
16 and

17 WHEREAS, The holding of drive after drive for public  
18 funds necessarily results in a large expenditure of time on  
19 the part of the citizens who are asked to participate in and  
20 to make contributions during such drives, which might  
20a be saved  
21 if various drives for the same general purposes were  
21a coordin-

22 ated; and

23 WHEREAS, These facts have been recognized in  
23a many of the  
24 larger cities and in some of the States, and as a result  
25 provisions have been made therein for some central  
25a clearing  
26 agency to look into the purposes and reasons for the  
26a various  
27 appeals for public funds as well as to the quotas assigned  
28 to the respective communities or States, and with  
28a authority  
29 to such central agency to advise with the various  
29a organiza-  
30 tions as to the advisability of the coordination of proposed  
31 drives; and

32 WHEREAS, It seems desirable that some such central  
32a clear-  
33 ing agency should be established in this State, to the end  
34 that the purposes and reasons for appeals for public sub-  
35 scriptions, as well as the quota or amount that the  
35a people of  
36 this State ought fairly and justly to be requested to con-  
37 tribute to any one organization or for any one purpose  
37a may be  
38 considered, by some representative and disinterested  
38a group  
39 in this State;

40 NOW, THEREFORE BE IT RESOLVED BY THE  
40a HOUSE OF  
41 REPRESENTATIVES OF THE STATE OF NORTH  
41a DAKOTA, THE  
42 SENATE CONCURRING, That the North Dakota State  
42a Defense

43 Council be, and it hereby is, requested and authorized to  
44 consider the formulation of some plan whereby drives for  
45 public funds in connection with or for purposes incident to  
46 the prosecution of the war may be cleared through some  
46a respon-

47 sible and representative committee named by the said  
47a council,

48 all to the end that the people of this State may be saved  
49 from needless waste of funds, time and effort, and so that  
50 the people of this State may have the opportunity to  
50a give the

51 fullest measure of support in the future, as they always  
 51a have  
 52 in the past, to every worthy effort tending to promote the  
 53 health, safety and comfort of the men in the armed forces,  
 54 or which tend in any manner to assist in the carrying on  
 54a of  
 55 the present conflict to a speedy and successful end.

Was read the first time.

Rep. Twichell moved that the rules be suspended for the purpose of adopting House Concurrent Resolution "1-K" at this time, which motion prevailed.

Rep. Boulden moved that House Concurrent Resolution "1-K" be adopted, which motion prevailed.

Rep. Boulden moved that the rules be suspended for the purpose of introducing House Concurrent Resolution "1-L." Which motion prevailed.

Rep. Schnell moved that the rules be suspended for the purpose of adopting House Concurrent Resolution "1-L," which motion prevailed.

Rep. Schnell moved that House Concurrent Resolution "1-L" be adopted, which motion prevailed and the Resolution was adopted.

Rep. Boulden moved that the rules be suspended for the purpose of introducing House Concurrent Resolution "1-M," which motion prevailed.

Rep. Bergesen moved that the rules be suspended for the purpose of adopting House Concurrent Resolution "1-M," which motion prevailed.

Rep. Bergesen moved that House Concurrent Resolution "1-M" be adopted, which motion prevailed and the resolution was adopted.

#### SECOND READING OF SENATE BILLS

Senate Bill No. 70. A Bill for an Act Fixing the Maximum Salary Payable to the Commissioner of University and School Lands and Creating an Emergency.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 101; nays, 0; absent and not voting, 12.

Those voting in the affirmative were:

Allen, Grand Forks	Haag	Mortenson
Allen, Pierce	Halcrow	Nelson
Anderson	Halvorson	Nystrom
Arndt	Haugen	Olson, Barnes
Bagge	Haugland	Ohnstad
Bauer	Heckman	Ostgulen
Baumgartner	Hegge	Peterson, Ransom
Belzer	Hildre	Pyle
Benno	Hofstrand	Rettke
Bergesen	Hogoboom	Rohde
Bjella	Holm	Rohrer
Blair	Hovey	Runk
Boulden	Iszler	Sailer
Braun	Jennings	Sandness
Bubel	Johnson, Cass	Schwartz

Burau	Johnson, Richland	Schmalenberger
Bymers	Johnson, Rolette	Schnell
Callahan	Kolpin	Sellens
Carlson	Langley	Severson
Coghlan	Larson, Ward	Sharpe
Collette	Larson, Wells	Shure
Dahlen	Leet	Stair
Dalzell	Levin	Starck
Devlin	Lillehaugen	Sticka
Drovdal	Lunde	Stormon
Ekren	McInnes	Wambheim
Falconer	Manstrom	Welder
Fitch	Marks	Westby
Forseth	Mittag	Williams, Sargent
Fraser	Moe	Williams, Stutsman
Fuglestad	Mollet	Wolf, McIntosh
Gackle	Monson	Wolf, Morton
Gainor	Morland	Mr. Speaker
Graham	Morrison	

## Absent and not voting:

Aker	Myers	Twichell
Bolmeier	Olson, Bowman	Tuff
Crockett	Peterson, Bottin'au	Welk
Fleck	Saumur	Williams, Richland

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

Rep. Severson moved that the vote by which Senate Bill No. 70 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senate Bill No. 154. A Bill for an Act to Create and Establish Under the Industrial Commission of the State of North Dakota a Research Agency to Be Known as the North Dakota Research Foundation; Fixing the Membership of the Foundation Providing for Their Appointment and Compensation; Prescribing the Duties of the Industrial Commission and the Foundation; and Making an Appropriation 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, 91; nays, 7; absent and not voting, 15.

Those voting in the affirmative were:

Allen, Grand Forks	Haag	Morland
Allen, Pierce	Halcrow	Mortenson
Anderson	Halvorson	Nystrom
Arndt	Haugen	Olson, Barnes
Bagge	Haugland	Ohnstad
Baumgartner	Heckman	Ostgulen
Benno	Hegge	Peterson, Ransom
Bergesen	Hildre	Pyle
Bjella	Hofstrand	Rettke
Blair	Hogoboom	Rohde
Braun	Holm	Rohrer
Bubel	Hovev	Runck
Burau	Iszler	Sailer
Bymers	Jennings	Sandness
Callahan	Johnson, Cass	Schwartz

Carlson	Johnson, Richland	Schmalenberger
Coghlan	Johnson, Rolette	Severson
Collette	Kolpin	Sharpe
Crockett	Langley	Stair
Dahlen	Larson, Ward	Sticka
Dalzell	Larson, Wells	Stormon
Devlin	Leet	Twichell
Drovdal	Levin	Wambheim
Ekren	Lillehaugen	Welder
Falconer	Lunde	Westby
Forseth	McInnes	Williams, Sargent
Fraser	Manstrom	Williams, Stutsman
Fuglestad	Mittag	Wolf, McIntosh
Gackle	Moe	Wolf, Morton
Gainor	Monson	Mr. Speaker

Those voting in the negative were:

Bauer	Nelson	Starck
Mollet	Sellens	Welk

Morrison

Absent and not voting:

Aker	Fleck	Saumur
Belzer	Marks	Schnell
Bolmeier	Myers	Shure
Boulden	Olson, Bowman	Tuff
Fitch	Peterson, Bottin'au	Williams, Richland

So the bill passed as amended and the title was agreed to.

Rep. Johnson of Cass moved that the vote by which Senate Bill No. 154 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senate Bill No. 22. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, New Building 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, 93; nays, 0; absent and not voting, 20.

Those voting in the affirmative were:

Aker	Haag	Nelson
Allen, Grand Forks	Halcrow	Nystrom
Allen, Pierce	Halvorson	Olson, Barnes
Arndt	Haugen	Ohnstad
Bagge	Haugland	Ostgulen
Bauer	Hegge	Peterson, Ransom
Baumgartner	Hildre	Pyle
Belzer	Hofstrand	Rettke
Benno	Hogoboom	Rohrer
Bergesen	Holm	Runck
Bjella	Hovey	Sailer
Blair	Iszler	Sandness
Braun	Jennings	Saumur
Bubel	Johnson, Cass	Schwartz
Burau	Johnson, Richland	Schmalenberger
Bymers	Johnson, Rolette	Sellens
Callahan	Kolpin	Severson
Carlson	Langley	Sharpe
Coghlan	Larson, Ward	Stair

Collette	Larson, Wells	Starck
Dahlen	Leet	Sticka
Dalzell	Lillehaugen	Stormon
Devlin	Lunde	Twichell
Drovdal	McInnes	Wambheim
Ekren	Manstrom	Welk
Falconer	Mittag	Westby
Forseth	Mollet	Williams, Sargent
Fraser	Monson	Williams, Stutsm'n
Fuglestad	Morland	Wolf, McIntosh
Gackle	Morrison	Wolf, Morton
Graham	Mortenson	Mr. Speaker
Absent and not voting:		
Anderson	Heckman	Rohde
Bolmeier	Levin	Schnell
Boulden	Marks	Shure
Crockett	Moe	Tuff
Fitch	Myers	Welder
Fleck	Olson, Bowman	Williams, Richland
Gainor	Peterson, Bottin'au	

So the bill passed as amended and the title was agreed to.

Rep. Lillehaugen moved that the vote by which Senate Bill No. 22 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Rep. Wolf of McIntosh moved that House Bill No. 42 be deferred until after 11 o'clock tomorrow, which motion prevailed.

Senate Bill No. 134. A Bill for an Act to Amend and Re-enact Section 7, the Fourth Paragraph of Section 11, and Section 15 of Chapter 101 of the Session Laws of 1927, Chapter 79 of the Session Laws of 1933, the First Paragraph and Sub-section 2 of Section 18 (as Amended by Chapter 98 of the Session Laws of 1931) and the Second Paragraph of Section 21, of Chapter 101 of the Session Laws of 1927, Relating to the Barbers Examining Board of the State of North Dakota and the Regulation of the Business of Barbering.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 80; nays, 11; absent and not voting, 22.

Those voting in the affirmative were:

Aker	Gainor	Olson, Barnes
Allen, Grand Forks	Graham	Ohnstad
Allen, Pierce	Haag	Peterson, Ransom
Arndt	Halcrow	Pyle
Bagge	Halvorson	Rettke
Bauer	Haugland	Runk
Baumgartner	Hegge	Sailer
Belzer	Hildre	Sandness
Benno	Hogoboom	Saumur
Bergesen	Holm	Schwartz
Bjella	Hovey	Schmalenberger
Blair	Jennings	Sellens
Boulden	Johnson, Cass	Severson
Braun	Johnson, Richland	Sharpe
Burau	Kolpin	Stair

Bymers	Langley	Starck
Callahan	Larson, Ward	Sticka
Collette	Larson, Wells	Twichell
Dahlen	Leet	Welder
Dalzell	Lillehaugen	Weik
Devlin	McInnes	Westby
Drovdal	Manstrom	Williams, Sargent
Ekren	Monson	Williams, Stutsm'n
Falconer	Morland	Wolf, McIntosh
Forseth	Mortenson	Wolf, Morton
Fraser	Nelson	Mr. Speaker
Gackle	Nystrom	
Those voting in the	negative were:	
Bubel	Hofstrand	Ostgulen
Coghan	Iszler	Rohrer
Fuglestad	Mollet	Wambheim
Haugen	Morrison	
Absent and not voting:		
Anderson	Levin	Peterson, Bottina'u
Bolmeier	Lunde	Rohde
Carlson	Marks	Schnell
Crockett	Mittag	Shure
Fitch	Moe	Stormon
Fleck	Myers	Tuff
Heckman	Olson, Bowman	Williams, Richland
Johnson, Rolette		

So the bill passed as amended and the title was agreed to.

Rep. Westby moved that the vote by which Senate Bill No. 134 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senate Bill No. 58. A Bill for an Act to Amend and Re-enact Section 5 of Chapter 162, Session Laws of 1939 Defining a Standard Serological Test and Providing Where Such Test Shall Be Made, and Declaring an Emergency.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 85; nays, 1; absent and not voting, 27.

Those voting in the	affirmative were:	
Allen, Grand Forks	Halvorson	Olson, Barnes
Allen, Pierce	Haugen	Ohnstad
Arndt	Haugland	Ostgulen
Bagge	Hegge	Pyle
Bauer	Hildre	Rettke
Baumgartner	Hofstrand	Rohrer
Belzer	Hogoboom	Runk
Benno	Holm	Sailer
Bergesen	Hovey	Sandness
Blair	Iszler	Saumur
Boulden	Jennings	Schwartz
Braun	Johnson, Cass	Schmalenberger
Bubel	Johnson, Richland	Sellens
Burau	Kolpin	Severson
Callahan	Langley	Sharpe
Carlson	Larson, Ward	Starck
Collette	Larson, Wells	Sticka
Dahlen	Leet	Stormon
Dalzell	Lillehaugen	Twichell

Devlin	Lunde	Wambheim
Drovdal	McInnes	Welder
Ekren	Manstrom	Welk
Falconer	Mollet	Westby
Forseth	Monson	Williams, Sargent
Fraser	Morrison	Williams, Stutsm'an
Fuglestad	Mortenson	Wolf, McIntosh
Gackle	Nelson	Wolf, Morton
Haag	Nystrom	Mr. Speaker
Halcrow		

Those voting in the negative were:

Aker

Absent and not voting:

Anderson	Graham	Olson, Bowman
Bjella	Heckman	Peterson, Bottin'au
Bolmeier	Johnson, Rolette	Peterson, Ransom
Bymers	Levin	Rohde
Coghlan	Marks	Schnell
Crockett	Mittag	Shure
Fitch	Moe	Stair
Fleck	Morland	Tuff
Gainor	Myers	Williams, Richland

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

Senate Bill No. 179. A Bill for an Act to Amend and Re-enact Section 17 of Chapter 97 of the Session Laws of 1933 Relating to the Expense of Burial of Indigent Persons and Declaring an Emergency.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 88; nays, 3; absent and not voting, 22.

Those voting in the affirmative were:

Allen, Pierce	Haag	Nystrom
Bagge	Halcrow	Olson, Barnes
Bauer	Halvorson	Ohnstad
Baumgartner	Haugen	Ostgulen
Belzer	Haugland	Pyle
Benno	Hegge	Rettke
Bergesen	Hildre	Rohrer
Bjella	Hofstrand	Runck
Blair	Hogoboom	Sailer
Boulden	Holm	Sandness
Braun	Hovey	Saumur
Bubel	Iszler	Schwartz
Burau	Jennings	Schmalenberger
Bymers	Johnson, Cass	Severson
Callahan	Johnson, Richland	Sharpe
Carlson	Johnson, Rolette	Stair
Collette	Kolpin	Starck
Dahlen	Langley	Sticka
Dalzell	Larson, Wells	Stormon
Devlin	Leet	Twichell
Drovdal	Lillehaugen	Wambheim
Ekren	Lunde	Welder
Falconer	McInnes	Welk
Fleck	Manstrom	Westby
Forseth	Mollet	Williams, Sargent



Fraser	Monson	Williams, Stutsm'n
Fuglestad	Morland	Wolf, McIntosh
Gackle	Mortenson	Wolf, Morton
Gainor	Nelson	Mr. Speaker
Graham		

Those voting in the negative were:

Aker	Arndt	Morrison
Absent and not voting:		
Allen, Grand Forks	Levin	Peterson, Ransom
Anderson	Marks	Rohde
Bolmeier	Mittag	Schnell
Coghlan	Moe	Sellens
Crockett	Myers	Shure
Fitch	Olson, Bowman	Tuff
Heckman	Peterson, Bottin'au	Williams, Richland
Larson, Ward		

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

Rep. Halcrow 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.

Senate Bill No. 121. A Bill for an Act Making an Appropriation to the State Water Conservation Commission for the Preparation of Water Conservation and Irrigation Projects for Post-war Construction and Development; 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, 70; nays, 11; absent and not voting, 32.

Those voting in the affirmative were:

Aker	Gackle	Morrison
Allen, Grand Forks	Graham	Nystrom
Allen, Pierce	Halcrow	Olson, Barnes
Arndt	Halvorson	Ohnstad
Baumgartner	Haugen	Ostgulen
Benno	Haugland	Pyle
Bergesen	Hegge	Rettke
Bjella	Hildre	Rohrer
Blair	Hofstrand	Runck
Boulden	Hogboom	Sailer
Braun	Hovev	Saumur
Bubel	Iszler	Sandness
Bureau	Jennings	Schwartz
Bymers	Johnson, Richland	Schmalenberger
Carlson	Kolpin	Stair
Collette	Langley	Starck
Dahlen	Larson, Ward	Sticka
Dalzell	Larson, Wells	Stormon
Devlin	Leet	Wambheim
Drovdal	Lillehaugen	Westby
Ekren	Lunde	Williams, Sargent
Falconer	Mollet	Williams, Stutsm'n
Forseth	Morland	Mr. Speaker
Fuglestad		

Those voting in the negative were:

Bauer	Johnson, Rolette	Twichell
Haag	Manstrom	Wolf, McIntosh

Holm	Nelson	Wolf, Morton
Johnson, Cass	Severson	
Absent and not voting:		
Anderson	Heckman	Peterson, Ransom
Bagge	Levin	Rohde
Belzer	McInnes	Schnell
Bolmeier	Marks	Sellens
Callahan	Mittag	Sharpe
Coghlan	Moe	Shure
Crockett	Monson	Tuff
Fitch	Mortenson	Welder
Fleck	Myers	Welk
Fraser	Olson, Bowman	Williams, Richland
Gainor	Peterson, Bottina'u	

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

Rep. Ekren moved that the vote by which Senate Bill No. 121 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senate Bill No. 37. A Bill for an Act Amending and Re-enacting the Workmen's Compensation Act by Amending and Re-enacting Paragraphs 3 and 7 of Section 2 of Chapter 162 of the Session Laws of 1919 and Acts Amendatory Thereof; Subsections A, C, E, F, G, G-e, G-f, G-l, and G-m of Section 3 of Chapter 162 of the Session Laws of 1919 and Acts Amendatory Thereof; Subsection I of Section 4 of Chapter 162 of the Session Laws of 1919 and Acts Amendatory Thereof; Paragraphs 5 and 9 of Section 7 of Chapter 162 of the Session Laws of 1919 and Acts Amendatory Thereof; Paragraph 6 of Section 8 of Chapter 162 of the Session Laws of 1919 and Acts Amendatory Thereof; Section 10 of Chapter 162 of the Session Laws of 1919 and Acts Amendatory Thereof; and Section 11 of Chapter 162 of the Session Laws of 1919 and Acts Amendatory Thereof, All Constituting Parts of the Workmen's Compensation Act of the State of North Dakota and Relating to the Definition of the Term "Employee"; the Term "Injury"; Providing for Rehabilitation of Injured Persons; Fixing Awards Which May Be Made; Removing the Limitation of Awards; Fixing the Amount of Interest to Be Computed and Charged in Lump Sum Settlements; Providing for Schedules of Fees for Legal, Medical and Hospital Services; Providing for the Manner in Which a Surplus May Be Created and Maintained; Providing for the Payments of Awards in Case of Aggravation; Providing for the Collection of Premiums in Default and the Settlement of the Same; Providing Coverage for Elected Peace Officers in Cities and Villages; and Providing for Relief to Injured Employees of Non-complying Employer.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 72; nays, 9; absent and not voting, 32.

Those voting in the affirmative were:

Aker	Haag	Ostgulen
Allen, Pierce	Halcrow	Pyle
Arndt	Haugen	Rettke
Baumgartner	Haugland	Rohrer

Benno	Hegge	Runck
Bergesen	Hofstrand	Sandness
Bjella	Hovey	Saumur
Blair	Iszler	Schwartz
Boulden	Jennings	Schmalenberger
Braun	Johnson, Richland	Severson
Bubel	Johnson, Rolette	Sharpe
Burau	Kolpin	Stair
Bymers	Langley	Starck
Carlson	Larson, Ward	Sticka
Dahlen	Larson, Wells	Stormon
Dalzell	Leet	Wambheim
Devlin	Lillehaugen	Welder
Drovdal	Lunde	Welk
Ekren	Mollet	Westbv
Falconer	Morland	Williams, Sargent
Fraser	Morrison	Williams, Stutsman
Fuglestad	Nelson	Wolf, McIntosh
Gackle	Nystrom	Wolf, Morton
Graham	Ohnstad	Mr. Speaker

Those voting in the negative were:

Allen, Grand Forks	Hogoboom	Manstrom
Bauer	Holm	Sailer
Hildre	Johnson, Cass	Twichell

Absent and not voting:

Anderson	Gainor	Olson, Barnes
Bagge	Halvorson	Olson, Bowman
Belzer	Heckman	Peterson, Bottina'u
Bolmeier	Levin	Peterson, Ransom
Callahan	McInnes	Rohde
Coghlan	Marks	Schnell
Collette	Mittag	Sellens
Crockett	Moe	Shure
Fitch	Monson	Tuff
Fleck	Mortenson	Williams, Richland
Forseth	Myers	

So the bill passed as amended and the title was agreed to.

Rep. Graham 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.

Rep. Nelson moved that the House do now recess until 9:30 o'clock tomorrow, which motion was lost.

Senate Bill No. 145. A Bill for an Act to Amend and Re-enact Section 200b4 of the 1925 Supplement to the Compiled Laws of North Dakota for 1913, Providing for the Payment of Premiums on Bonds of Public Employees; and Providing for the Transfer of Such Bonds, and Declaring an Emergency.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 73; nays, 7; absent and not voting, 33.

Those voting in the affirmative were:

Allen, Pierce	Haugland	Pyle
Arndt	Hegge	Rettke
Baumgartner	Hofstrand	Rohrer
Belzer	Hogoboom	Runck
Benno	Holm	Sailer

Bergesen	Hovey	Sandness
Bjella	Iszler	Saumur
Blair	Jennings	Schwartz
Braun	Larson, Ward	Schmalenberger
Bubel	Larson, Wells	Sharpe
Bureau	Johnson, Cass	Stair
Carlson	Johnson, Richland	Starck
Dahlen	Johnson, Rolette.	Sticka
Dalzell	Kolpin	Stormon
Devlin	Langley	Twichell
Drovdal	Leet	Wambheim
Ekren	Lillehaugen	Welder
Falconer	Mollet	Welk
Forseth	Morland	Westby
Fraser	Morrison	Williams, Sargent
Gackle	Nelson	Williams, Stutsm'n
Graham	Nystrom	Wolf, McIntosh
Halcrow	Ohnstad	Wolf, Morton
Halvorson	Ostgulen	Mr. Speaker

Those voting in the negative were:

Aker	Boulden	Haag
Allen, Grand Forks	Fuglestad	Hildre

Bauer

Absent and not voting:

Anderson	Heckman	Olson, Barnes
Bagge	Levin	Olson, Bowman
Bolmeier	Lunde	Peterson, Bottin'au
Bymers	McInnes	Peterson, Ransom
Callahan	Manstrom	Rohde
Coghlan	Marks	Schnell
Collette	Mittag	Sellens
Crockett	Moe	Severson
Fitch	Monson	Shure
Fleck	Mortenson	Tuff
Gainor	Myers	Williams, Richland

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

Rep. Halcrow moved that the vote by which Senate Bill No. 145 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Rep. Allen of Grand Forks: "So long as I and nobody in the House knows anything about this bill, I vote 'No'."

Rep. Hofstrand moved that Senate Bill No. 74 be indefinitely postponed, which motion prevailed.

Rep. Mollet moved that the vote by which Senate Bill No. 74 was indefinitely postponed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senate Bill No. 139. A Bill for an Act to Facilitate the Efficient Transportation of Persons and Property Needed for the Effective Prosecution of the War, to Authorize State Cooperation with the Officers and Agencies of the United States in Respect Thereof, Granting Certain Emergency Powers to the Governor in Relation Thereto, Creating a State Highway Advisory Committee to the War Department, Defining Its Powers and Duties, and Making an Appropriation Therefor, and Declaring an Emergency.

Was read the second time.

## ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 55; nays, 27; absent and not voting, 31.

Those voting in the affirmative were:

Aker	Haugen	Pyle
Allen, Grand Forks	Haugland	Rohrer
Allen, Pierce	Hegge	Runck
Arndt	Hildre	Sailer
Belzer	Hofstrand	Sandness
Benno	Hogoboom	Saumur
Bergesen	Hovey	Severson
Bjella	Johnson, Cass	Sharpe
Blair	Johnson, Richland	Stair
Bureau	Johnson, Rolette	Starck
Carlson	Langley	Stormon
Dahlen	Leet	Twichell
Dalzell	Lunde	Wambheim
Ekren	Morland	Westby
Graham	Morrison	Williams, Stutsm'n
Fuglestad	Nelson	Wolf, McIntosh
Gackle	Nystrom	Wolf, Morton
Haag	Ohnstad	Mr. Speaker
Halcrow		

Those voting in the negative were:

Bauer	Fraser	Mollet
Baumgartner	Halvorson	Ostgulen
Boulden	Holm	Rettke
Braun	Iszler	Schwartz
Bubel	Jennings	Schmalenberger
Devlin	Kolpin	Sticka
Drovdal	Larson, Ward	Welder
Falconer	Larson, Wells	Welk
Forseth	Lillehaugen	Williams, Sargent

Absent and not voting:

Anderson	Heckman	Olson, Barnes
Bagge	Levin	Olson, Bowman
Bolmeier	McInnes	Peterson, Bottina'u
Bymers	Manstrom	Peterson, Ransom
Callahan	Marks	Rohde
Coghlan	Mittag	Schnell
Collette	Moe	Sellens
Crockett	Monson	Shure
Fleck	Mortenson	Tuff
Fitch	Myers	Williams, Richland
Gainor		

So the bill was declared lost.

Rep. Boulden: "I change my vote from 'Aye' to 'Nay' for the purpose of reconsideration."

Rep. Graham moved that Senate Bill No. 198 be indefinitely postponed, which motion prevailed.

Rep. Bergesen moved that action on Senate Bill No. 186 be deferred one legislative day.

Rep. Bauer offered as a substitute motion that Senate Bill No. 186 be indefinitely postponed, which motion was lost.

The question was on the motion of Rep. Bergesen, which motion prevailed.

Rep. Graham moved that the House recess until 9:50 o'clock a. m. tomorrow, which motion prevailed.

W. M. SMART, Chief Clerk.

FIFTY-NINTH DAY AFTER RECESS AND THE  
SIXTIETH DAY

Bismarck, March 5, 1943.

The House convened at 9:50 o'clock a. m., pursuant to recess taken, Speaker Beede presiding.

The Speaker announced the House would be on the eighth order of business.

SIGNING OF BILLS

The Chief Clerk announced that the Speaker was about to sign the following bills; immediately before signing each bill the title was publicly read.

House Bill No. 48.

House Bill No. 171.

House Bill No. 175.

House Bill No. 212.

House Concurrent Resolution "S".

House Bill No. 44.

House Bill No. 78.

House Bill No. 87.

House Bill No. 127.

House Bill No. 214.

House Bill No. 220.

House Concurrent Resolution "T".

House Concurrent Resolution "1-C".

And the Speaker signed each of the above bills in the presence of the House.

Rep. Crockett moved that the rules be suspended and that Senate Bill No. 117 and Senate Bill No. 178 be placed in General Orders, which motion prevailed.

GENERAL ORDERS

Rep. Crockett moved that the House resolve itself into a committee of the whole for the consideration of general orders; which motion prevailed, and the House resolved itself into a committee of the whole.

The Speaker called Rep. Crockett to the chair.

When the committee arose it submitted the following report:

Mr. Speaker: The committee of the whole have had under consideration:

Senate Bill No. 208.

Strike out everything after "A Bill" and insert the following:

"For an Act to amend and re-enact sub-section 1 of Section 1 of Chapter 252 of the Session Laws of North Dakota for 1941, relating to the manner of sale of lands belonging to

the permanent school or institutional funds but not a part of the Federal Grant Lands.

**BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF NORTH DAKOTA:**

SECTION 1. That sub-section 1 of Section 1 of Chapter 252 of the Session Laws of 1941 be and the same is hereby amended and re-enacted to read as follows:

(1) Manner of Sale:

(a) All such lands shall be appraised by the Commissioner of University and School Lands or his deputy or representatives, such appraisal to be approved by the Board of University and School Lands and shall be sold for not less than the appraised value and not less than the amount of the permanent school funds invested therein to the highest bidder at public sale conducted at the front door of the Court House in the county seat of the county wherein the lands to be sold lie between the hours of nine (9) o'clock in the forenoon and four (4) o'clock in the afternoon.

(b) If the mortgagor or former owner from whom the lands were acquired or his widow or one or more of his lineal descendants, who in all cases must be a bona fide farmer residing upon the land, not less than three days prior to a public sale of such land, shall make a bona fide offer to repurchase such lands at a price not less than the combined amounts of the original unpaid loan plus costs paid by the state and interest unpaid at the time the state acquired title to such lands, the Board of University and School Lands shall resell any of such lands to any such bona fide applicant at such sale upon the terms and conditions provided for in this chapter except that upon such private sale the cash payment shall be not less than twenty per cent of the sale price."

And renumber the lines.

And when so amended recommend the same do pass.

Senate Bill No. 169.

Strike out lines 8 to 15, inclusive in their entirety and insert the following in lieu thereof:

"8 SECTION 2. APPROPRIATION.) There is hereby  
9 appropriated out of any monies in the State Treasury  
9a belong-

10 ing to the Mill and Elevator fund, the sum of \$50,000.00,  
10a or

11 so much thereof as may be needed for the purpose of  
11a establishing,

12 operating and maintaining a soy bean and flax seed

12a processing

13 plant and storage facilities at the State Mill and Elevator,  
14 to be used and expended, for the purposes of aforesaid,

14a by the

15 manager of said State Mill and Elevator under the  
15a direction of

16 the Industrial Commission."

And when so amended recommend the same do pass.

Senate Bill No. 4.

Add the following Section:

"16 Section 2. Appropriation herein provided insofar  
17 as it is used for postage may be expended only on the  
18 direction of the Board of Administration, pursuant to

19 the rules and regulations provided for in Chapter 214,  
20 Session Laws of 1941."

And when so amended recommend the same do pass.

Senate Bill No. 6.

Line 3—Strike out the figures "\$183,675.00" and insert the figures "\$233,675.00" in lieu thereof.

Line 10—Strike out the figures "\$49,375.00" and insert the figures "\$48,141.00" in lieu thereof.

Line 12—Strike out the figures "\$20,000.00" and insert the figures "\$22,000.00" in lieu thereof.

Line 15—Strike out the figures "\$20,000.00" and insert the figures "\$50,000.00" in lieu thereof.

Line 22—Strike out the figures "\$183,675.00" and insert the figures "\$233,675.00" in lieu thereof.

Add the following Section:

"23 Section 2. Appropriation herein provided insofar  
24 as it is used for postage may be expended only on the  
25 direction of the Board of Administration, pursuant to  
26 the rules and regulations provided for in Chapter 214,  
27 Session Laws of 1941".

And when so amended recommend the same do pass.

Senate Bill No. 8.

Line 4—Strike out the figures "\$400,000.00" and insert the figures "\$650,000.00" in lieu thereof.

Line 24—Strike out the figures "\$400,000.00" and insert the figures "\$650,000.00" in lieu thereof.

Line 25—Strike out the figures "\$27,350.00" and insert the figures "\$34,700.00" in lieu thereof.

Line 35—Strike out the figures "\$20,000.00" and insert the figures "\$25,000.00" in lieu thereof.

Line 38—Strike out the figures "\$600.00" and insert the figures "\$1,000.00" in lieu thereof.

Line 39—Strike out the figures "\$1,500.00" and insert the figures "\$4,000.00" in lieu thereof.

Line 43—Strike out the figures "\$250.00" and insert the figures "\$200.00" in lieu thereof.

Line 45—Strike out the figures "\$2,000.00" and insert the figures "\$1,500.00" in lieu thereof.

Line 46—Strike out the figures "\$27,350.00" and insert the figures "\$34,700.00" in lieu thereof.

And when so amended recommend the same do pass.

Senate Bill No. 117.

And recommend that the same be indefinitely postponed.

Senate Bill No. 178.

And recommend that the same be indefinitely postponed.

W. M. CROCKETT, Chairman,  
Committee of the Whole.

Rep. Mittag moved that the report of the Committee of the Whole be adopted, which motion prevailed.

#### HOUSE COMMITTEE ON ENROLLMENT AND ENGROSSMENT

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

House Bill No. 245.

House Bill No. 228.

House Bill No. 33.



House Bill No. 102.  
 House Bill No. 153.  
 House Bill No. 213.  
 House Concurrent Resolution "G."  
 And find the same correctly Engrossed.

REP. MORLAND, Chairman.

Rep. Moe moved that the report be adopted, which motion prevailed, and the report was adopted.

HOUSE COMMITTEE ON ENROLLMENT  
 AND ENGROSSMENT

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

House Bill No. 48.  
 House Bill No. 171.  
 House Bill No. 175.  
 House Bill No. 212.  
 House Concurrent Resolution "S."  
 And find the same correctly Enrolled.

REP. MORLAND, Chairman.

Rep. Burau moved that the report be adopted, which motion prevailed, and the report was adopted.

MESSAGE FROM THE GOVERNOR  
 OFFICE OF THE GOVERNOR  
 Bismarck

March 4, 1943.

To the House of Representatives of the State of North Dakota:

This is to notify you that I have approved the following House Bill:

House Bill No. 59. A Bill for an Act to Amend and Re-enact Subsection 4 of Section 32 of Chapter 148 of the Session Laws of 1931, Providing for an Open Season on Mink, Weasel, Raccoon and Fox.

And the same has been filed with the Secretary of State.

JOHN MOSES, Governor.

CONSIDERATION OF MESSAGES FROM THE SENATE

Amendment to House Bill No. 27.

Under Section 1 in line 9, strike out the figures "\$4,000.00" and insert the figures "\$4,800.00" in lieu thereof.

Strike out all of line 10 and in lieu thereof insert the following:

10a Ass't Superintendent .....	\$ 4,200.00
10b Patrolmen .....	\$76,800.00
10c Clerks and Bookkeepers .....	\$16,608.00

Under Section 1 in line 11, strike out the figures "\$6,665.38" and insert the figures "\$6,341.26" in lieu thereof.

Under Section 1 in line 13, strike out the figures "\$31,280.00" and insert the figures "\$26,400.00" in lieu thereof.

Under Section 1 in line 14, strike out the figures "\$5,788.32" and insert the figures "\$3,823.60".

Under Section 1 in line 17, strike out the figures "\$71,088.16" and insert the figures "\$60,057.00" in lieu thereof.

Rep. Lillehaugen moved that the House do concur in the

Senate amendments to House Bill No. 27, which motion prevailed.

Rep. Lillehaugen moved that the rules be suspended and that House Bill No. 27 be considered properly engrossed and placed on second reading and final passage, which motion prevailed.

### SECOND READING OF HOUSE BILLS

House Bill No. 27. 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, 79; nays, 13; absent and not voting 21.

Those voting in the affirmative were:

Allen, Pierce	Graham	Nelson
Anderson	Halcrow	Nystrom
Arndt	Halvorson	Olson, Bowman
Bagge	Haugland	Peterson, Ransom
Baumgartner	Hegge	Peterson, Bottina'u
Belzer	Hildre	Pyle
Benno	Hofstrand	Rettke
Bergesen	Hogoboom	Runk
Bjella	Holm	Sailer
Blair	Hovey	Saumur
Bolmeier	Iszler	Sellens
Braun	Jennings	Severson
Bubel	Johnson, Cass	Sharpe
Bymers	Johnson, Rolette	Shure
Callahan	Kolpin	Starck
Carlson	Langley	Sticka
Coghlan	Leet	Stormon
Collette	Levin	Twichell
Crockett	Lillehaugen	Tuff
Dahlen	Lunde	Wambheim
Devlin	McInnes	Welk
Drovdal	Manstrom	Westby
Fitch	Moe	Williams, Richland
Fraser	Mollet	Williams, Stutsm'n
Fuglestad	Morland	Wolf, Morton
Gackle	Morrison	Mr. Speaker

Those voting in the negative were:

Burau	Mittag	Sandness
Haag	Monson	Schmalenberger
Haugen	Ostgulen	Welder
Larson, Ward	Rohde	Wolf, McIntosh

Marks

Absent and not voting:

Aker	Fleck	Olson, Barnes
Allen, Grand Forks	Forseth	Ohnstad
Bauer	Heckman	Rohrer
Boulden	Johnson, Richland	Schwartz
Dalzell	Larson, Wells	Schnell
Ekren	Mortenson	Stair
Falconer	Myers	Williams, Sargent

So the bill passed, as amended, and the title was agreed to.

Rep. Lillehaugen moved that the vote by which House Bill No. 27 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Rep. Benno requested that Senate Bill No. 163 be read from the desk.

There being no objection the request was granted.

Rep. Benno moved that the vote by which Senate Bill No. 163 was indefinitely postponed be reconsidered, which motion was lost.

A division was asked for and disclosed 47 for and 38 against, so the motion was lost for lack of a two-thirds vote.

#### REPORTS OF STANDING COMMITTEES

The question before the House was the adoption of the report of the Majority of the Standing Committee that Senate Bill No. 122 be indefinitely postponed, action having been deferred until eleven o'clock a. m. today.

Rep. Graham requested a Call of the House.

A Call of the House was granted.

The Sergeant-at-Arms was instructed to close the doors and permit no member to leave the House Chamber.

The roll was called and disclosed all members present except Reps. Aker, Allen of Grand Forks, Bauer, Johnson of Cass, Rohrer and Stair.

The Sergeant-at-Arms reported all absent members were now present.

Rep. Graham moved that the Call of the House be dispensed with, which motion prevailed.

Rep. Bergesen moved that the rules be suspended and that all except members of the House, employees and members of the press be excluded from the floor of the House during action on the bills now before the House as a special order of business.

Which motion prevailed and the Sargeant-at-arms was so instructed.

The question was on the adoption of the majority report that Senate Bill No. 122 be indefinitely postponed.

Rep. Blair offered as a substitute motion that the report of the minority be substituted for the report of the majority.

#### MESSAGES FROM THE SENATE

Senate Chamber  
Bismarck, March 5, 1943

Mr. Speaker: I have the honor to return:

House Bill No. 233. A Bill for an Act to Amend and Re-enact Section 189c2 of the 1925 Supplement of the 1913 Compiled Laws of the State of North Dakota, as Amended and Re-Enacted by Section 2 of Chapter 153 of the 1935 Session Laws of the State of North Dakota, Relating to Fire and Tornado Insurance on Public Buildings, and Declaring an Emergency.

House Bill No. 239. A Bill for an Act to Amend and Re-enact Section 1 of Chapter 211 of the Session Laws of 1937; Section 2 of Chapter 211 of the Session Laws of 1937 as Amended by Chapter 195 of the Session Laws of 1939; Section 9 of Chapter 211 of the Session Laws of 1937; Section 12 of Chapter 211 of the Session Laws of 1937; Section 21

of Chapter 211 of the Session Laws of 1937 as Amended by Chapter 244 of the Session Laws of 1941, Pertaining to Definitions, Payment for Benefit of Recipients, Eligibility for Assistance to the Needy Aged, Old Age Assistance Fund, and Recovery from Estate and Repeal of Section 15 of Chapter 211 of the Session Laws of 1937, Aid Exclusive of Other Aid; Funeral Expenses and Declaring an Emergency.

House Concurrent Resolution "1-G." A Resolution Providing for Indexing of the Senate and House Journals of the Twenty-eighth Legislative Assembly.

Which the Senate has amended.

W. J. TROUT, Secretary.  
Senate Chamber  
Bismarck, March 5, 1943

Mr. Speaker: I have the honor to return:

House Bill No. 81. A Bill for an Act Authorizing the Board of University and School Lands to Sell and Dispose of Both Dead and Standing Timber Grown Upon Lands Belonging to the Permanent School and Institutional Funds of the State of North Dakota for Fuel, Fence Posts, or Lumber, If and When, in the Discretion of Such Board, Such Sale Shall Be for the Best Interests of Such Funds; and Authorizing Said Board to Make Rules and Regulations Necessary to Effect the Purposes of This Act.

House Bill No. 204. A Bill for an Act to Amend and Re-enact Section 1 of Chapter 163 of the Session Laws of the State of North Dakota for the Year 1939.

Which the Senate has indefinitely postponed.

W. J. TROUT, Secretary.  
Senate Chamber  
Bismarck, March 5, 1943

Mr. Speaker: I have the honor to return:

House Bill No. 121. 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, and Declaring an Emergency.

House Bill No. 202. A Bill for an Act to Amend and Re-enact Chapter 242 of the 1939 Session Laws of the State of North Dakota, as Amended and Re-enacted by Chapter 290 of the 1941 Session Laws of the State of North Dakota Relating to a Tax Upon Sales of Certain Alcoholic Beverages by Licensed Wholesale Liquor Dealers, Providing the Method of Taxing the Same, and Collecting, Distributing and Expending the Revenue from Said Tax, Providing for the Filing of a List of Said Wholesalers, Repealing All Acts and Parts of Acts in Conflict Herewith, Providing Penalties for Violations of Said Act, Providing for a Saving Clause and Declaring an Emergency.

House Bill No. 229. A Bill for an Act Providing for the Organization and Regulation of Non-Profit Hospital Service Plan Corporations, and Declaring an Emergency.

House Bill No. 240. A Bill for an Act to Amend and Re-enact Section 1 of Chapter 210 of the Session Laws of 1937 and Section 2 of the Session Laws of 1937 as Amended by

Chapter 191 of the Session Laws of 1939 and Chapter 241 of the Session Laws of 1941 Pertaining to Definitions and Eligibility for Assistance to the Needy Blind and Repeal of Sections 15 and 19 of Chapter 210 of the Session Laws of 1937, and Declaring an Emergency.

House Concurrent Resolution "1-H." A Resolution Providing for Mailing and Proofreading of Senate and House Journals of the Last Days of Twenty-eighth Legislative Assembly.

House Concurrent Resolution "1-I." A Resolution Expressing Affection to the Men and Officers of the 164th Infantry for Their Achievements, and All Other Men and Women of North Dakota Engaged in Military Service of Our Country.

House Concurrent Resolution "1-J." A Concurrent Resolution Memorializing the Congress of the United States to Provide for and Continue the Program of Incentive Payments to Farmers Who Increase Their Production in 1943 of the Crops Mentioned Therein to Insure Production of Food Essential to Victory.

Which the Senate has passed unchanged.

W. J. TROUT, Secretary.  
Senate Chamber  
Bismarck, March 5, 1943

Mr. Speaker: I have the honor to transmit:

Senate Concurrent Resolution "1-J." Reducing the Number of 1943 Session Laws to Be Published by the Secretary of State.

Senate Concurrent Resolution "1-I." Authorizing the State Land Department to Make Loans for the Purchase of Farms at the Rate of Four Per Cent Per Annum.

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

W. J. TROUT, Secretary.

#### MESSAGES TO THE SENATE

House of Representatives  
Bismarck, March 5, 1943

Mr. President: I have the honor to transmit:

House Bill No. 16. A Bill for an Act Making an Appropriation for the Operating and Maintenance Expenses of the Public Health Department, Public Health Laboratories and Division of Child Hygiene.

House Bill No. 64. A Bill for an Act to Amend and Re-enact Chapter 109 of the Session Laws of 1941, by Providing a Penalty for Non-compliance Therewith.

House Bill No. 68. A Bill for an Act Removing Statutory Limitations on Salaries to Be Paid to the State Highway Commissioner, Chief Engineer, Engineers, Assistant Engineers and Draftsmen in the Highway Department Between July 1, 1943 and June 30, 1945; Repealing All Acts and Parts of Acts in Conflict Herewith.

House Bill No. 98. A Bill for an Act to Provide for Participation in the North Dakota Teachers' Insurance and Retirement Fund by Members of the Armed Forces of the United States During the Period of Their Service, and Fixing the Period Within Which Such Persons May Withdraw from Participation and Receive Refund.

House Bill No. 100. A Bill for an Act Creating a Vet-

erans' Post-War Rehabilitation Reserve Fund, and Providing for the Transfer of Monies Thereto and for the Maintenance and Investment Thereof.

House Bill No. 148. A Bill for an Act Requiring Instruction in Military Training at the University and Agricultural College, and Repealing Chapter 234 of the Session Laws of North Dakota for 1937 and All Acts or Parts of Acts in Conflict Herewith.

House Bill No. 173. A Bill for an Act Regulating the Transfer of Shares of Stock in Corporations, Repealing All Acts or Parts of Acts in Conflict Herewith, and Making Certain Exceptions Thereto.

House Bill No. 174. A Bill for an Act to Amend and Re-enact Section 1321a2 of the 1925 Supplement to the Compiled Laws of North Dakota, Providing for Annual School Election for the City of Fargo; the Number of Polling Places, Election Officials, and Hours of Election, and Declaring an Emergency.

House Bill No. 182. A Bill for an Act Authorizing School Districts to Transfer Certain Portions of the General Fund Into Sinking Funds, and Providing for the Time, Manner and Amount of Such Transfers, Repealing All Acts or Parts of Acts in Conflict Herewith and Declaring an Emergency.

House Bill No. 188. A Bill for an Act Amending and Re-enacting the Initiated Act Approved by the Electors of North Dakota on November 8, 1932, Which Act Amended and Re-enacted Section 769a9 of the 1925 Supplement to the Compiled Laws of North Dakota for 1913, Relating to the Salaries of the Judges of the Districts of the State of North Dakota; and Providing for an Increase of Salaries of Said District Judges from \$3,500.00 a Year to \$4,000.00 a Year, and Providing for the Payment of His Actual Travelling Expenses and Subsistence While Holding Court Inside of Their Districts But Outside the Counties in Which They Reside.

House Bill No. 192. A Bill for an Act to Amend and Re-enact Section 5 of Chapter 204, Session Laws of 1941, Relating to the Funding and Refunding of Existing Indebtedness of Municipalities, Authorizing Legal Expense Under Certain Conditions, and Declaring an Emergency.

House Bill No. 196. A Bill for an Act to Amend and Re-enact Section 2844 of the Supplement to the 1913 Compiled Laws of North Dakota as Amended by Chapter 119 of the 1929 Session Laws Relating to Licenses for Creameries, Cheese Factories, Process Butter Factories, Ice Cream Factories, Cream Stations and Dairies, and Declaring an Emergency.

House Bill No. 243. A Bill for an Act Appropriating the Balance Remaining in "The State Public Welfare Fund" Created by Section 25, Chapter 249, Session Laws of 1937.

House Bill No. 250. A Bill for an Act to Amend and Re-enact Section 3684a13 of the 1925 Supplement to the Compiled Laws Relative to the Disposition of Balances at the End of the Fiscal Year in City Appropriations.

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

W. M. SMART, Chief Clerk.

House of Representatives  
Bismarck, March 5, 1943

Mr. President: I have the honor to return:

Senate Bill No. 1. A Bill for an Act Extending the Time for Filing Income Tax Returns, Extending the Time for the Payment of Income, Personal Property and Real Property Taxes, Eliminating Interest and Penalty on Taxes, Exempting Military Income from the Income Tax to Members of the Armed Forces and of the Merchant Marine During the Present War, and Declaring an Emergency.

Senate Bill No. 18. A Bill for an Act Making and Appropriation for Services and Expenses for the Public Utility Division.

Senate Bill No. 23. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, New Building, Equipment and Miscellaneous Items for the Grafton State School at Grafton, North Dakota.

Senate Bill No. 29. 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. 30. 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. 31. 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. 33. 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. 32. A Bill for an Act Making an Appropriation for the Purpose of Defraying the Expenses of the Maintenance and Operation of the State of North Dakota Doing Business as the North Dakota Mill and Elevator Association.

Senate Bill No. 37. A Bill for an Act Amending and Re-enacting the Workmen's Compensation Act by Amending and Re-enacting Paragraphs 3 and 7 of Section 2 of Chapter 162 of the Session Laws of 1919 and Acts Amendatory Thereof; Subsections A, C, E, F, G, G-e, G-f, G-l, and G-m of Section 3 of Chapter 162 of the Session Laws of 1919 and Acts Amendatory Thereof; Subsection I of Section 4 of Chapter 162 of the Session Laws of 1919 and Acts Amendatory Thereof; Paragraphs 5 and 9 of Section 7 of Chapter 162 of the Session Laws of 1919 and Acts Amendatory Thereof; Paragraph 6 of Section 8 of Chapter 162 of the Session Laws of 1919 and Acts Amendatory Thereof; Section 10 of Chapter 162 of the Session Laws of 1919 and Acts Amendatory Thereof; and Section 11 of Chapter 162 of the Session Laws of 1919 and Acts Amendatory Thereof, All Constituting Parts of the Workmen's Compensation Act of the State of North Dakota and Relating to the Definition of the Term "Employee"; the Term "Injury"; Providing for Rehabilitation of Injured Persons; Fixing Awards Which May Be Made; Removing the Limitation of Awards; Fixing the Amount of

Interest to Be Computed and Charged in Lump Sum Settlements; Providing for Schedules of Fees for Legal, Medical and Hospital Services; Providing for the Manner in Which a Surplus May Be Created and Maintained; Providing for the Payments of Awards in Case of Aggravation; Providing for the Collection of Premiums in Default and the Settlement of the Same; Providing Coverage for Elected Peace Officers in Cities and Villages; and Providing for Relief to Injured Employees of Non-complying Employer.

Senate Bill No. 48. 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, Chapter 98 of the Session Laws of North Dakota for the Year 1937 and Chapter 103 of the Session Laws of North Dakota for the Year 1939; Providing Method of Examination; Method of Collecting State Tax on Beer by the State Tax Commissioner; Providing Penalty for Violation Thereof and Repealing All Acts and Parts of Acts in Conflict Herewith.

Senate Bill No. 58. A Bill for an Act to Amend and Re-enact Section 5 of Chapter 162, Session Laws of 1939 Defining a Standard Serological Test and Providing Where Such Test Shall Be Made, and Declaring an Emergency.

Senate Bill No. 77. A Bill for an Act Relating to the Public Health and the Control of Preventable Diseases; and to Authorize and Permit the Formation of District Health Units in the Several Counties of the State of North Dakota, Either Separately or in Conjunction and Cooperation With One or More Contiguous Counties, in Lieu of Local Health Units; to Establish and Maintain a District Board of Health to Operate in Cooperation With and Under the Direction of the State Department of Health; Providing for the Appointment of a District Board of Health, a Full Time District Health Officer and the Necessary Personnel of the District Health Unit; and, Providing for Their Compensation; and Authorizing a Levy for the Maintenance of the District Board of Health.

Senate Bill No. 104. A Bill for an Act to Authorize the State Highway Commissioner to Cooperate with the Public Roads Administration of the United States in the Construction and Maintenance of Flight Strips and of Certain Classes of Highways and to Acquire, by Purchase or Condemnation, Lands Required for Such Flight Strips and Highways.

Senate Bill No. 108. A Bill for an Act to Provide for Acting Officials in Absences Caused by Induction Into the Military Service of Incumbent Officers, and Declaring an Emergency.

Senate Bill No. 113. A Bill for an Act to Amend and Re-enact Section 2174 (a) and (b) of the Compiled Laws of North Dakota for 1913 as Amended by Chapter 242 of the Session Laws of 1929, Relating to Delinquent Personal Taxes and Repealing Section 2174 (c) of the Compiled Laws of North Dakota for 1913 and All Acts or Parts of Acts in Conflict Therewith.

Senate Bill No. 114. A Bill for an Act to Amend and Re-enact Section 17 of Chapter 71 of the Session Laws of North



Dakota for the Year 1933, Requiring the State Examiner to Prescribe a System of Uniform Accounting for County Officers, Making an Appropriation Therefore and Repealing All Acts and Parts of Acts in Conflict Herewith.

Senate Bill No. 121. A Bill for an Act Making an Appropriation to the State Water Conservation Commission for the Preparation of Water Conservation and Irrigation Projects for Post-war Construction and Development; and Declaring an Emergency.

Senate Bill No. 124. A Bill for an Act to Amend and Re-enact Sections 3790 and 3802 of the Compiled Laws of North Dakota for the Year 1913, Relating to Salaries of Members of the Board of City Commissioners.

Senate Bill No. 134. A Bill for an Act to Amend and Re-enact Section 7, the Fourth Paragraph of Section 11, and Section 15 of Chapter 101 of the Session Laws of 1927, Chapter 79 of the Session Laws of 1933, the First Paragraph and Sub-section 2 of Section 18 (as Amended by Chapter 98 of the Session Laws of 1931) and the Second Paragraph of Section 21, of Chapter 101 of the Session Laws of 1927, Relating to the Barbers Examining Board of the State of North Dakota and the Regulation of the Business of Barbering.

Senate Bill No. 142. A Bill for an Act Authorizing the State of North Dakota to Exchange Tracts of Land Located Within the Diminished Borders of Fort Berthold Reservation for Lands Owned by the United States Government Outside of the Diminished Borders of said Fort Berthold Reservation; Providing for Appraisals, and Execution of Conveyance.

Senate Bill No. 144. A Bill for an Act to Amend and Re-enact Section 11 of Chapter 159 of the Session Laws of North Dakota for 1927 as Amended by Chapter 174 of the Session Laws of North Dakota for 1941, Relating to the Department of State Highways.

Senate Bill No. 145. A Bill for an Act to Amend and Re-enact Section 200b4 of the 1925 Supplement to the Compiled Laws of North Dakota for 1913, Providing for the Payment of Premiums on Bonds of Public Employees; and Providing for the Transfer of Such Bonds, and Declaring an Emergency.

Senate Bill No. 173. A Bill for an Act Authorizing and Relating to Contracts by Certain Cities and Villages for Obtaining a Supply of Water for Public and Domestic Uses.

Senate Bill No. 179. A Bill for an Act to Amend and Re-enact Section 17 of Chapter 97 of the Session Laws of 1933 Relating to the Expense of Burial of Indigent Persons and Declaring an Emergency.

Senate Bill No. 203. A Bill for an Act Relating to National and State Defense, Authorizing the Creation of State and Local Defense Agencies, Granting Emergency War Powers to Said Agencies and the Political Subdivisions of the State, and Making an Appropriation Therefor.

Senate Bill No. 210. A Bill for an Act to Amend and Re-enact Sub-section (b) of Section 1 of the Initiated Measure Adopted June 30, 1926 Relating to the Definition of "Motor Vehicle Fuels."

Senate Concurrent Resolution "P." A Concurrent Resolution Memorializing Congress and the President to Enact the Townsend Plan.

Senate Concurrent Resolution "1-D." A Concurrent Resolution Requesting the Bank of North Dakota With the Approval of the Industrial Commission to Make Loans to the Public Welfare Board of North Dakota to Meet Emergencies for funds to Match Federal Grants Under the Social Security Programs for General Relief Requirements.

Which the House has passed unchanged.

W. M. SMART, Chief Clerk.  
House of Representatives  
Bismarck, March 5, 1943

Mr. President: I have the honor to return:

Senate Bill No. 5. A Bill for an Act Making an Appropriation for the Operation, Maintenance and Miscellaneous Expenses of the Poultry Improvement Board.

Senate Bill No. 12. A Bill for an Act Making an Appropriation for Administration and Expenses for the Liquor Control Act.

Senate Bill No. 15. A Bill for an Act Making an Appropriation for Operation and Maintenance of the Auto Transportation Division.

Senate Bill No. 16. A Bill for an Act Making an Appropriation for Salaries and Expenses of the Scale Inspection Division.

Senate Bill No. 17. A Bill for an Act Making an Appropriation for Salaries and Expenses of the Livestock Division (Dealers).

Senate Bill No. 19. A Bill for an Act Making an Appropriation for Salaries and Expenses for the State Seed Department.

Senate Bill No. 20. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, New Building and Equipment of the School for the Deaf at Devils Lake, North Dakota.

Senate Bill No. 21. 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. 22. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, New Building and Equipment for the Tuberculosis Sanatorium at San Haven, North Dakota.

Senate Bill No. 55. A Bill for an Act to Amend and Re-enact Section 57 of Chapter 148 of the Session Laws of 1931, as Amended by Chapter 154 of the Session Laws of 1941 Giving the Governor Certain Powers Relative to Game and Fish, Limiting Such Power and Authorizing the Governor to Declare Foxes Predatory Animals in Certain Areas, and Dispensing with Licenses Relative to Foxes When Declared

Senate Bill No. 56. A Bill for an Act to Appropriate Twenty Thousand (\$20,000.00) Dollars for the Biennium to Provide for the Control of Predatory Animals Such as Wolves, Coyotes, Bobcats and Other Predatory Animals Which Are Injurious to Livestock, Poultry and Game Animals and Birds; to Authorize Cooperation with the United States in the Control of Such Predatory Animals; and in Addition Thereto Appropriating for the Same Purpose the Net Proceeds of Furs, Skins or Specimens Sold, Making Such

Proceeds Available in a Sum Not to Exceed Twenty Thousand (\$20,000.00) Dollars, and to Provide for Funds to Enable the Department of Agriculture and Labor to Carry Out the Provisions of This Act; Repealing All Acts or Parts of Acts in Conflict Herewith and Declaring an Emergency.

Senate Bill No. 68. A Bill for an Act to Amend and Re-enact Sections 1, 2, 5, 6, 8 and 10 of That Certain Initiated Law Adopted by the Voters of the State of North Dakota, at the Primary Election Held June 29, 1932, Entitled as Follows: "An Act Reducing and Fixing the Salaries of the Following County Officials Hereafter Elected: Auditor, Treasurer, Sheriff, Superintendent of Schools, Register of Deeds, County Judge, State's Attorney, and Clerk of District Court, and Providing for the Appointment of Certain Deputies, Clerks and Assistants to Such Officials and Fixing Their Salaries, and for Payment of All Fees to the County, and Fixing the Per Diem and Mileage of County Commissioners and Repealing Section 3551a2, 1925 Supplement to the Compiled Laws of 1913, Chapters 114, and 115 of the Laws of 1927, Chapter 108 of the Laws of 1929, Chapter 117 of the Laws of 1931, and All Acts and Parts of Acts so Far as in Conflict Herewith," and Repealing Sections 3, 4 and 9 of Said Initiated Law and All Acts and Parts of Acts in Conflict Herewith, and Declaring an Emergency.

Senate Bill No. 70. A Bill for an Act Fixing the Maximum Salary Payable to the Commissioner of University and School Lands and Creating an Emergency.

Senate Bill No. 102. A Bill for an Act to Amend and Re-enact Section 172 of the Compiled Laws of North Dakota for the Year 1913, Relating to the Duties of the Commissioner of Insurance, and Declaring an Emergency.

Senate Bill No. 110. A Bill for an Act to Amend and Re-enact Section 2157 of the Compiled Laws of North Dakota of the Year 1913 as Amended by Chapter 228 of the Session Laws of 1929 Relating to the Issuance of Tax Receipts and the Form Thereof.

Senate Bill No. 112. A Bill for an Act to Amend and Re-enact Section 2160 of the Compiled Laws of North Dakota of the Year 1913 Relating to Issuance of Receipts.

Senate Bill No. 149. A Bill for an Act to Amend and Re-enact Subsection (c) of Section 51 of the Session Laws of North Dakota for the Year 1927, Providing for the Tilting of Motor Vehicle Headlights, and Declaring an Emergency.

Senate Bill No. 154. A Bill for an Act to Create and Establish Under the Industrial Commission of the State of North Dakota a Research Agency to Be Known as the North Dakota Research Foundation; Fixing the Membership of the Foundation Providing for Their Appointment and Compensation; Prescribing the Duties of the Industrial Commission and the Foundation; and Making an Appropriation Therefore.

Senate Bill No. 175. A Bill for an Act Amending and Re-enacting Section 17 of Chapter 14 of the Session Laws of 1941 Relating to the State Seed Department.

Senate Bill No. 181. A Bill for an Act to Make it the Duty of the Public Welfare Board of North Dakota to Eliminate Disparity in the Amount of Old Age Assistance Between the Counties of the State of North Dakota, Author-

izing a Full or Part-time Deputy Executive Director, Directing Discharge of Executive Director or Deputy Executive Director, Requiring Liberal Construction of the Public Welfare Law and Declaring an Emergency.

Senate Bill No. 192. A Bill for an Act to Encourage the Investment of Moneys in the State of North Dakota, and to Encourage the Development of the Natural Resources of This State, and to Provide a Market for the Gas and Oil Deposits in the State, Including Those Owned by the State of North Dakota, and the Counties Thereof, and to Permit the Marketing of Such Natural Resources by Selling and Delivering to the State, County and School Districts of Gas and Oil, Upon Condition That the Seller or Carrier Purchase From Production or Produce in This State an Amount of Gas or Oil at Least Equivalent to the Amount It Delivers to Said State, County and School District Buildings and Requiring Such Sellers and Carriers to Make Reports of Its Sales and Purchases and Production, Under Oats, and Providing a Penalty for Violation Thereof; Repealing All Acts in Conflict, and Declaring an Emergency.

Senate Bill No. 209. A Bill for an Act Authorizing the Code Revision Commission to Incorporate the Session Laws Adopted by the Twenty-Eighth Legislative Assembly in the North Dakota Revised Code of 1943; to Rearrange, Renumber, and Correct Typographical Errors in Such Code; and to Prepare the Same for Publication, and Declaring an Emergency.

Senate Concurrent Resolution "H." A Concurrent Resolution Providing for the Amendment of Section 158 of Article 9 of the Constitution of North Dakota as Amended by Article 13 of the Amendments Thereof as Further Amended by Article 50 of the Amendments Thereof, Relating to the Sale of School and Public Lands, and for Resale to Purchasers on Contract Whose Contracts Have Been Cancelled.

Which the House has amended.

W. M. SMART, Chief Clerk.  
House of Representatives  
Bismarck, March 5, 1943

Mr. President: I have the honor to transmit:

House Concurrent Resolution "1-K." A Resolution Providing for State Departments, Boards or Commissions Doing State Business to Share Rides and Pool Cars in Travel to Rationing of Gas to Conserve Tires.

House Concurrent Resolution "1-L." A Resolution Requesting the Department of Animal Husbandry of the State Agricultural College to Prepare a Suitable Course of Instruction for Use in the Schools of the State in Providing Scientific and Practical Knowledge in Breeding and Care of Livestock.

House Concurrent Resolution "1-M." A Resolution Requesting Establishment of a Central Agency in the State to Assume Jurisdiction of Drives for Funds in Connection With the War Effort.

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

W. M. SMART, Chief Clerk.

House of Representatives  
Bismarck, March 5, 1943

Mr. President: I have the honor to return:

Senate Bill No. 74. A Bill for an Act to Amend and Re-enact Sections 12, 13, 14 and 15 of Chapter 255 of the Session Laws of 1941 Relating to State Equalization Fund Permitting an Appropriation for the Education and Rehabilitation of Returned Soldiers.

Senate Bill No. 150. A Bill for an Act to Repeal Sections 2763 to 2779 Inclusive, of the Compiled Laws of North Dakota for the Year 1913 and Declaring an Emergency.

Senate Bill No. 183. A Bill for an Act to Amend and Re-enact Chapter 137 of the 1939 Session Laws Relating to Marihuana, and Defining Marihuana as a Narcotic and a Habit-forming Drug; Prohibiting the Cultivation, Sale or Gift Thereof, Except Under Certain Circumstances; Permitting the Establishment of a Hemp Mill; Providing a Penalty for Violation; and Declaring an Emergency.

Which the House has indefinitely postponed.

W. M. SMART, Chief Clerk.  
House of Representatives  
Bismarck, March 5, 1943

Mr. President: I have the honor to transmit:

House Bill No. 220. A Bill for an Act to Provide a Standard War Time for the State of North Dakota, Providing for Its Institution and continuance; Repealing All Acts in Conflict Therewith; and Declaring an Emergency.

House Bill No. 214. A Bill for an Act to Amend and Re-enact Sections 8 and 9 of Chapter 135 of the Session Laws of 1935, as Amended and Re-enacted by Chapter 143 of the Session Laws of 1939 Relating to the Election of Delegates to State Party Conventions and Members of County Executive Committees, and Repealing All Acts or Parts of Acts in Conflict Herewith.

House Bill No. 127. A Bill for an Act to Amend and Re-enact Sections 18, 19, and 20 of Chapter 286 of the 1941 Session Laws, Relating to the Terms of Private Sale and Redemption and Repurchase of County Tax Deed Land, Distribution of the Proceeds, Rights of Owner to Repurchase, Disposition of Rental and Landlord's Share of the Crop, Time of Assessment for Taxation, and Declaring an Emergency.

House Bill No. 78. A Bill for an Act Requiring the Teaching of the Conservation of Natural Resources in the Public Schools of the State of North Dakota.

House Bill No. 44. A Bill for an Act to Amend and Re-enact Section 10322a27 of the 1925 Supplement to the Compiled Laws of North Dakota of 1913, as Amended by Chapter 117 of the Session Laws of North Dakota for 1933, Relative to the Use of Hunting Dogs.

House Bill No. 212. A Bill for an Act Providing a Means by Which Any Citizen May Have His Date of Birth and Place of Birth Judicially Determined; Providing for the Notice to Be Given of a Hearing; Giving to the District Courts Jurisdiction Thereof; Providing for an Appeal and Designating the Fees to Be Paid to the Clerk of Court in Connection Therewith.

House Bill No. 175. A Bill for an Act to Amend and Re-enact Section 1179 of the Compiled Laws for 1913, as Amended by Chapter 257 of the Session Laws of 1941, Relating to Powers of School Districts to Admit Pupils from Other Districts, Providing for Payment of Tuition and Transportation, and Repealing All Acts and Parts of Acts in Conflict Herewith.

House Bill No. 171. A Bill for an Act to Amend and Re-enact Section 1390a of the Supplement to the 1913 Compiled Laws of North Dakota, Authorizing the Erection and Equipping of Teacherages and Dormitories, and Providing Boarding Facilities at Cost, and Repealing All Acts or Parts of Acts in Conflict Herewith, and Declaring an Emergency.

House Bill No. 48. A Bill for an Act to Amend and Re-enact Section 436 and 437 Compiled Laws of 1913 Relating to the Area Which Shall Comprise a Registration District, for the Purpose of Registering Vital Statistics, Designating the Registrar, and Prescribing the Duties of the Local Registrar of Such Registration Districts, Defining Their Powers and Authorizing the Appointment of Sub-Registrars, and Declaring an Emergency.

House Concurrent Resolution "1-C." Regarding the Heavy Snow on the Missouri River and Requesting Cooperation of the Adjutant General's Department in Eliminating Hazards.

House Concurrent Resolution "T." Memorializing the Congress of the United States to Abandon Further Acquisition of Land and the Extension of Game Refuges in the State of North Dakota; Urging Legislation to Provide for Making Payments in Lieu of Taxes Where Refuges Are Located, or Providing for Return of Such Lands to Private Ownership; and Payment of Claims of Landowners in Locality of Such Game Refuges, Whose Crops Have Been Destroyed by Game Birds and Predatory Animals Found on Such Reserves.

House Concurrent Resolution "S." To the Honorable William H. Jeffers, United States Rubber Administrator, War Production Board, Washington, D. C., Urging the Establishment of a Plant at Bismarck, or Jamestown, North Dakota, for the Production of Synthetic Rubber from Grain Alcohol, or a Plant at Dickinson or Minot, North Dakota, for Production of Synthetic Rubber and Coal By-products From Lignite Coal.

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

W. M. SMART, Chief Clerk.  
House of Representatives  
Bismarck, March 5, 1943

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. 110 and the Speaker has appointed as a new Conference Committee, Reps. Johnson of Richland, Holm and Haugen.

Very respectfully,  
W. M. SMART, Chief Clerk.  
House of Representatives  
Bismarck, March 4, 1943

Mr. President: I have the honor to inform you that the

House has adopted the report of the Conference Committee on House Bill No. 42.

Very respectfully,  
W. M. SMART, Chief Clerk.  
House of Representatives  
Bismarck, March 5, 1943

Mr. President: I have the honor to inform you that the House has adopted the report of the Conference Committee on House Bill No. 244.

Very respectfully,  
W. M. SMART, Chief Clerk.

The question was on the substitute motion on Senate Bill No. 122 offered by Rep. Blair.

Rep. Bergesen took the floor on behalf of Senate Bill No. 122.

There being a four-minute rule in effect, Rep. Saumur was recognized by the chair and yielded his time to Rep. Bergesen.

Rep. Boulden was also recognized and yielded his time.

Rep. Westby was recognized and yielded his time.

Rep. Hovey was recognized and yielded his time.

Rep. Gainor was recognized and yielded his time.

Rep. Bolmeier was recognized and yielded his time.

The Speaker called Rep. Crockett to the chair.

#### MESSAGES FROM THE SENATE

Senate Chamber  
Bismarck, March 5, 1943

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 103. A Bill for an Act to Amend and Re-enact Section 4870 of the Compiled Laws of North Dakota for the Year 1913, Relating to the Organization of Domestic Mutual Life Insurance Companies, and Declaring an Emergency.

Senate Bill No. 156. A Bill for an Act Relating to the Juvenile Court and the Protection, Control, and Custody of Children; and Amending and Re-enacting Chapter 23 of the Code of Criminal Procedure, Consisting of Sections 11402 to 11427, Inclusive, of the Compiled Laws of North Dakota of 1913; Sections 11412a, 11428a1, 11428a2, 11428.3, 11428a4 and 11428a5 of the Supplement to the 1913 Compiled Laws of North Dakota; and Chapter 113 of the Laws of 1929.

Senate Bill No. 171. A Bill for an Act to Amend and Re-enact Sections 2, 5, 6, 8, 9, 10, 13, 15, 16, and 22 of Chapter 71 of the Session Laws of North Dakota for the Year 1933, Relating to the State Banking Board, and Making an Appropriation for the Expense Incident Thereto and Repealing All Acts in Conflict Herewith.

Senate Bill No. 172. A Bill for an Act to Amend and Re-enact Section 17 of Chapter 96 of the Session Laws of North Dakota for the Year 1931 as Amended by Chapter 93 of the Session Laws of 1935, Also Sections 4, 25, 31, and 35 of Chapter 96 of the Session Laws of 1931, Also Section 30 of Chapter 96 of the Session Laws of 1931 as Amended by Chapter 96 of the Session Laws of North Dakota for the Year 1937 and Further Amended by Chapter 102 of the Session Laws of North Dakota for the Year 1941 and Repealing Section 57 of Chapter 96 of the Session Laws of

North Dakota for the Year 1931; All Relating to the Regulation of the State Banking Associations.

Senate Bill No. 180. A Bill for an Act to Amend and Re-enact 2346a18 of the 1925 Supplement to the Compiled Laws of North Dakota, as Amended by Section 4 of Chapter 283, Session Laws of 1931, as Further Amended by Section 2 of Chapter 241, Session Laws of 1937, and as Further Amended by Section 1 of Chapter 228, Session Laws of 1939; Providing for Net Operating Loss Carry Over and Additional Deductions in Computing Net Income for Income Tax Purposes, and Declaring an Emergency.

Senate Bill No. 206. A Bill for an Act to Amend and Re-enact Section 19 of the Session Laws of North Dakota for 1927 as Amended and Re-enacted by Chapter 150 of the Session Laws of North Dakota for 1939, Relating to the Regulation of the Occupation of Hairdressers and Cosmetologists, and Repealing All Acts or Parts of Acts in Conflict Herewith.

Senate Bill No. 53. A Bill for an Act to Amend and Re-enact Chapter 118 of the Session Laws of 1933 as Amended by Chapter 158 of the Session Laws of 1941.

Senate Bill No. 60. A Bill for an Act to Amend and Re-enact Paragraph (a) of Section 3 of Chapter 221 of the Session Laws of North Dakota for 1935 Relative to Per Diem and Expenses of the Members of the State Board of Public Welfare and Repealing All Acts in Conflict Herewith.

Senate Bill No. 67. A Bill for an Act to Prohibit Cutting, Removing or Destroying Any Native Growing Fruit Bearing Shrubs, or Trees, Providing a Penalty and Creating an Emergency.

Senate Bill No. 91. A Bill for an Act to Establish the Responsibility of the County Treasurer, and Requiring Him to Make an Annual Settlement of His Tax List and to Make an Annual Report, and Repealing Sections 3342 and 3343 of the Compiled Laws of 1913.

Senate Bill No. 92. A Bill for an Act to Amend and Re-enact Section 3267 of the Compiled Laws of North Dakota for 1913, Relating to the Duties of the Chairman of the Board of County Commissioners and Repealing All Acts or Parts of Acts in Conflict Herewith.

Senate Bill No. 93. A Bill for an Act to Amend and Re-enact Section 3349 of the Compiled Laws of North Dakota for 1913, Relating to the Treasurer's Record of Warrants Paid, and Repealing All Acts in Conflict Herewith.

Senate Bill No. 94. A Bill for an Act to Amend and Re-enact Section 3367 of the Compiled Laws of North Dakota for 1913 and Repealing Section 2161 of the Compiled Laws of North Dakota for 1913, Both Sections Relating to the Duties of the County Auditor.

Senate Bill No. 109. A Bill for an Act to Amend and Re-enact Section 3271 of the Compiled Laws of North Dakota for 1913, Relating to the Record of Proceedings of the Board of County Commissioners, and Repealing All Acts in Conflict Therewith.

Senate Bill No. 111. A Bill for an Act to Amend and Re-enact Section 2180 of the Compiled Laws of North Dakota for 1913, Relating to the Duties of the County Treasurer,



and Repealing All Acts or Parts of Acts in Conflict Therewith.

Senate Bill No. 146. A Bill for an Act to Legalize the Operation of Bowling Alleys During Certain Hours on the First Day of the Week; Permitting Labor and Services to Be Performed in Connection Therewith; Permitting Municipalities by Ordinance to Prohibit Operation; Repealing All Acts or Parts of Acts in Conflict Herewith.

Senate Bill No. 161. A Bill for an Act to Amend and Re-enact Section 2 and Section 5 of Chapter 7 of the Session Laws of 1939; Relating to the Membership of the State Poultry Improvement Board.

Senate Bill No. 184. A Bill for an Act to Amend and Re-enact Section 12 of Chapter 139, of the Session Laws of North Dakota for the Year 1937, as Amended and Re-enacted by Section 3 of Chapter 175 of the Session Laws of North Dakota for 1941, Relating to Revocation of Suspension of Drivers' Licenses, and to Amend and Re-enact Section 13 of Chapter 139 of the Session Laws of North Dakota for 1937, Relating to Court Review of Action of the State Highway Commissioner, and to Amend and Re-enact Subsection (d) of Section 18 of Chapter 139 of the Session Laws of North Dakota for 1937 as Amended and Re-enacted by Section 4 of Chapter 175 of the Session Laws of North Dakota for the Year 1941, Relating to Salaries and Wages of Officers of the Division of Highway Safety and Patrol, and to Repeal Section 14 of Chapter 139 of the Session Laws of North Dakota for 1937.

Senate Bill No. 187. A Bill for an Act to Amend and Re-enact Paragraph (b) of Subdivision 5 of Section 7 and All of Section 23 of Chapter 94, Session Laws of 1931, Pertaining to Fully Paid Shares in Building and Loan Associations and Bonds of Directors, Officers, Agents and Employees, and Repealing All Acts in Conflict Herewith.

Senate Bill No. 200. A Bill for an Act Making an Appropriation of Funds to Purchase Paper and Binding Material and to Pay for Printing and Binding and Supervision, and Declaring an Emergency.

Senate Bill No. 204. A Bill for an Act to Amend and Re-enact Section 59-0425 of the North Dakota Revised Code of 1943.

Senate Bill No. 205. A Bill for an Act to Repeal Chapter 11 of the Title Judicial Procedure, Civil in North Dakota Revised Code for 1943.

Senate Joint Memorial Resolution "A."

Senate Concurrent Resolution "R." In Appreciation for His Invaluable Services Rendered by the Honorable Fred B. Fancher in the Organization and Starting on Its Way, the Government of the State of North Dakota.

Senate Concurrent Resolution "Q." A Concurrent Resolution for His Invaluable Services Rendered by the Honorable E. W. Camp, in the Organization and the Starting on Its Way, the Government of the State of North Dakota.

Senate Concurrent Resolution "S." For His Invaluable Services Rendered by the Honorable Henry M. Peterson, in the Organization and Starting on Its Way, the Government of the State of North Dakota.

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

W. J. TROUT, Secretary.

Speaker Beede took the floor on Senate Bill No. 122.

Rep. Aker was recognized and yielded his time to the Speaker.

Rep. Starck was recognized and yielded his time.

Rep. Fitch moved that the House recess for 45 minutes, which motion prevailed.

The House re-convened pursuant to recess taken, Speaker Beede presiding.

Rep. Bergesen demanded a Call of the House.

A Call of the House was granted.

The roll was called and disclosed all members present except Reps. Bauer, Moe, Peterson of Bottineau and Falconer.

The Sergeant-at-Arms was instructed to locate the absent members.

Rep. Bolmeier informed the House that Rep. Moe would return shortly after two o'clock.

The Sargeant-at-Arms informed the House that all members were now present.

Rep. Bergesen moved that the Call of the House be dispensed with, which motion prevailed.

#### MESSAGE FROM THE SENATE

Senate Chamber  
Bismarck, March 5, 1943

Mr. Speaker: I have the honor to transmit:

Senate Concurrent Resolution "1-K." Relating to Additional Pay to Myrtle Steen for Extra Services Rendered Other Than Committee Clerk.

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

W. J. TROUT, Secretary.

The question before the House was the adoption of the minority report of the Committee on Insurance on Senate Bill No. 122.

Rep. Graham moved that the House do now adjourn, which motion was lost.

Rep. Graham took the floor in opposition to the adoption of the minority report.

Rep. Anderson was recognized by the chair and yielded his time to Rep. Graham.

Rep. Crockett offered a substitute motion that Senate Bill No. 122 be placed in General Orders.

The Chair recognized the motion in accordance with Rule No. 12.

The Chair ruled the motion of Rep. Crockett was lost.

A division was asked for which disclosed 50 for and 54 against so the motion was lost.

Rep. Aker moved the previous question.

Rep. Fitch arose to a point of personal privilege.

Rep. Aker withdrew his motion temporarily.

#### MESSAGE TO THE SENATE

House of Representatives  
Bismarck, March 5, 1943.

Mr. President: I have the honor to transmit to you House

Bill No. 244, which the House has passed, as amended by the Conference Committee.

W. M. SMART, Chief Clerk.

Rep. Bergesen moved that the Speaker appoint a committee of four of which the Speaker shall be one, two from each faction, for the purpose of holding a conference on Senate Bill No. 122 to report back to the House.

Rep. Schnell seconded the motion, which motion prevailed.

The Speaker appointed as a Conference Committee Reps. Bergesen, Schnell, Johnson of Richland and the Speaker.

The Speaker called Rep. Fitch to the chair.

#### CONSIDERATION OF MESSAGES FROM THE SENATE

Amendments to House Bill No. 31.

In the printed bill, strike out everything after the word "A BILL" and insert the following:

For an Act making an appropriation for the payment of the premiums for Boys' and Girls' Club Work at County Achievement Fairs; and providing the manner of disbursing such funds and making reports.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF NORTH DAKOTA:

Section 1. APPROPRIATION.) There is hereby appropriated out of any moneys in the State Treasury, not otherwise appropriated, the sum of not to exceed \$100.00 each year to each organized county of the state in which a Boys' and Girls' Achievement Day, or Achievement Fair, is conducted, which sum shall be used exclusively for the payment of premiums for Boys' and Girls' Club Work.

Section 2. HOW PAID.) The moneys so appropriated shall be paid to the County Agent of each county conducting a Boys' and Girls' Achievement Day, or Achievement Fair, upon a voucher duly executed by the County Agent and filed with the State Auditor, stating that the money is to be used for the purpose herein authorized. Within thirty days following the Boys' and Girls' Achievement Day, or Achievement Fair, the County Agent shall file with the Governor of the State a full and complete itemized statement showing the disposition of the premium payments, and any balance not expended shall be remitted to the State Treasurer and placed to the credit of the General Fund.

Rep. Sandness moved that the House do concur in the Senate amendments to House Bill No. 31, which motion prevailed.

Rep. Sandness moved that the rules be suspended and that House Bill No. 31 be considered properly engrossed and placed on second reading and final passage, which motion prevailed.

#### SECOND READING OF HOUSE BILLS

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, as

amended, the roll was called and there were ayes, 96; nays, 2; absent and not voting, 15.

Those voting in the affirmative were:

Aker	Gainor	Mortenson
Allen, Grand Forks	Graham	Myers
Allen, Pierce	Haag	Nelson
Anderson	Halcrow	Nystrom
Arndt	Halvorson	Olson, Bowman
Bagge	Haugen	Ostgulen
Bauer	Haugland	Peterson, Bottin'au
Baumgartner	Heckman	Pyle
Belzer	Hegge	Rettke
Benno	Hildre	Rohrer
Bjella	Hofstrand	Runck
Blair	Hogoboom	Sailer
Bolmeier	Holm	Sandness
Boulden	Hovey	Schwartz
Braun	Iszler	Schmalenberger
Bubel	Jennings	Sellens
Bymers	Johnson, Cass	Severson
Callahan	Johnson, Rolette	Sharpe
Collette	Kolpin	Shure
Crockett	Larson, Ward	Stair
Dahlen	Larson, Wells	Starck
Dalzell	Leet	Sticka
Devlin	Levin	Stormon
Drovdal	Lillehaugen	Twichell
Ekren	Lunde	Tuff
Falconer	McInnes	Welder
Fitch	Manstrom	Welk
Fleck	Marks	Westby
Forseth	Mittag	Williams, Richland
Fraser	Moe	Williams, Stutsm'n
Fuglestad	Mollet	Wolf, McIntosh
Gackle	Morland	Wolf, Morton

Those voting in the negative were:

Monson Morrison

Absent and not voting:

Bergesen	Langley	Saumur
Burau	Olson, Barnes	Schnell
Carlson	Ohnstad	Wambheim
Coghlan	Peterson, Ransom	Williams, Sargent
Johnson, Richland	Rohde	Mr. Speaker

So the bill passed as amended and the title was agreed to.

Rep. Morland moved that the vote by which House Bill No. 31 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Rep. Bauer: "I wish to explain my vote. I think that this bill provides for a noble work. I vote Aye."

Amendments to House Bill No. 43.

In the engrossed bill, under Section 2 in line 4 after the word "Treasury", insert the words "in the Game and Fish Fund".

Rep. Bolmeier moved that the House do concur in the Senate amendments to House Bill No. 43, which motion prevailed.

Rep. Olson of Bowman moved that the rules be suspended and that House Bill No. 43 be considered properly engrossed and placed on second reading and final passage, which motion prevailed.

House Bill No. 43. A Bill for an Act Providing for a Transfer of Certain School Land Situated in Bowman County, North Dakota, to the Game and Fish Commission of the State of North Dakota, to Be Used and Maintained Under the Direction of the Game and Fish Commission as a Public Park for Recreation Purposes, 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, 90; nays, 3; absent and not voting, 20.

Those voting in the affirmative were:

Aker	Haag	Morrison
Allen, Pierce	Halcrow	Mortenson
Anderson	Halvorson	Nelson
Arndt	Haugen	Nystrom
Bagge	Haugland	Olson, Bowman
Bauer	Heckman	Ostgulen
Baumgartner	Hegge	Peterson, Bottin'au
Belzer	Hildre	Peterson, Ransom
Blair	Hofstrand	Pyle
Bolmeier	Hogoboom	Rettke
Boulden	Holm	Rohrer
Braun	Hovey	Runk
Bubel	Iszler	Sandness
Bymers	Jennings	Sellens
Callahan	Johnson, Rolette	Schwartz
Carlson	Kolpin	Schmalenberger
Collette	Langley	Severson
Crockett	Larson, Ward	Shure
Dalzell	Larson, Wells	Sharpe
Devlin	Leet	Sticka
Drovdal	Levin	Stormon
Ekren	Lillehaugen	Twichell
Falconer	Lunde	Tuff
Fitch	McInnes	Welder
Fleck	Manstrom	Welk
Forseth	Marks	Westby
Fraser	Mittag	Williams, Richland
Gackle	Moe	Williams, Sargent
Gainor	Mollet	Williams, Stutsman
Graham	Morland	Wolf, Morton

Those voting in the negative were:

Sailer	Starck	Wolf, McIntosh
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Absent and not voting:

Allen, Grand Forks	Fuglestad	Rohde
Benno	Johnson, Cass	Saumur
Bergesen	Johnson, Richland	Schnell
Bjella	Monson	Stair
Bureau	Myers	Wambheim
Coghlan	Olson, Barnes	Mr. Speaker
Dahlen	Ohnstad	

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

Rep. Hogoboom 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.

Rep. Bauer: "I wish my remarks recorded. I see that this bill provides for building a lake over near Bowman. I want some place for all those coyotes over near Mr. Olson's to swim in and I therefore vote 'aye'."

Amendments to House Bill No. 94.

In the title of the bill after the words "the sum of", strike out the figures "\$100,000.00" and insert the figures "\$75,000.00" in lieu thereof.

Under Section 3 in line 16, strike out the figures "\$100,000.00" and insert the figures "\$75,000.00" in lieu thereof.

Rep. Aker moved that the House do concur in the Senate amendments to House Bill No. 94, which motion prevailed.

Rep. Aker moved that the rules be suspended and that House Bill No. 94 be considered properly engrossed and placed on second reading and final passage, which motion prevailed.

House Bill No. 94. A Bill for an Act Creating a Veteran's Aid Commission, Specifying Its Powers and Duties; and Appropriating the Sum of \$100,000 as a Veteran's Aid Fund and Providing for the Manner of Its Use and Defining Those Entitled to Aid from Such 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, 89; nays, 0; absent and not voting, 24.

Those voting in the affirmative were:

Aker	Fuglestad	Morland
Allen, Pierce	Gackle	Morrison
Anderson	Gainor	Mortenson
Arndt	Graham	Nelson
Bagge	Haag	Olson, Bowman
Bauer	Halcrow	Ostgulen
Baumgartner	Halvorson	Peterson, Ransom
Belzer	Haugen	Pyle
Benno	Haugland	Rettke
Blair	Heckman	Rohrer
Bolmeier	Hegge	Runck
Boulden	Hogoboom	Saumur
Braun	Holm	Schwartz
Bubel	Hovey	Schmalenberger
Bureau	Iszler	Sellens
Bymers	Jennings	Severson
Callahan	Johnson, Rolette	Sharpe
Carlson	Kolpin	Shure
Collette	Langley	Starck
Crockett	Larson, Ward	Sticka
Dahlen	Larson, Wells	Stormon
Dalzell	Leet	Tuff
Devlin	Levin	Welk
Drovdal	Lillehaugen	Westby
Ekren	McInnes	Williams, Richland
Falconer	Manstrom	Williams, Sargent
Fitch	Marks	Williams, Stutsm'n
Fleck	Mittag	Wolf, McIntosh

Forseth	Mollet	Wolf, Morton
Fraser	Monson	
Absent and not voting:		
Allen, Grand Forks	Lunde	Sailer
Bergesen	Moe	Sandness
Bjella	Myers	Schnell
Coghlan	Nystrom	Stair
Hildre	Olson, Barnes	Twichell
Hofstrand	Ohnstad	Wambheim
Johnson, Cass	Peterson, Bottina'u	Welder
Johnson, Richland	Rohde	Mr. Speaker

So the bill passed, as amended, and the title was agreed to.

Rep. Carlson moved that the vote by which House Bill No. 94 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Rep. Crockett: "I am going to vote 'aye' on this bill but I would like to vote 'no' against this cut. I think there are other places that are a lot more appropriate to cut than on this bill, but I will have to vote 'aye'."

#### MESSAGE TO THE SENATE

House of Representatives  
Bismarck, March 4, 1943

Mr. President: I have the honor to return:

Senate Bill No. 174. A Bill for an Act Providing for Direct Liability of the Insurer to Persons Entitled to Recover for Death, for Injuries to Persons, or Damages to Property, Caused by the Negligent Maintenance, Use or Operation of Motor Vehicles, Limiting the Amount of Liability; Imposing Duty to Disclose Existence of Insurance, Authorizing the Persons Entitled to Recover Such Damages to Join the Insurer in Single Action Against Owner or Operator of Motor Vehicle; Declaring Conditions and Covenants in Liability Contracts or Policies of Insurance. Limiting or Restricting Such Rights, or Which Are Violative of the Provisions of This Act as Against Public Policy and Void and Providing for Repeal of All Acts in Conflict Herewith.

Which the House has indefinitely postponed.

W. M. SMART, Chief Clerk.

Amendments to House Bill No. 119.

In line 6 of the printed Bill, after the word "Insurance", insert the following: "with the approval of the Governor".

Strike out everything in line 37 after the word "corn.", all of line 38 and all in line 39 up to and including the word "necessary" in line 51.

Strike out all of Section 2 after the word "year." in line 51.

In line 83, after the word "desired." insert the following: "Provided, however, that in no case shall insurance take effect before such application is actually received in the office of the Hail Insurance Department."

In line 93 after the word "completed" insert the following: "and all costs and expenses in connection therewith paid for by the applicant".

Strike out the words in line 137 after the word "auditor" and the words in line 138 up to and including the word "Department".

In line 210 strike out the figures "95" and insert the figures "90" in lieu thereof.

Rep. Crockett moved that the House do not concur in the Senate amendments to House Bill No. 119, which motion prevailed.

Rep. Crockett moved that a Conference Committee be appointed on House Bill No. 119, which motion prevailed.

The Speaker appointed on the Conference Committee Reps. Crockett, Morland and Shure.

#### MESSAGE TO THE SENATE

House of Representatives  
Bismarck, March 5, 1943

Mr. President: I have the honor to inform you that the House has refused to concur in the Senate amendment to House Bill No. 119 and the Speaker has appointed as a Conference Committee, Reps. Crockett, Morland and Shure.

Very respectfully,  
W. M. SMART, Chief Clerk.

#### MESSAGES FROM THE SENATE

Senate Chamber  
Bismarck, March 5, 1943

Mr. Speaker: I have the honor to inform you that the Senate has concurred in the House amendment to the title of House Bill No. 84 and returns the same herewith.

Very respectfully,  
W. J. TROUT, Secretary.

Senate Chamber  
Bismarck, March 5, 1943

Mr. Speaker: I have the honor to inform you that the President has appointed as a conference committee to act with a like committee from the House, on House Bill No. 110, Senators Watt, Streibel, Morgan of Walsh.

Very respectfully,  
W. J. TROUT, Secretary.

Amendments to House Bill No. 130.

In line 18 of the Engrossed Bill after the word "function" strike out the period and insert the following: ", and has performed such function for at least one year prior to filing application for said license."

Rep. Twichell moved that the House do concur in the Senate amendments to House Bill No. 130, which motion prevailed.

Rep. Twichell moved that the rules be suspended and that House Bill No. 130 be considered properly engrossed and placed on second reading and final passage, which motion prevailed.

House Bill No. 130. A Bill for an Act to Amend and Re-enact Section 2 of Chapter 271 of the Session Laws of 1941, Relating to Tax Upon Cigarettes and Licensing Sale 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, 91; nays, 0; absent and not voting 22.

Those voting in the affirmative were:

Aker

Gainor

Monson



Allen, Pierce	Graham	Morrison
Arndt	Haag	Mortenson
Bagge	Halcrow	Myers
Bauer	Halvorson	Olson, Bowman
Baumgartner	Haugen	Ohnstad
Belzer	Haugland	Ostgulen
Benno	Heckman	Peterson, Ransom
Bjella	Hegge	Pyle
Blair	Hildre	Rettke
Bolmeier	Hofstrand	Rohrer
Boulden	Hogoboom	Runck
Braun	Holm	Saumur
Bubel	Hovey	Schwartz
Burau	Iszler	Severson
Bymers	Jennings	Sellens
Callahan	Johnson, Rolette	Sharpe
Coghlan	Kolvin	Shure
Collette	Langley	Starck
Dahlen	Larson, Ward	Sticka
Dalzell	Larson, Wells	Stormon
Devlin	Leet	Twichell
Drovdal	Levin	Tuff
Ekren	Lillehaugen	Welk
Falconer	Lunde	Westby
Fitch	McInnes	Williams, Richland
Fleck	Manstrom	Williams, Sargent
Forseth	Marks	Williams, Stutsman
Fraser	Mittag	Wolf, McIntosh
Fuglestad	Mollet	Wolf, Morton
Gackle		

## Absent and not voting:

Allen, Grand Forks	Morland	Sandness
Anderson	Nelson	Schmalenberger
Bergesen	Nystrom	Schnell
Carlson	Olson, Barnes	Stair
Crockett	Peterson, Bottin'au	Wambheim
Johnson, Cass	Rohde	Welder
Johnson, Richland	Sailer	Mr. Speaker
Moe		

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

Rep. Wolf of McIntosh moved that the vote by which House Bill No. 130 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

## MESSAGES FROM THE SENATE

Senate Chamber

Bismarck, March 5, 1943.

Mr. Speaker: I have the honor to inform you that the Senate has adopted the report of the Conference Committee on House Bill No. 244.

Very respectfully,  
W. J. TROUT, Secretary.

Senate Chamber

Bismarck, March 5, 1943.

Mr. Speaker: I have the honor to inform you that the Senate has adopted the report of the Conference Committee on House Bill No. 189.

Very respectfully,  
W. J. TROUT, Secretary.

Senate Chamber  
Bismarck, March 5, 1943.

Mr. Speaker: I have the honor to inform you that the Senate has adopted the report of the Conference Committee on House Bill No. 28.

Very respectfully,  
W. J. TROUT, Secretary.

Amendment to House Bill No. 159.

After the word "upon" in line 11, strike out the period and insert the following: "including a reduction below the present statutory or industrial standards of the butter fat content of all dairy products."

Rep. Boulden moved that the House do concur in the Senate amendments to House Bill No. 159, which motion prevailed.

Rep. Boulden moved that the rules be suspended and House Bill No. 159 be considered properly engrossed and placed on second reading and final passage, which motion prevailed.

House Bill No. 159. A Bill for an Act to Permit the State Food Commissioner and Chemist, With the Approval of the Governor, to Suspend by Regulation the Requirements of the Food and Drug Act, Being Article 40, Sections 2889b1 to 2889b25, Inclusive of the 1925 Supplement, as Amended by Chapter 132 of the Session Laws of North Dakota for the Year 1937, for the Duration of the Present War, and Declaring an Emergency.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 74; nays, 16; absent and not voting, 23.

Those voting in the affirmative were:

Allen, Pierce	Fuglestad	Olson, Bowman
Arndt	Gainor	Ohnstad
Bagge	Graham	Ostgulen
Bauer	Halcrow	Peterson, Ransom
Baumgartner	Haugen	Pyle
Belzer	Haugland	Rohrer
Benno	Heckman	Runck
Bjella	Hegge	Sandness
Bolmeier	Hildre	Saumur
Boulden	Hofstrand	Schwartz
Braun	Hogoboom	Sellens
Burau	Holm	Severson
Bymers	Hovey	Sharpe
Callahan	Iszler	Shure
Carlson	Jennings	Starck
Coghlan	Johnson, Rolette	Sticka
Collette	Kolpin	Stormon
Crockett	Langley	Twichell
Dahlen	Levin	Welk
Dalzell	Lunde	Westby
Devlin	McInnes	Williams, Richland
Drovdal	Manstrom	Williams, Sargent
Ekren	Marks	Williams, Stutsm'n
Falconer	Morland	Wolf, Morton
Fitch	Nelson	

Those voting in the negative were:

Bubel	Lillehaugen	Mortenson
Fraser	Mittag	Myers
Haag	Mollet	Rettke
Halvorson	Monson	Tuff
Larson, Ward	Morrison	Wolf, McIntosh
Larson, Wells		

Absent and not voting:

Aker	Johnson, Cass	Sailer
Allen, Grand Forks	Johnson, Richland	Schmalenberger
Anderson	Leet	Schnell
Bergesen	Moe	Stair
Blair	Nystrom	Wambheim
Fleck	Olson, Barnes	Welder
Forseth	Peterson, Bottina'u	Mr. Speaker
Gackle	Rohde	

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

Rep. Mittag moved that the vote by which House Bill No. 159 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Amendments to House Bill No. 85:

Under Section 1, combine lines 9 & 10 to read as follows:

"9 Emergency Fund .....\$504,000.00  
and renumber the following lines.

Strike out all of Section 3, lines 26 to 34 inclusive and renumber the following lines & section.

Rep. Hofstrand moved that the House do concur in the Senate amendments to House Bill No. 85, which motion prevailed.

Rep. Hofstrand moved that the rules be suspended and House Bill No. 85 be considered properly engrossed and placed on second reading and final passage, which motion prevailed.

House Bill No. 85. A Bill for an Act Making an Appropriation to Pay for a Portion of the Current Operating Expenses of Our Public School System as Provided in the State Equalization Fund 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, 94; nays, 0; absent and not voting, 19.

Those voting in the affirmative were:

Allen, Pierce	Halerow	Myers
Arndt	Halvorson	Nelson
Bagge	Haugen	Nystrom
Bauer	Haugland	Olson, Barnes
Baumgartner	Heckman	Olson, Bowman
Belzer	Hegge	Ohnstad
Benno	Hildre	Ostgulen
Bjella	Hofstrand	Peterson, Ransom
Blair	Hogoboom	Pyle
Bolmeier	Holm	Rettke
Boulden	Hovey	Rohrer
Bureau	Iszler	Runck
Braun	Jennings	Sailer
Bymers	Johnson, Rolette	Sandness

Callahan	Kolpin	Schwartz
Carlson	Langley	Sellens
Coghlan	Larson, Wells	Severson
Collette	Larson, Ward	Sharpe
Crockett	Leet	Shure
Dahlen	Levin	Starck
Dalzell <sup>1</sup>	Lillehaugen	Sticka
Devlin	Lunde	Stormon
Drovdal	Manstrom	Twichell
Ekren	Marks	Tuff
Falconer	Mittag	Welk
Fitch	Moe	Westby
Fraser	Mollet	Williams, Richland
Fuglestad	Monson	Williams, Sargent
Gackle	Morland	Williams, Stutsm'n
Gainor	Morrison	Wolf, McIntosh
Graham	Mortenson	Wolf, Morton
Haag		

Absent and not voting:

Aker	Johnson, Cass	Schmalenberger
Allen, Grand Forks	Johnson, Richland	Schnell
Anderson	McInnes	Stair
Bergesen	Peterson, Bottin'au	Wambheim
Bubel	Rohde	Welder
Fleck	Saumur	Mr. Speaker
Forseth		

So the bill passed as amended and the title was agreed to.

Rep. Holm moved that the vote by which House Bill No. 85 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Amendment to House Bill No. 199:

In line 103 add the following language: "Any person aggrieved by any decision of said Board of County Commissioners may appeal to the District Court in the manner now provided by law."

Rep. Ostgulen moved that the House do concur in the Senate amendments to House Bill No. 199, which motion prevailed.

Rep. Bolmeier moved that the rules be suspended and House Bill No. 199 be considered properly engrossed and placed on second reading and final passage, which motion prevailed.

House Bill No. 199. A Bill for an Act Requiring All Property of the State Be Assessed at Full and True Value in Money Subject to Correction, Abatement and Refund; Providing for Notice by County Auditor When Local Equalization Boards Meet; Annual Meetings of State Board of Equalization, and Providing for Hearing Before Such Board; Prescribing the Time for Levy of State Taxes and Fixing Rate; When Taxes Became Due and Delinquent; Penalties; Discount for Payment of Taxes Before Delinquency; Repealing Chapter 269, Laws of 1941, and All Acts or Parts of Acts in Conflict Herewith.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as

amended, the roll was called and there were ayes, 96; nays, 1; absent and not voting, 16.

Those voting in the affirmative were:

Aker	Gainor	Myers
Allen, Pierce	Graham	Nelson
Anderson	Haag	Nystrom
Arndt	Halcrow	Olson, Barnes
Bagge	Halvorson	Ohnstad
Bauer	Haugen	Ostgulen
Baumgartner	Haugland	Peterson, Bottin'au
Belzer	Heckman	Peterson, Ransom
Benno	Hegge	Pyle
Bjella	Hildre	Rettke
Blair	Hofstrand	Rohde
Bolmeier	Hogoboom	Rohrer
Boulden	Holm	Runk
Braun	Hovey	Sailer
Burau	Jennings	Sandness
Bymers	Johnson, Cass	Saumur
Callahan	Johnson, Rolette	Schwartz
Carlson	Kolpin	Sellens
Coghlan	Langley	Sharpe
Collette	Larson, Ward	Shure
Crockett	Larson, Wells	Starck
Dahlen	Lillehaugen	Sticka
Dalzell	Leet	Stormon
Devlin	Levin	Twichell
Drovdal	Lunde	Tuff
Ekren	Manstrom	Welk
Falconer	Marks	Westby
Fitch	Mittag	Williams, Richland
Fleck	Mollet	Williams, Sargent
Fraser	Morland	Williams, Stutsm'n
Fuglestad	Morrison	Wolf, McIntosh
Gackle	Mortenson	Wolf, Morton

Those voting in the negative were:

Moe

Absent and not voting:

Allen, Grand Forks	McInnes	Severson
Bergesen	Monson	Stair
Bubel	Olson, Bowman	Wambheim
Forseth	Schmalenberger	Welder
Iszler	Schnell	Mr. Speaker
Johnson, Richland		

So the bill passed as amended and the title was agreed to.

Rep. Belzer moved that the vote by which House Bill No. 199 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

#### FIRST READING OF HOUSE RESOLUTIONS

#### HOUSE CONCURRENT RESOLUTION "1-0"

Introduced by Rep. Crockett

- 1 WHEREAS, the 1942 Revenue Act passed by
- 2 the Congress of the United States imposing greatly
- 3 increased Federal Income Taxes will result in thousands
- 4 of North Dakota farmers being required to file Federal
- 5 Income Tax Returns for the first time and many of such

6 farmers are wholly unfamiliar with the forms and re-  
7 quirements of such returns, and

8 WHEREAS, there are relatively very few ex-  
9 perience income tax consultants available in North  
10 Dakota and by reason of the distances involved and  
11 weather conditions with roads being snowbound and  
12 impassable and there having been such a shortage of  
13 farm help that farmers have found it difficult, if not  
14 impossible, to make arrangements to secure assistance  
15 in the preparation in filing of income tax returns, and

16 WHEREAS, due to the fact that a great number  
17 of farmers have not previously been required to file  
18 income tax returns and, therefore, have not received  
19 blanks from the Office of the Collector of Internal  
20 Revenue and have not been able by reason of the above  
21 conditions and also the shortage of gasoline to obtain  
22 such blanks and many of whom are unaware that they are  
23 obliged to file such returns by March 15th to avoid  
24 penalties, and

25 WHEREAS, by reason of the additional work  
26 of the Office of the Collector of Internal Revenue  
27 applications for extension of time even if made could  
28 not be acted upon by March 15th.

29 NOW, THEREFORE BE IT RESOLVED BY THE  
29a HOUSE  
30 OF REPRESENTATIVES OF THE TWENTY-EIGHTH  
30a LEGISLATIVE

31 ASSEMBLY WITH THE SENATE CONCURRING:

32 That the Treasury Department or the Collector  
33 of Internal Revenue if they have the power to do so,  
34 or the Congress of the United States, extend the time  
35 for filing income tax returns without penalty from  
36 March 15th until at least May 1st in order that the  
37 farmers and people of the State may comply with the  
38 law without penalty.

39 That a copy of this resolution be sent to the  
40 Secretary of the Treasury, the Collector of Internal  
41 Revenue, the President of the United States Senate,  
42 the Speaker of the House of Representatives, and the  
43 Senators and Congressmen from North Dakota.

Rep. Crockett moved that the House adopt House Con-  
current Resolution "1-O," which motion prevailed and the  
Resolution was adopted.

#### HOUSE CONCURRENT RESOLUTION "1-P"

Introduced by Representatives Callahan, Fitch, Crockett  
and Schnell.

BE IT RESOLVED BY THE HOUSE OF REPRESENTA-  
TIVES OF THE STATE OF NORTH DAKOTA, THE  
SENATE CONCURRING THEREIN:

1 WHEREAS, the cost of living has materially increased;

2 and

3 WHEREAS, the present pay schedule for employees of  
3a the

4 Twenty-eighth Legislative Assembly is inadequate;

5 NOW, THEREFORE, BE IT RESOLVED BY THE  
5a HOUSE

6 OF REPRESENTATIVES OF THE STATE OF NORTH  
6a DAKOTA,

7 THE SENATE CONCURRING, That the rate of com-  
 7a pension  
 8 for all legislative employees presently being paid five  
 9 dollars (\$5.00) per day or less, be increased thirty (30)  
 10 per cent above the amount now received and that such  
 10a increase  
 11 apply to all the days for which they are or have been  
 12 employed by the Twenty-eighth Legislative Assembly.  
 13 That the rate of compensation for all legislative  
 14 employees presently being paid more than five dollars per  
 15 day be increased twenty (20) per cent above the amount  
 15a now  
 16 received and that such increase apply to all the days for  
 17 which they are or have been employed by the Twenty-  
 17a eighth  
 18 Legislative Assembly.  
 19 BE IT FURTHER RESOLVED, That this Assembly  
 19a does hereby  
 20 appropriate and there is hereby appropriated the sum of  
 21 \$9,500, or so much thereof as is necessary for the purpose  
 22 of paying such increases provided herein.

Rep. Myers moved that the House adopt House Concurrent Resolution "1-P."

Rep. Crockett moved that House Concurrent Resolution "1-P" be withdrawn.

Rep. Shure offered a substitute motion that House Concurrent Resolution "1-P" be referred to the Committee on Appropriations, which motion prevailed.

Rep. Crockett moved that it now being after four o'clock, the House do recess for fifteen minutes, which motion prevailed and the House stood recessed.

The House reconvened pursuant to recess taken, Speaker Beede presiding.

The Speaker announced the House would be on the sixth order of business.

#### REPORT OF SELECT COMMITTEE

The Conference Committee on House Bill No. 28 made the following report:

Mr. Speaker: Your Conference Committee to whom was referred House Bill No. 28, have had the same under consideration and recommend that the Senate amendments to House Bill No. 28 be adopted.

For the House:  
 REP. JOHNSON of Cass  
 REP. LILLEHAUGEN  
 REP. BLAIR

For the Senate:  
 SEN. STUCKE  
 SEN. DAY  
 SEN. BRAUN

Rep. Sandness moved that the report be adopted, which motion prevailed and the report was adopted.

Rep. Sandness moved that the rules be suspended and that House Bill No. 28 be considered properly engrossed and placed on second reading and final passage, which motion prevailed.

#### SECOND READING OF HOUSE BILLS

House Bill No. 28. A Bill for an Act Making an Appro-

priation 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, 99; nays, 1; absent and not voting, 13.

Those voting in the affirmative were:

Allen, Grand Forks	Gainor	Nystrom
Allen, Pierce	Graham	Olson, Barnes
Anderson	Halctow	Olson, Bowman
Arndt	Halvorson	Ohnstad
Bagge	Haugen	Ostgulen
Bauer	Haugland	Peterson, Bottina'u
Baumgartner	Heckman	Peterson, Ransom
Benno	Hegge	Pyle
Bergesen	Hildre	Rettke
Bjella	Hofstrand	Rohde
Blair	Hogoboom	Rohrer
Bolmeier	Holm	Runck
Boulden	Hovey	Sailer
Braun	Iszler	Sandness
Bubel	Jennings	Saumur
Burau	Johnson, Cass	Schwartz
Bymers	Johnson, Richland	Schmalenberger
Callahan	Johnson, Rolette	Schnell
Carlson	Kolpin	Severson
Coghlan	Langley	Shure
Collette	Larson, Ward	Stair
Crockett	Larson, Wells	Starck
Dahlen	Leet	Sticka
Dalzell	Lunde	Stormon
Devlin	McInnes	Twichell
Drovdal	Manstrom	Tuff
Ekren	Marks	Wambheim
Falconer	Mollet	Welk
Fitch	Monson	Westby
Fleck	Morland	Williams, Stutsm'n
Fraser	Morrison	Wolf, McIntosh
Fuglestad	Mortenson	Wolf, Morton
Gackle	Nelson	Mr. Speaker

Those voting in the negative were:

Moe

Absent and not voting:

Aker	Lillehaugen	Sharpe
Belzer	Mittag	Welder
Forseth	Myers	Williams, Richland
Haag	Sellens	Williams, Sargent
Levin		

So the bill passed as amended and the title was agreed to.

#### MESSAGE FROM THE SENATE

Senate Chamber

Bismarck, March 5, 1943

Mr. Speaker: I have the honor to transmit:

Senate Concurrent Resolution "1-L." Providing for the Payment of Printing, Stenographic Services, Mileage and Expenses Incurred by Senate Committee Appointed to In-



investigate Facts, Figures and Charges Contained in the Report of A. J. Klautt, Special Investigating Commissioner.

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

W. J. TROUT, Secretary.

Rep. Bergesen requested that the House be on the seventh order of business, which request was granted.

MESSAGE TO THE SENATE

House of Representatives  
Bismarck, March 5, 1943

Mr. President: I have the honor to inform you that the House has adopted the report of the Conference Committee on House Bill No. 28.

Very respectfully,  
W. M. SMART, Chief Clerk.

Rep. Bergesen moved that the vote by which Senate Bill No. 198 was indefinitely postponed be reconsidered, which motion prevailed.

Rep. Bergesen moved that Senate Bill No. 198 be placed on the calendar, which motion prevailed.

MESSAGES FROM THE SENATE

Senate Chamber  
Bismarck, March 5, 1943

Mr. Speaker: I have the honor to inform you that the Senate has concurred in the House amendment to Senate Bill No. 19.

Very respectfully,  
W. J. TROUT, Secretary.

Senate Chamber  
Bismarck, March 5, 1943

Mr. Speaker: I have the honor to inform you that the Senate has concurred in the House amendment to Senate Bill No. 175.

Very respectfully,  
W. J. TROUT, Secretary.

Senate Chamber  
Bismarck, March 5, 1943

Mr. Speaker: I have the honor to inform you that the Senate has concurred in the House amendment to Senate Bill No. 55.

Very respectfully,  
W. J. TROUT, Secretary.

Senate Chamber  
Bismarck, March 5, 1943

Mr. Speaker: I have the honor to inform you that the Senate has concurred in the House amendment to Senate Bill No. 12.

Very respectfully,  
W. J. TROUT, Secretary.

Senate Chamber  
Bismarck, March 5, 1943

Mr. Speaker: I have the honor to inform you that the Senate has concurred in the House amendment to Senate Bill No. 56.

Very respectfully,  
W. J. TROUT, Secretary.

Senate Chamber  
Bismarck, March 5, 1943

Mr. Speaker: I have the honor to inform you that the Senate has concurred in the House amendment to Senate Bill No. 5.

Very respectfully,  
W. J. TROUT, Secretary.

Senate Chamber  
Bismarck, March 5, 1943

Mr. Speaker: I have the honor to inform you that the Senate has concurred in the House amendment to Senate Bill No. 192.

Very respectfully,  
W. J. TROUT, Secretary.

Senate Chamber  
Bismarck, March 5, 1943

Mr. Speaker: I have the honor to inform you that the Senate has concurred in the House amendment to Senate Bill No. 1.

Very respectfully,  
W. J. TROUT, Secretary.

Senate Chamber  
Bismarck, March 5, 1943

Mr. Speaker: I have the honor to inform you that the Senate has refused to concur in the House amendment to Senate Bill No. 68 and the President has appointed as a conference committee to act with a like committee from the House, Senators O'Brien, Ginter and Watt.

Very respectfully,  
W. J. TROUT, Secretary.

REPORT OF SELECT COMMITTEE

The Conference Committee on House Bill No. 189 made the following report:

Mr. President: Your Conference Committee to whom was referred House Bill No. 189, have had the same under consideration and recommend that the Senate recede from its amendments and further recommend:

1. In Line One of the title, after the word "cooperatives," insert "and other business methods".
2. Strike out words "shall be required to prepare" in Line Three.
3. Strike out the word "and" in Line Four.
4. Before the word "teach" at the beginning of Line Four, insert the word "shall".
5. After the word "cooperatives" in Line Four, add "and other business methods".
6. After the word "cooperatives" in Line Six, add "and other business methods".
7. Renumber the lines where necessary.

For the House:  
REP. HAUGLAND  
REP. SANDNESS  
REP. FORSETH

For the Senate:  
SEN. PAGE  
SEN. NELSON of McKenzie  
SEN. FLATT

Rep. Forseth moved that the report be adopted, which motion prevailed and the report was adopted.

Rep. Forseth moved that the rules be suspended and House Bill No. 189 be considered properly engrossed and placed on second reading and final passage, which motion prevailed.

#### SECOND READING OF HOUSE BILLS

House Bill No. 189. A Bill for an Act Providing That a Course for Teachers in Cooperatives, Their History, Principles, Organization and Operation Shall Be Taught in the Teachers' Colleges of the State of North Dakota and in the Teachers' College at the University of the State of North Dakota.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 103; nays, 2; absent and not voting, 8.

Those voting in the affirmative were:

Aker	Haag	Nelson
Allen, Grand Forks	Halcrow	Nystrom
Allen, Pierce	Halvorson	Olson, Barnes
Anderson	Haugen	Olson, Bowman
Arndt	Haugland	Ohnstad
Bagge	Heckman	Ostgulen
Baumgartner	Herge	Peterson, Bottin'au
Belzer	Hildre	Peterson, Ransom
Benno	Hofstrand	Pyle
Bergesen	Hogoboom	Rettke
Bjella	Holm	Rohde
Blair	Hovey	Rohrer
Bolmeier	Iszler	Runck
Braun	Jennings	Sandness
Bubel	Johnson, Cass	Schwartz
Bureau	Johnson, Richland	Schmalenberger
Bymers	Johnson, Rolette	Schnell
Callahan	Kolpin	Severson
Carlson	Langley	Shure
Coghlan	Larson, Ward	Starck
Collette	Larson, Wells	Stair
Dahlen	Leet	Sticka
Dalzell	Lillehaugen	Stormon
Devlin	Lunde	Twichell
Drovdal	McInnes	Tuff
Ekren	Manstrom	Wambheim
Falconer	Marks	Welder
Fitch	Mittag	Welk
Fleck	Moe	Westby
Forseth	Mollet	Williams, Richland
Fraser	Monson	Williams, Stutsm'n
Fuglestad	Morland	Wolf, McIntosh
Gackle	Morrison	Wolf, Morton
Gainor	Mortenson	Mr. Speaker

Those voting in the negative were:

Boulden Sailer

Absent and not voting:

Bauer Myers

Crockett Saumur

Levin Sellens

Sharpe

Williams, Sargent

So the bill passed as amended and the title was agreed to.

FRIDAY, MARCH 5, 1943

1065

MESSAGE TO THE SENATE

House of Representatives  
Bismarck, March 5, 1943

Mr. President: I have the honor to inform you that the House has adopted the report of the Conference Committee on House Bill No. 189.

Very respectfully,  
W. M. SMART, Chief Clerk.

Rep. Johnson of Richland requested the House to return to the fifth order of business, which request was granted.

The question before the House was on the adoption of the minority report on Senate Bill No. 122, which motion prevailed and Senate Bill No. 122 was placed on the calendar.

Rep. Johnson of Richland requested the House to be on the seventh order of business, which request was granted.

Rep. Johnson of Richland moved that the rules be suspended and that Senate Bill No. 122 be placed at the head of the calendar, which motion prevailed.

Rep. Bergesen moved that Senate Bills Nos. 127 and 129 and Senate Concurrent Resolution "1-G" be considered immediately following action on Senate Bill No. 122, which motion prevailed.

MESSAGE TO THE SENATE

House of Representatives  
Bismarck, March 5, 1943

Mr. President: I have the honor to inform you that the House has concurred in the Senate amendments to:

House Bill No. 79.  
House Bill No. 96.  
House Bill No. 43.  
House Bill No. 94.  
House Bill No. 130.  
House Bill No. 159.  
House Bill No. 199.  
House Bill No. 85.  
House Bill No. 27.  
House Bill No. 31.  
House Bill No. 228.  
House Bill No. 245.  
House Bill No. 33.

Very respectfully,  
W. M. SMART, Chief Clerk.

Rep. Schnell requested proposed amendments to Senate Bill No. 122 be read from the desk, which request was granted and the amendments read.

In the 4th line of the title strike out words, "Chapter 26 of the title," and insert in lieu thereof the words, "Chapter 24 of title 26".

In lines 4 and 5 of the Bill strike out the words, "Chapter 26 of the title insurance" and insert in lieu thereof the words, "Chapter 24 of title 26".

In line 114 after word, "investment" add the following, "except registered school district warrants of any school district in this State."

In line 136 change the words, "State Auditor" to read "City Auditor".

In line 157 strike out word "Eighty" and the figures "80%" and insert in lieu thereof the word "Ninety" and the figures "(90%)"

In line 175 insert a comma after the word "architect" strike out balance of line and in lieu thereof insert the following, "experienced appraiser, appraisal Company or one of the Members of such Board".

In line 186 after the word, "dispute" insert the following sentence, "The decision by such Board of arbitration must be made within thirty days from the time the matter is submitted to them".

In line 202 after the figures, "1943" and comma insert the following, "and thereafter all assessments, interest, and profits on investments and all other income of said Fire and Tornado Fund."

At the end of line 207 change the period to a comma and add, "and operating expenses appropriated by the Legislature."

In line 211 strike out the word "two" and insert in lieu thereof the word, "three".

In line 221 strike out the figures "80%" and insert in lieu thereof the figures "90%".

In line 223 strike out the figures "80%" and insert in lieu thereof the figures "90%".

In line 234 strike out the word "two" and insert in lieu thereof the word "three".

In line 235 after the word "policy" change the period to a comma and insert the following, "but in no case shall any assessment be greater than 50% of the rate established by the Fire Underwriters Inspection Bureau for such risk."

In line 289 after the word "notice" change the period to a comma and insert the following words, "but no cancellation may be made by the Commissioner without the approval of the Industrial Commission of the State of North Dakota."

In line 346 after the word "prescribe" change the period to a comma and insert, "and all such contracts shall not be effective until approved by the Governing Board of the municipality owning such building."

In Section 17 after the line 327 add the following paragraph:

"However, if at any time sufficient funds are not available in the State Fire and Tornado Fund to cover any loss or damage sustained by fire, lightning, inherent explosion, wind storm, cyclone and tornado, hail explosion, riot attending a strike, aircraft, smoke and vehicles the person or Board under whose supervision or charge such building or property might be, shall submit to the Commissioner of Insurance a claim for the amount remaining unpaid on such loss or damage which claim when approved by the Commissioner of Insurance shall be by him submitted to the State Auditing Board and if the State Auditing Board shall approve the same it shall make it payable ninety days after the end of the next session of the Legislature. It shall bear interest at 3 per cent per annum and the State Auditor shall on the nineteenth day succeeding the last day of the next session of the Legislature draw a warrant upon the State Treasurer against any fund appro-

priated by such Legislature for that purpose payable to such person or board as trustee for the State or political subdivision which they represent in the amount of such claim with interest."

In line 215 change the word "two" to "three".

And renumber the lines.

Rep. Schnell moved that the rules be suspended for the purpose of offering amendments to Senate Bill No. 122.

Rep. Graham requested a roll call.

#### ROLL CALL

The question being on the motion of Rep. Schnell, the roll was called and there were ayes, 82; nays, 31; absent and not voting, 0.

Those voting in the affirmative were:

Aker	Gainor	Morland
Allen, Grand Forks	Halcrow	Morrison
Allen, Pierce	Halvorson	Nystrom
Arndt	Haugen	Olson, Barnes
Bagge	Haugland	Olson, Bowman
Benno	Heckman	Ohnstad
Bergesen	Hildre	Peterson, Ransom
Biella	Hofstrand	Pyle
Blair	Hogoboom	Rohrer
Boulden	Holm	Runk
Bolmeier	Hovey	Sailer
Braun	Jennings	Sandness
Bubel	Johnson, Cass	Saumur
Burau	Johnson, Richland	Schmalenberger
Bymers	Johnson, Rolette	Schnell
Callahan	Kolpin	Sellens
Carlson	Langley	Severson
Coghlan	Larson, Ward	Sharpe
Collette	Leet	Shure
Dahlen	Levin	Sticka
Dalzell	Lillehaugen	Stormon
Devlin	Lunde	Twichell
Ekren	McInnes	Wambheim
Falconer	Manstrom	Westby
Fleck	Moe	Williams, Sargent
Forseth	Mollet	Williams, Stutsm'n
Fuglestad	Monson	Mr. Speaker
Gackle		

Those voting in the negative were:

Anderson	Iszler	Rohde
Bauer	Larson, Wells	Schwartz
Baumgartner	Marks	Stair
Belzer	Mittag	Starck
Crockett	Mortenson	Tuff
Drovda!	Myers	Welder
Fitch	Nelson	Welk
Fraser	Ostgulen	Williams, Richland
Graham	Peterson, Bottin'au	Wolf, McIntosh
Haag	Rettke	Wolf, Morton
Hegge		

So the motion prevailed.

Rep. Bauer: "I am going to vote 'No'. I am going to vote 'No' because I do not think this is the time to go to work and put anything in the way of our State Departments. I do

not think one member of this whole House understands what is in this bill. I am going to be against any amendments we can offer that will in any way obstruct the work of any of our State Departments at this time."

Rep. Fitch: "I vote 'No' on these amendments because they are not actuarially sound. There is no foundation and no aid to the passage of this bill by adding these amendments and further any attempt or any assistance in passing this bill will put the State of North Dakota further and further into private business which is objectionable to me."

Rep. Graham: "I do not believe in the first place that this Act is constitutional and second, I do not believe that there is any proper foundation for the change or that any sufficient study has been made of it. I vote 'No'."

Rep. Myers: "I think this Legislature has put a plenty heavy load on the taxpayers this session and from the arguments brought up it is evidently the concensus of this bill to instead of carry the insurance with the Insurance Company, they are going to dump the burden of the losses on to the taxpayers so I vote 'No'."

Rep. Schnell moved that the amendments offered to Senate Bill No. 122 as read from the desk, be adopted, which motion prevailed.

Rep. Morland moved that the rules be suspended and that Senate Bill No. 122 be placed on second reading and final passage, which motion prevailed.

#### SECOND READING OF SENATE BILLS

Senate Bill No. 122. A Bill for an Act to Amend and Re-enact Sections 189c1 to 189c14 Inclusive of the 1925 Supplement to the Compiled Laws of 1925, as Amended by Chapter 153, Laws of 1935 and Chapter 149, Laws of 1937, Being Chapter 26 of the Title, Insurance in North Dakota, Revised Code for 1943, and to Provide for the Risks to Be Covered, the Method of Valuing the Same, the Types of Coverage, and the Conduct of the Business of the State Fire and Tornado Fund, and to Provide the Method of Paying Losses and Expense of Operation, to Prohibit the Insurance Commissioner from Writing, Soliciting or Brokering Any Insurance Coverages Other Than Those Specifically Authorized by Law, and Providing for the Cancellation of Re-insurance, 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, 83; nays, 30; absent and not voting, 0.

Those voting in the affirmative were:

Aker	Gainor	Morland
Allen, Grand Forks	Halcrow	Nystrom
Allen, Pierce	Halvorson	Olson, Barnes
Arndt	Haugen	Olson, Bowman
Bagge	Haugland	Ohnstad
Benno	Hildre	Peterson, Ransom
Bergesen	Heckman	Pyle
Bjella	Hofstrand	Rohrer
Blair	Hogboom	Runck

Bolmeier	Holm	Sailer
Boulden	Hovey	Sandness
Braun	Jennings	Saumur
Bubel	Johnson, Cass	Schmalenberger
Burau	Johnson, Richland	Schnell
Bymers	Johnson, Rolette	Sellens
Callahan	Kolpin	Severson
Carlson	Langley	Sharpe
Coghlan	Larson, Ward	Shure
Collette	Leet	Sticka
Dahlen	Levin	Stormon
Dalzell	Lillehaugen	Twichell
Devlin	Lunde	Wambheim
Ekren	McInnes	Westby
Falconer	Manstrom	Williams, Sargent
Fleck	Moe	Williams, Stutsman
Forseth	Mollet	Wolf, Morton
Fuglestad	Monson	Mr. Speaker
Gackle	Morrison	

Those voting in the negative were:

Anderson	Hegge	Rettke
Bauer	Iszler	Rohde
Baumgartner	Larson, Wells	Schwartz
Belzer	Marks	Stair
Crockett	Mittag	Starck
Drovdal	Mortenson	Tuff
Fitch	Myers	Welder
Fraser	Nelson	Welk
Graham	Ostgulen	Williams, Richland
Haag	Peterson, Bottin'au	Wolf, McIntosh

So the bill passed as amended and the title was agreed to.

Rep. Johnson of Richland moved that the vote by which Senate Bill No. 122 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Rep. Fitch: "I vote 'No' on Senate Bill No. 122 for the reason that it puts the State of North Dakota further and further into private business. I recall, Mr. Speaker, the Home Owners Association and its investigations and trouble; I recall the Mill and Elevator and its investigations and trouble and I recall the Bank of North Dakota and its investigations and trouble and I object to the further extending of private business so far as the State of North Dakota is concerned."

Rep. Graham: "I vote 'No' for the reason that I believe the Act to be unconstitutional and for the further reason that in case of a catastrophe the losses may cost thousands or even millions of dollars to the taxpayers of the State of North Dakota."

Rep. Marks: "I have sat here all day long and listened to discussion pro and con on this insurance. I want to say that I doubt, outside of a few attorneys, if there is any one person in this audience who can understand all of those amendments which have been read from the desk and which they expect us to understand and vote intelligently thereon. Therefore I vote 'No'."

Rep. Myers: "I am voting 'No' on this bill because I consider it is going to put a heavy burden on the taxpayers in case of loss. I consider it is the first move to wreck the



Insurance Department and I also consider that the people who are so opposed to the Insurance Department—if they want to wreck it they should have guts enough to come out in the open and introduce a bill and be done with it. I vote 'No'."

#### REPORTS OF STANDING COMMITTEES

The question before the House was on the adoption of the majority report of the Committee on Insurance on Senate Bill No. 127, such action having been deferred until today.

Rep. Blair offered as a substitute motion that the report of the minority on Senate Bill No. 127 be substituted for the report of the majority, which motion prevailed.

Rep. Bergesen moved that the rules be suspended and that Senate Bill No. 127 be placed on second reading and final passage at this time, which motion prevailed.

#### SECOND READING OF SENATE BILLS

Senate Bill No. 127. A Bill for an Act to Require the Commissioner of Insurance to Procure Catastrophe Insurance, and to Regulate the Type and Extent 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, 81; nays, 30; absent and not voting, 2.

Those voting in the affirmative were:

Aker	Halcrow	Morrison
Allen, Grand Forks	Halvorson	Nystrom
Allen, Pierce	Haugen	Olson, Barnes
Arndt	Haugland	Olson, Bowman
Bagge	Heckman	Ohnstad
Benno	Hildre	Peterson, Ransom
Bergesen	Hofstrand	Pyle
Blair	Hogoboom	Rohrer
Boulden	Holm	Runck
Bolmeier	Hovey	Sailer
Braun	Jennings	Sandness
Bubel	Johnson, Cass	Saumur
Burau	Johnson, Richland	Schmalenberger
Bymers	Johnson, Rolette	Schnell
Callahan	Kolpin	Sellens
Carlson	Langley	Severson
Coghlan	Larson, Ward	Sharpe
Collette	Leet	Shure
Dahlen	Levin	Sticka
Dalzell	Lillehaugen	Stormon
Devlin	Lunde	Twichell
Ekren	McInnes	Wambheim
Fleck	Manstrom	Westby
Forseth	Moe	Williams, Sargent
Fuglestad	Mollet	Williams, Stutsm'n
Gackle	Monson	Wolf, Morton
Gainor	Morland	Mr. Speaker
Those voting in the negative were:		
Anderson	Haag	Rettke
Bauer	Hegge	Rohde
Baumgartner	Iszler	Schwartz
Belzer	Larson, Wells	Stair
Crockett	Marks	Starck

Drovdal	Mittag	Tuff
Falconer	Mortenson	Welder
Fitch	Myers	Welk
Fraser	Ostgulen	Williams, Richland
Graham	Peterson, Bottin'au	Wolf, McIntosh

Absent and not voting:

Bjella	Nelson
--------	--------

So the bill passed as amended and the title was agreed to.

Rep. Moe moved that the vote by which Senate Bill No. 127 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

The question before the House was on the adoption of the majority report of the Committee on Insurance on Senate Bill No. 129, such action having been deferred until today.

Rep. Johnson of Richland offered as a substitute motion that the report of the minority be substituted for the report of the majority, which motion prevailed.

Rep. Bergesen moved that the rules be suspended and that Senate Bill No. 129 be placed on second reading and final passage at this time, which motion prevailed.

Senate Bill No. 129. A Bill for an Act to Require All Insurance Company Examinations Conducted by the Commissioner of Insurance to Be Conducted by Qualified Regular Employees, and to Require the Payment of Compensation Received for Such Services Into the State Treasury.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 65; nays, 38; absent and not voting, 10.

Those voting in the affirmative were:

Aker	Haugland	Ostgulen
Allen, Grand Forks	Hegge	Peterson, Ransom
Allen, Pierce	Hildre	Pyle
Arndt	Hofstrand	Rohde
Bagge	Hogoboom	Rohrer
Benno	Holm	Runck
Bergesen	Hovey	Sailer
Blair	Johnson, Cass	Sandness
Boulden	Johnson, Richland	Saumur
Bolmeier	Johnson, Rolette	Schmalenberger
Bymers	Langley	Schnell
Callahan	Leet	Sellens
Carlson	Lunde	Severson
Coghlan	McInnes	Sharpe
Collette	Manstrom	Shure
Dahlen	Marks	Sticka
Dalzell	Moe	Stormon
Ekren	Morland	Twichell
Fuglestad	Nystrom	Wambheim
Gackle	Olson, Barnes	Westby
Gainor	Olson, Bowman	Williams, Stutsm'n
Halcrow	Ohnstad	

Those voting in the negative were:

Anderson	Haag	Peterson, Bottin'au
Bauer	Halvorson	Rettke
Baumgartner	Heckman	Stair

Belzer	Iszler	Starck
Braun	Jennings	Tuff
Bubel	Kolpin	Welder
Burau	Larson, Ward	Welk
Devlin	Larson, Wells	Williams, Richland
Drovdal	Levin	Williams, Sargent
Falconer	Mittag	Wolf, McIntosh
Forseth	Morrison	Wolf, Morton
Fraser	Mortenson	Mr. Speaker
Graham	Myers	
Absent and not voting:		
Bjella	Haugen	Monson
Crockett	Lillehaugen	Nelson
Fitch	Mollet	Schwartz
Fleck		

So the bill passed and the title was agreed to.

Rep. Marks moved that the vote by which Senate Bill No. 129 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

The question before the House was on the adoption of the majority report of the Committee on Insurance on Senate Concurrent Resolution "1-G," such action having been deferred until today.

Rep. Blair offered as a substitute motion that the report of the minority be substituted for the report of the majority, which motion prevailed.

Rep. Bergesen moved that the rules be suspended and that Senate Concurrent Resolution "1-G" be placed on second reading and final passage at this time, which motion prevailed.

Rep. Bolmeier moved that Senate Concurrent Resolution "1-G" be adopted, which motion prevailed and the Resolution was adopted.

Rep. Bolmeier moved that the vote by which Senate Concurrent Resolution "1-G" was adopted be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Rep. Burau moved that the roll call on Senate Bill No. 122 be corrected to show Rep. Burau, Rep Braun, Rep Bubel and Rep. Bymers voting "Aye," which motion prevailed and the roll call so corrected.

Rep. Graham moved that the House recess, subject to the call of the Chair, which motion prevailed.

The House reconvened, pursuant to recess.

Rep. Bymers moved that the absent members be excused, which motion prevailed.

Rep. Bymers moved that the House do now adjourn, which motion prevailed.

#### SIXTIETH DAY

Bismarck, March 5, 1943

The House convened pursuant to adjournment, Speaker Beede presiding.

Prayer was offered by Rev. T. W. Tysdale.

Roll call: All members were present.

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

Mr. Speaker: Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the Fifty-eighth Day After Recess and the Fifty-ninth Day and recommends that the same be corrected as follows:

In the roll call on page 1039 change the vote of "Mr. Speaker" from "nay" to "aye" and correct the totals to correspond.

On page 994 following the title to Senate Concurrent Resolution "B" insert the title to Senate Concurrent Resolution "W".

On page 943 strike out Senate Bill No. 174 and title.

On line 25, page 1036, change "142" to "42".

And when so corrected recommend that the same be approved.

REP. WELDER, Chairman.

Rep. Welder moved that the report be adopted, which motion prevailed and the report was adopted.

#### REPORTS OF STANDING COMMITTEES

The Committee on Enrollment and Engrossment respectfully reports that:

House Bill No. 252.  
 House Bill No. 8.  
 House Bill No. 13.  
 House Bill No. 26.  
 House Bill No. 30.  
 House Bill No. 75.  
 House Bill No. 95.  
 House Bill No. 99.  
 House Bill No. 105.  
 House Bill No. 106.  
 House Bill No. 107.  
 House Bill No. 118.  
 House Bill No. 123.  
 House Bill No. 124.  
 House Bill No. 126.  
 House Bill No. 139.  
 House Bill No. 140.  
 House Bill No. 144.  
 House Bill No. 145.  
 House Bill No. 166.  
 House Bill No. 167.  
 House Bill No. 170.  
 House Bill No. 201.  
 House Bill No. 235.  
 House Bill No. 248.  
 House Bill No. 251.

Were delivered to the Governor for his approval at the hour of 11:20 o'clock a. m., March 5, 1943.

REP. MORLAND, Chairman.

The Committee on Enrollment and Engrossment respectfully reports that:

House Concurrent Resolution "R."  
 House Concurrent Resolution "V."  
 House Concurrent Resolution "X."

Were delivered to the Governor for his approval at the hour of 11:25 o'clock a. m., March 5, 1943.

REP. MORLAND, Chairman.

HOUSE COMMITTEE ON ENROLLMENT AND  
ENGROSSMENT

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

House Bill No. 33.  
House Bill No. 102.  
House Bill No. 90.  
House Bill No. 77.  
House Bill No. 165.  
House Bill No. 147.  
House Bill No. 37.  
House Bill No. 72.

And find the same correctly Enrolled.

REP. MORLAND, Chairman.

Rep. Moe 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, March 5, 1943

To the House of Representatives of the State of North Dakota:

This is to notify you that I have today approved the following bill:

House Bill No. 252. A Bill for an Act Making an Appropriation for Expenses of the 28th Legislative Assembly, and Declaring an Emergency.

And the same has been filed with the Secretary of State.

JOHN MOSES, Governor.

HOUSE COMMITTEE ON ENROLLMENT AND  
ENGROSSMENT

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

House Bill No. 244.

And find the same correctly Engrossed.

REP. MORLAND, Chairman.

Rep. Bubel moved that the report be adopted, which motion prevailed, and the report was adopted.

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

House Bill No. 27.

And find the same correctly Engrossed.

REP. MORLAND, Chairman.

Rep. Bureau moved that the report be adopted, which motion prevailed, and the report was adopted.

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

House Bill No. 236.

House Bill No. 27.  
 House Bill No. 245.  
 House Bill No. 228.  
 House Bill No. 213.  
 House Bill No. 198.  
 House Bill No. 153.  
 House Concurrent Resolution "1-I."  
 House Concurrent Resolution "G."  
 House Concurrent Resolution "Q."  
 House Concurrent Resolution "1-J."  
 House Concurrent Resolution "1-H."

Five enrolled copies of House Concurrent Resolution "1-I."

And find the same correctly Enrolled.

REP. MORLAND, Chairman.

Rep. Burau moved that the report be adopted, which motion prevailed, and the report was adopted.

#### REPORTS OF SELECT COMMITTEES

Rep. Leet reported that the Select Committee appointed to make the necessary arrangements to have the loud speaker system in good working condition at the opening of the next Legislative Assembly, have now discharged their duties and moved that the committee be dismissed, which motion prevailed.

The question before the House was on the adoption of House Concurrent Resolution "1-P."

Rep. Moe moved that the rules be suspended and House Concurrent Resolution "1-P" be adopted.

House Concurrent Resolution "1-P." A Resolution Providing for an Increased Rate of Pay Schedule for Employees of the Twenty-eighth Legislative Assembly and Making an Appropriation Therefor.

#### ROLL CALL

The question being on the adoption of House Concurrent Resolution "1-P," the roll was called and there were ayes, 93; nays, 7; absent and not voting, 13.

Those voting in the affirmative were:

Aker	Haugen	Ohnstad
Allen, Pierce	Heckman	Ostgulen
Anderson	Hildre	Peterson, Ransom
Arndt	Hofstrand	Pyle
Bagge	Hogoboom	Rettke
Bauer	Hovey	Rohrer
Baumgartner	Iszler	Runk
Bergesen	Jennings	Sailer
Bjella	Johnson, Richland	Sandness
Bolmeier	Johnson, Rolette	Saumur
Braun	Kolpin	Schmalenberger
Bubel	Langley	Schnell
Burau	Larson, Ward	Sellens
Bymers	Larson, Wells	Severson
Carlson	Leet	Sharpe
Coghlan	Levin	Shure
Dahlen	Lunde	Stair
Dalzell	McInnes	Starck
Devlin	Manstrom	Sticka
Drovdal	Marks	Stormon
Ekren	Mittag	Twichell

Falconer	Moe	Tuff
Fitch	Mollet	Wambheim
Fleck	Monson	Welk
Forseth	Morland	Westby
Fraser	Morrison	Williams, Richland
Fuglestad	Mortenson	Williams, Sargent
Gackle	Myers	Williams, Stutsman
Gainor	Nystrom	Wolf, McIntosh
Graham	Olson, Barnes	Wolf, Morton
Halvorson	Olson, Bowman	Mr. Speaker
Those voting in the negative were:		
Allen, Grand Forks	Haag	Lillehaugen
Blair	Holm	Welder
Boulden		
Absent and not voting:		
Belzer	Halcrow	Nelson
Benno	Haugland	Peterson, Bottin'au
Callahan	Hegge	Rohde
Collette	Johnson, Cass	Schwartz
Crockett		

So the Resolution was adopted.

Rep. Fitch informed the House that in the final action on Senate Bill No. 56 he should be recorded as voting "Nay" instead of "Aye" and moved that the Journal be corrected to so show.

On a viva voce vote the chair was in doubt.

A rising vote disclosed 49 voting for and 28 against, so the motion prevailed.

House Concurrent Resolution "1-Q" was read.

#### HOUSE CONCURRENT RESOLUTION "1-Q"

Introduced by Rep. Bauer

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF NORTH DAKOTA, THE SENATE CONCURRING THEREIN:

- 1 WHEREAS, Press reports out of Washington
- 2 disclose that Representative Burdick of North Dakota
- 3 has proposed that Congress declare a moratorium on
- 4 farm foreclosures throughout the nation during the
- 5 present war, and
- 6 WHEREAS, It is essential to the furtherance
- 7 of the National Food for Victory Campaign that farmers
- 8 be made secure in the possession of their farm lands
- 9 so that ample supplies of food may be made available
- 10 to the allied nations in their fight for freedom,
- 11 NOW, THEREFORE, BE IT RESOLVED BY THE
- 11a HOUSE
- 12 OF REPRESENTATIVES OF THE STATE OF NORTH
- 12a DAKOTA, THE
- 13 SENATE CONCURRING:
- 14 That the Congress of the United States is
- 15 respectfully petitioned to give full consideration to
- 16 any proposal which will result in a moratorium on farm
- 17 foreclosures during the present war, and enact all
- 18 legislation leading to that end.
- 19 BE IT FURTHER RESOLVED, That the Secretary of
- 20 State of North Dakota be authorized and directed to
- 21 cause copies of this resolution forwarded to the President

22 of the Senate and the Speaker of the House of Represen-  
 23 tatives of the Congress of the United States, and to the  
 24 Senators and Representatives in Congress from the State  
 25 of North Dakota.

Rep. Mittag moved that the rules be suspended for the purpose of adopting House Concurrent Resolution "1-Q," which motion prevailed.

A division was asked for which disclosed 34 voting for and 48 against, so the motion was lost.

Rep. Twichell moved that the vote by which House Concurrent Resolution "1-Q" was adopted be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Rep. Blair moved that the vote by which House Concurrent Resolution "1-H" was adopted be reconsidered, which motion prevailed.

Rep. Blair moved that House Concurrent Resolution "1-H" be amended as follows: In lines 5, 24 and 25 strike out the name of Theodore G. Buchholz and insert in lieu thereof V. E. Haskins, which motion prevailed.

Rep. Blair moved that the rules be suspended and House Concurrent Resolution "1-H" be considered properly engrossed and placed on second reading and final passage, which motion prevailed.

#### SECOND READING OF HOUSE RESOLUTIONS

House Concurrent Resolution "1-H". A Resolution Providing for Mailing and Proofreading of Senate and House Journals of the Last Days of Twenty-eighth Legislative Assembly.

Was read the second time.

#### ROLL CALL

The question being on the adoption of the Resolution, as amended, the roll was called and there were ayes, 106; nays, 0; absent and not voting, 7.

Those voting in the affirmative were:

Aker	Halcrow	Ohnstad
Allen, Grand Forks	Halvorson	Ostgulen
Allen, Pierce	Haugland	Peterson, Bottina'u
Anderson	Heckman	Peterson, Ransom
Arndt	Hildre	Pyle
Bauer	Hofstrand	Rettké
Baumgartner	Hogoboom	Rohde
Benno	Hovey	Rohrer
Bergesen	Iszler	Runck
Bjella	Jennings	Sailer
Blair	Johnson, Cass	Sandness
Bolmeier	Johnson, Rolette	Saumur
Boulder	Kolpin	Schwartz
Braun	Langley	Schmalenberger
Bubel	Larson, Ward	Schnell
Bureau	Larson, Wells	Sellens
Bymers	Leet	Severson
Callahan	Levin	Sharpe
Carlson	Lillehaugen	Shure
Coghlan	Lunde	Stair
Collette	McInnes	Starck
Dahlen	Manstrom	Sticka



Dalzell	Marks	Stormon
Devlin	Mittag	Tuff
Drovdal	Moe	Twichell
Ekren	Mollet	Wambheim
Falconer	Monson	Welder
Fitch	Morland	Welk
Fleck	Morrison	Westby
Forseth	Mortenson	Williams, Richland
Fraser	Myers	Williams, Sargent
Fuglestad	Nelson	Williams, Stutsman
Gackle	Nystrom	Wolf, McIntosh
Gainor	Olson, Barnes	Wolf, Morton
Graham	Olson, Bowman	Mr. Speaker
Haag		
Absent and not voting:		
Bagge	Haugen	Holm
Belzer	Hegge	Johnson, Richland
Crockett		

So the Resolution as amended was adopted.

#### MESSAGES TO THE SENATE

House of Representatives  
Bismarck, March 5, 1943

Mr. President: I have the honor to return:

Senate Bill No. 122. A Bill for an Act to Amend and Re-enact Sections 189c1 to 189c14 Inclusive of the 1925 Supplement to the Compiled Laws of 1925, as Amended by Chapter 153, Laws of 1935 and Chapter 149, Laws of 1937, Being Chapter 26 of the Title, Insurance in North Dakota, Revised Code for 1943, and to Provide for the Risks to Be Covered, the Method of Valuing the Same, the Types of Coverage, and the Conduct of the Business of the State Fire and Tornado Fund, and to Provide the Method of Paying Losses and Expense of Operation, to Prohibit the Insurance Commissioner from Writing, Soliciting or Brokering Any Insurance Coverages Other Than Those Specifically Authorized by Law, and Providing for the Cancellation of Re-insurance, and Repealing All Acts or Parts of Acts in Conflict Herewith.

Which the House has amended.

W. M. SMART, Chief Clerk.  
House of Representatives  
Bismarck, March 5, 1943

Mr. President: I have the honor to return:

Senate Bill No. 127. A Bill for an Act to Require the Commissioner of Insurance to Procure Catastrophe Insurance, and to Regulate the Type and Extent Thereof.

Senate Bill No. 129. A Bill for an Act to Require All Insurance Company Examinations Conducted by the Commissioner of Insurance to Be Conducted by Qualified Regular Employees, and to Require the Payment of Compensation Received for Such Services Into the State Treasury.

Senate Concurrent Resolution "1-G." Relating to Re-insurance in the State Bonding Fund.

Which the House has passed unchanged.

W. M. SMART, Chief Clerk.  
House of Representatives  
Bismarck, March 5, 1943

Mr. President: I have the honor to transmit:

House Concurrent Resolution "1-P." A Resolution Provid-

ing for an Increased Rate of Pay Schedule for Employees of the Twenty-eighth Legislative Assembly and Making an Appropriation Therefor.

House Concurrent Resolution "1-O." A Resolution Memorializing the Treasury Department or the Collector of Internal Revenue or the Congress of the United States to Extend the Time for Filing Income Tax Returns Without Penalty.

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

W. M. SMART, Chief Clerk.

Amendments to House Bill No. 239.

On page four of the printed bill, strike out lines 53 to 60 inclusive.

Correct section numbers and lines in the entire bill.

Rep. Bubel moved that the House do concur in the Senate amendments to House Bill No. 239, which motion prevailed.

Rep. Bubel moved that the rules be suspended and that House Bill No. 239 be considered properly engrossed and placed on second reading and final passage, which motion prevailed.

House Bill No. 239. A Bill for an Act to Amend and Re-enact Section 1 of Chapter 211 of the Session Laws of 1937; Section 2 of Chapter 211 of the Session Laws of 1937 as Amended by Chapter 195 of the Session Laws of 1939; Section 9 of Chapter 211 of the Session Laws of 1937; Section 12 of Chapter 211 of the Session Laws of 1937; Section 21 of Chapter 211 of the Session Laws of 1937 as Amended by Chapter 244 of the Session Laws of 1941, Pertaining to Definitions, Payment for Benefit of Recipients, Eligibility for Assistance to the Needy Aged, Old Age Assistance Fund, and Recovery from Estate and Repeal of Section 15 of Chapter 211 of the Session Laws of 1937, Aid Exclusive of Other Aid; Funeral Expenses 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, 104; nays, 0; absent and not voting, 9.

Those voting in the affirmative were:

Aker	Gainor	Olson, Barnes
Allen, Grand Forks	Graham	Olson, Bowman
Allen, Pierce	Haag	Ohnstad
Anderson	Halcrow	Ostgulen
Arndt	Halvorson	Peterson, Bottina'u
Bagge	Haugland	Peterson, Ransom
Bauer	Heckman	Pyle
Baumgartner	Hildre	Rettke
Benno	Hofstrand	Rohrer
Bergesen	Hogoboom	Runck
Bjella	Hovey	Sailer
Blair	Iszler	Schwartz
Bolmeier	Jennings	Schmalenberger
Boulden	Johnson, Cass	Sellens
Braun	Johnson, Rolette	Schnell

Bubel	Kolpin	Severson
Burau	Langley	Sharpe
Bymers	Larson, Ward	Shure
Callahan	Larson, Wells	Stair
Carlson	Leet	Starck
Coghlan	Levin	Sticka
Collette	Lillehaugen	Stormon
Crockett	Lunde	Tuff
Dahlen	McInnes	Twichell
Dalzell	Manstrom	Wambheim
Devlin	Marks	Welder
Drovdal	Mittag	Welk
Ekren	Moe	Westby
Falconer	Mollet	Williams, Richland
Fitch	Monson	Williams, Sargent
Fleck	Morrison	Williams, Stutsm'n
Forseth	Mortenson	Wolf, McIntosh
Fraser	Myers	Wolf, Morton
Fuglestad	Nelson	Mr. Speaker
Gackle	Nystrom	
Absent and not voting:		
Belzer	Holm	Rohde
Haugen	Johnson, Richland	Sandness
Hegge	Morland	Saumur

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

Amendments to House Bill No. 233:

At the end of Section 1. insert a new section as follows:

"Section 2. AMENDMENT.) That Section 189c5 of the 1925 Supplement to the 1913 Compiled Laws of North Dakota as amended by Section 5 of Chapter 153 of the 1935 Session Laws of the State of North Dakota, be and the same is hereby amended and re-enacted to read as follows:

Section 189c5. REPORT ON OTHER BUILDINGS.) On April 1st of each odd numbered year each county auditor, city auditor, township, village and school district clerk, as the case may be, shall report to the Commissioner of Insurance the sound depreciated value of each building or risk and the contents therein and such other information as may be required by the Commissioner of Insurance on forms provided by him, and it shall be the duty of the Commissioner of Insurance to determine the value thereof subject to the approval of the board or officer in charge of the property to be insured."

Rep. Aker moved that the House do concur in the Senate amendments to House Bill No. 233, which motion prevailed.

Rep. Aker moved that the rules be suspended and House Bill No. 233 be considered properly engrossed and placed on second reading and final passage, which motion prevailed.

House Bill No. 233. A Bill for an Act to Amend and Re-enact Section 189c2 of the 1925 Supplement of the 1913 Compiled Laws of the State of North Dakota, as Amended and Re-Enacted by Section 2 of Chapter 153 of the 1935 Session Laws of the State of North Dakota, Relating to Fire and Tornado Insurance on Public Buildings, and Declaring an Emergency.

Was read the second time.

## ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 103; nays, 1; absent and not voting, 9.

Those voting in the affirmative were:

Aker	Gainor	Olson, Barnes
Allen, Grand Forks	Graham	Olson, Bowman
Allen, Pierce	Haag	Ohnstad
Anderson	Halcrow	Ostgulen
Arndt	Halvorson	Peterson, Bottin'au
Bagge	Haugland	Peterson, Ransom
Bauer	Heckman	Pyle
Baumgartner	Hildre	Rettke
Benno	Hofstrand	Rohrer
Bergesen	Hogoboom	Runck
Bjella	Hovey	Sailer
Blair	Iszler	Saumur
Bolmeier	Jennings	Schmalenberger
Bouden	Johnson, Cass	Schnell
Braun	Johnson, Rolette	Sellens
Bubel	Kolpin	Severson
Burau	Langley	Sharpe
Bymers	Larson, Ward	Shure
Callahan	Larson, Wells	Stair
Carlson	Leet	Starck
Coghlan	Levin	Sticka
Collette	Lillehaugen	Stormon
Crockett	Lunde	Twichell
Dahlen	McInnes	Tuff
Dalzell	Manstrom	Wambheim
Devlin	Marks	Welder
Drovdal	Mittag	Welk
Ekren	Moe	Westby
Falconer	Mollet	Williams, Richland
Fitch	Monson	Williams, Sargent
Fleck	Morrison	Williams, Stutsm'n
Forseth	Mortenson	Wolf, McIntosh
Fraser	Nelson	Wolf, Morton
Fuglestad	Nystrom	Mr. Speaker

Those voting in the negative were:

Myers

Absent and not voting:

Belzer	Holm	Rohde
Haugen	Johnson, Richland	Sandness
Hegge	Morland	Schwartz

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

Rep. Halcrow moved that the vote by which House Bill No. 233 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

The Speaker called Rep. Sandness to the chair.

## MESSAGES FROM THE SENATE

Senate Chamber  
Bismarck, March 5, 1943

Mr. Speaker: I have the honor to inform you that the Senate has concurred in the House amendment to Senate Bill No. 209.

Very respectfully,  
W. J. TROUT, Secretary.

Senate Chamber  
Bismarck, March 5, 1943

Mr. Speaker: I have the honor to inform you that the Senate has concurred in the House amendment to Senate Bill No. 20.

Very respectfully,  
W. J. TROUT, Secretary.  
Senate Chamber  
Bismarck, March 5, 1943

Mr. Speaker: I have the honor to inform you that the Senate has concurred in the House amendment to Senate Bill No. 21.

Very respectfully,  
W. J. TROUT, Secretary.  
Senate Chamber  
Bismarck, March 5, 1943

Mr. Speaker: I have the honor to inform you that the Senate has concurred in the House amendment to Senate Bill No. 22.

Very respectfully,  
W. J. TROUT, Secretary.  
Senate Chamber  
Bismarck, March 5, 1943

Mr. Speaker: I have the honor to inform you that the Senate has concurred in the House amendment to Senate Bill No. 110.

Very respectfully,  
W. J. TROUT, Secretary.  
Senate Chamber  
Bismarck, March 5, 1943

Mr. Speaker: I have the honor to inform you that the Senate has concurred in the House amendment to Senate Bill No. 112.

Very respectfully,  
W. J. TROUT, Secretary.  
Senate Chamber  
Bismarck, March 5, 1943

Mr. Speaker: I have the honor to inform you that the Senate has concurred in the House amendment to Senate Bill No. 15.

Very respectfully,  
W. J. TROUT, Secretary.

The Speaker resumed the chair.

Amendment to House Resolution "1-G":

Strike out all of lines 14, 15, 16, 17 and all of line 18 except the words "all to" and insert in lieu thereof the following:

"BE IT FURTHER RESOLVED, that for the services of the said W. J. Trout, Secretary of the Senate, and W. M. Smart, Chief Clerk of the House, as above set forth, that they be paid the sum of \$320.00 each, which shall include compensation for an assistant to be selected by each."

Rep. Dalzell moved that the House do concur in the Senate amendments to House Concurrent Resolution "1-G," which motion prevailed.

Rep. Dalzell moved that the rules be suspended and House Concurrent Resolution "1-G" be considered properly engrossed and placed on second reading and final passage, which motion prevailed.

## SECOND READING OF HOUSE RESOLUTIONS

House Concurrent Resolution "1-G." A Resolution Providing for Indexing of the Senate and House Journals of the Twenty-eighth Legislative Assembly.

Was read the second time.

## ROLL CALL

The question being on the adoption of House Concurrent Resolution "1-G," as amended, the roll was called and there were ayes, 99; nays, 0; absent and not voting, 14.

Those voting in the affirmative were:

Aker	Haag	Olson, Bowman
Allen, Grand Forks	Halcrow	Ohnstad
Allen, Pierce	Haugland	Ostgulen
Anderson	Heckman	Peterson, Bottin'au
Arndt	Hildre	Peterson, Ransom
Bagge	Hofstrand	Pyle
Bauer	Hogoboom	Rettke
Baumgartner	Hovey	Rohrer
Benno	Iszler	Runk
Bergesen	Jennings	Sailer
Bjella	Johnson, Cass	Sandness
Blair	Johnson, Rolette	Saumur
Bolmeier	Kolpin	Schmalenberger
Braun	Langley	Schnell
Bubel	Larson, Ward	Sellens
Bureau	Larson, Wells	Severson
Bymers	Leet	Sharpe
Callahan	Lillehaugen	Stair
Carlson	Lunde	Starck
Collette	McInnes	Sticka
Dahlen	Manstrom	Stormon
Dalzell	Marks	Twichell
Devlin	Mittag	Tuff
Drovdal	Moe	Wambheim
Ekren	Mollet	Welder
Falconer	Monson	Welk
Fleck	Morland	Westby
Forseth	Morrison	Williams, Richland
Fraser	Mortenson	Williams, Sargent
Fuglestad	Myers	Williams, Stutsm'n
Gackle	Nelson	Wolf, McIntosh
Gainor	Nystrom	Wolf, Morton
Graham	Olson, Barnes	Mr. Speaker
Absent and not voting:		
Belzer	Halvorson	Levin
Boulden	Haugen	Rohde
Coghlan	Hegge	Schwartz
Crockett	Holm	Shure
Fitch	Johnson, Richland	

So the Resolution as amended was adopted.

HOUSE COMMITTEE ON ENROLLMENT AND  
ENGROSSMENT

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

House Bill No. 229.

House Bill No. 240.

House Bill No. 202.

House Bill No. 121.

And find the same correctly Enrolled.

REP. MORLAND, Chairman.

Rep. Bureau moved that the report be adopted, which motion prevailed, and the report was adopted.

MESSAGE TO THE SENATE

House of Representatives  
Bismarck, March 5, 1943

Mr. President: I have the honor to inform you that the House has concurred in the Senate amendments to:

House Bill No. 239.

House Bill No. 233.

House Concurrent Resolution "1-G."

Very respectfully,

W. M. SMART, Chief Clerk.

MESSAGES FROM THE SENATE

Senate Chamber  
Bismarck, March 5, 1943

Mr. Speaker: I have the honor to inform you that the Senate has refused to concur in the House amendment to Senate Bill No. 122.

And the President has appointed as a conference committee to act with a like committee from the House, Senators Raschko, Page and Solberg.

Very respectfully,

W. J. TROUT, Secretary.

Senate Chamber  
Bismarck, March 5, 1943

Mr. Speaker: I have the honor to inform you that the Senate has concurred in the House amendment to Senate Bill No. 16.

Very respectfully,

W. J. TROUT, Secretary.

Senate Chamber  
Bismarck, March 5, 1943

Mr. Speaker: I have the honor to inform you that the Senate has refused to concur in the House amendment to Senate Bill No. 181.

And the President has appointed as a conference committee to act with a like committee from the House, Senators Stucke, Olson of Barnes and Kehoe.

Very respectfully,

W. J. TROUT, Secretary.

Senate Chamber  
Bismarck, March 5, 1943

Mr. Speaker: I have the honor to inform you that the President has appointed as a conference committee to act with a like committee from the House, on House Bill No. 119, Senators Page, Lofthus and Thatcher.

Very respectfully,

W. J. TROUT, Secretary.

Rep. Halcrow moved that the rules be suspended and Senate Bill No. 83 be placed on second reading and final passage, which motion prevailed.

Rep. Ostgulen moved the previous question.

An insufficient number having seconded the request, the motion was lost.

### SECOND READING OF SENATE BILLS

Senate Bill No. 83. A Bill for an Act to Amend and Re-enact Section 9689 of the 1913 Compiled Laws, Pertaining to Minors Visiting Certain Public Places, and Prescribing Penalties for Violation Thereof.

Was read the second time.

### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 47; nays, 58; absent and not voting, 8.

Those voting in the affirmative were:

Aker	Halcrow	Morrison
Allen, Grand Forks	Haugen	Mortenson
Allen, Pierce	Haugland	Nelson
Bauer	Heckman	Ostgulen
Bjella	Hofstrand	Peterson, Ransom
Bolmeier	Hogoboom	Runck
Braun	Holm	Sandness
Carlson	Iszler	Schmalenberger
Dahlen	Johnson, Cass	Severson
Ekren	Johnson, Richland	Shure
Fitch	Langley	Twichell
Fleck	Levin	Williams, Richland
Forseth	Lillehaugen	Williams, Sargent
Fraser	Mittag	Williams, Stutsin'n
Fuglestad	Mollet	Mr. Speaker
Graham	Monson	

Those voting in the negative were:

Anderson	Hegge	Pyle
Arndt	Hildre	Rettke
Bagge	Hovey	Rohde
Baumgartner	Jennings	Rohrer
Benno	Johnson, Rolette	Saumur
Bergesen	Kolpin	Schwartz
Blair	Larson, Wells	Schnell
Boulden	Lunde	Sellens
Bubel	McInnes	Sharpe
Bureau	Manstrom	Stair
Callahan	Marks	Starck
Coghlan	Moe	Sticka
Collette	Morland	Tuff
Crockett	Myers	Wambheim
Dalzell	Nystrom	Welk
Devlin	Olson, Barnes	Welder
Drovdal	Olson, Bowman	Westby
Falconer	Ohnstad	Wolf, McIntosh
Gackle	Peterson, Bottina'u	Wolf, Morton
Haag		

Absent and not voting:

Belzer	Halvorson	Sailer
Bymers	Larson, Ward	Stormon
Gainor	Leet	

So the bill was declared lost.

Rep. Devlin: "I believe I am as dry as any man in this House. I would like to vote with Mr. Lillehaugen but in my little town of Hope, we do not have a restaurant or even a



hotel but what serve beer and I just feel compelled to vote 'No'."

Rep. Falconer: "I believe that this liquor question is a matter of education and not legislation. I don't think any person was ever preached into Hell or legislated into Heaven. I vote 'No'."

Rep. Moe: "I vote for the majority so I will be sure to win. I vote 'No'."

Rep. Twichell: "I am going to vote 'Aye' on this bill. It doesn't seem to me to be any joke and I notice in the Senate there were only nine voted against it. I don't usually go by the Senate but this time I believe they were right."

Rep. Kolpin requested that the House be on the seventh order of business, which request was granted.

Rep. Kolpin moved that a Conference Committee be appointed on Senate Bill No. 122, which motion prevailed.

The Speaker appointed Reps. Kolpin, Johnson of Richland and Callahan.

Rep. Rohde moved that a Conference Committee be appointed on Senate Bill No. 68, which motion prevailed.

The Speaker appointed Reps. Rohde, Aker and Bymers.

Rep. Graham moved that a Conference Committee be appointed on Senate Bill No. 181, which motion prevailed.

The Speaker appointed Reps. Graham, Haugland and Mollet.

#### MESSAGES TO THE SENATE

House of Representatives  
Bismarck, March 5, 1943

Mr. President: I have the honor to return:

Senate Bill No. 83. A Bill for an Act to Amend and Re-enact Section 9689 of the 1913 Compiled Laws, Pertaining to Minors Visiting Certain Public Places, and Prescribing Penalties for Violation Thereof.

Which the House has indefinitely postponed.

W. M. SMART, Chief Clerk.  
House of Representatives  
Bismarck, March 5, 1943

Mr. President: I have the honor to inform you that the House has adopted the report of the Conference Committee on House Bill No. 1.

Very respectfully,  
W. M. SMART, Chief Clerk.  
House of Representatives  
Bismarck, March 5, 1943

Mr. President: I have the honor to transmit:

House Concurrent Resolution "1-H." A Resolution Providing for Mailing and Proofreading of Senate and House Journals of the Last Days of Twenty-eighth Legislative Assembly.

Which the House has amended.

W. M. SMART, Chief Clerk.

#### REPORT OF SELECT COMMITTEE

The Conference Committee on House Bill No. 1 made the following report:

Mr. Speaker: Your Conference Committee to whom was referred House Bill No. 1, have had the same under consideration and recommend:

In the engrossed bill:

Line 10—Strike out the figures "\$815,164.00" and insert the figures "\$823,775.00" in lieu thereof.

The House concurs to Senate amendment to Line 11, in striking out the figures "\$485,376.00" and inserting the figures "\$506,126.00", in lieu thereof.

The House concurs to Senate amendment to Line 12, in striking out the figures "\$154,363.96" and inserting the figures "\$175,363.96", in lieu thereof.

Line 15—Strike out the figures "\$119,459.64" and insert the figures "\$121,005.64" in lieu thereof.

Line 17—Strike out the figures "\$207,378.00" and insert the figures "\$213,662.00" in lieu thereof.

Line 18—Strike out the figures "\$159,816.00" and insert the figures "\$168,024.00" in lieu thereof.

Line 19—Strike out the figures "\$267,399.00" and insert the figures "\$278,011.00" in lieu thereof.

Line 20—Strike out the figures "\$386,675.00" and insert the figures "\$295,275.00" in lieu thereof.

Line 29—Strike out the figures "\$45,000.00" and insert the figures "\$40,000.00" in lieu thereof.

Line 30—Strike out the figures "\$76,500.00" and insert the figures "\$70,000.00" in lieu thereof.

Line 31—Strike out the figures "\$100,000.00" and insert the figures "\$95,000.00" in lieu thereof.

Line 32—Strike out the figures "\$115,000.00" and insert the figures "\$110,000.00" in lieu thereof.

Line 51—Strike out the figures "\$96,838.00" and insert the figures "\$100,000.00" in lieu thereof.

Line 88—Strike out the figures "\$748,236.00" and insert the figures "\$751,398.00" in lieu thereof.

Line 100—Strike out the figures "\$113,553.00" and insert the figures "\$115,000.00" in lieu thereof.

Line 101—Strike out the figures "\$102,998.00" and insert the figures "\$107,000.00" in lieu thereof.

Line 102—Strike out the figures "\$1,087,194.00" and insert the figures "\$1,095,805.00" in lieu thereof.

Line 104—Strike out the figures "\$767,324.00" and insert the figures "\$775,935.00" in lieu thereof.

Line 109—Strike out the figures "\$815,164.00" and insert the figures "\$823,775.00" in lieu thereof.

The House concurs to Senate amendment inserting line 157a and further amends same as follows:

Line "157a Summer Session (but in no event shall the sum expended for summer school exceed the institutional collections for such summer school). \$20,000.00"

The House concurs to Senate Amendment in line 158, in striking out the figures "\$574,577.00" and inserting the figures, "\$594,577.00", in lieu thereof.

The House concurs to Senate Amendment in line 172, in

striking out the figures "\$899,671.00" and inserting the figures "\$919,671.00", in lieu thereof.

The House concurs to Senate Amendment in line 177, in striking out the figures "\$387,771.00" and inserting the figures "\$407,771.00", in lieu thereof.

The House concurs to Senate Amendment in line 178, in striking out the figures "\$28,245.00" and inserting the figures "\$28,995.00", in lieu thereof.

The House concurs to Senate Amendment in line 181, in striking out the figures "\$485,376.00" and inserting the figures "\$506,126.00", in lieu thereof.

The House concurs to Senate Amendment in line 184, after the words "Improvements & Repairs" insert the words "Including Corn Storage" in parenthesis and strike out the figures "\$5,250.00" and insert the figures "\$7,750.00", in lieu thereof.

The House concurs to Senate Amendment inserting line 185a to read as follows:

Line "185a 3½ Veterinary Science .....\$18,500.00."

The House concurs to Senate Amendment in line 188, in striking out the figures "\$110,113.96" and insert the figures "\$131,113.96", in lieu thereof.

The House concurs to Senate Amendment in line 197, in striking out the figures "\$154,363.96" and inserting the figures "\$175,363.96" in lieu thereof.

The House concurs to Senate Amendment in line 266, in striking out the figures "\$5,928.00" and inserting the figures "\$8,328.00", in lieu thereof.

Line 272—Strike out the figures "\$18,354.00" and insert the figures "\$16,500.00" in lieu thereof.

Line 275—Strike out the figures "\$155,834.00" and insert the figures "\$156,380.00" in lieu thereof.

Line 277—Strike out the figures "\$105,834.00" and insert the figures "\$106,380.00" in lieu thereof.

The House concurs to Senate Amendment in striking out the figures in line 279 "\$5,105.00" and inserting the figures "\$6,105.00" in lieu thereof.

Line 281—Strike out the figures "\$119,459.64" and insert the figures "\$121,005.64" in lieu thereof.

The House concurs to Senate Amendment in Line 313, in striking out the figures "\$3,216.00" and inserting the figures "\$4,500.00", in lieu thereof.

The House concurs to Senate Amendment in Line 326, in striking out the figures "\$238,678.00" and inserting the figures "\$239,962.00", in lieu thereof.

Line 327—Strike out the figures "\$45,000.00" and insert the figures "\$40,000.00" in lieu thereof.

Line 328—Strike out the figures "\$193,678.00" and insert the figures "\$199,962.00" in lieu thereof.

Line 332—Strike out the figures "\$207,378.00" and insert the figures "\$213,662.00" in lieu thereof.

Line 335—Strike out the figures "\$116,614.00" and insert the figures "\$118,000.00" in lieu thereof.

Line 342—Strike out the figures "\$11,678.00" and insert the figures "\$12,000.00" in lieu thereof.

Line 351—Strike out the figures "\$223,816.00" and insert the figures "\$225,524.00" in lieu thereof.

Line 352—Strike out the figures "\$76,500.00" and insert the figures "\$70,000.00" in lieu thereof.

Line 353—Strike out the figures "\$147,316.00" and insert the figures "\$155,524.00" in lieu thereof.

Line 357—Strike out the figures "\$159,816.00" and insert the figures "\$168,024.00" in lieu thereof.

Line 364—Strike out the figures "\$1,415.00" and insert the figures "\$3,000.00" in lieu thereof.

Line 373—Strike out the figures "\$46,315.00" and insert the figures "\$47,315.00" in lieu thereof.

Line 374—Strike out the figures "\$31,201.00" and insert the figures "\$32,201.00" in lieu thereof.

The House concurs to Senate Amendment in line 375, in striking out the figures "\$17,973.00" and inserting the figures "\$20,000.00" in lieu thereof.

Line 376—Strike out the figures "\$350,299.00" and insert the figures "\$355,911.00" in lieu thereof.

Line 377—Strike out the figures "\$100,000.00" and insert the figures "\$95,000.00" in lieu thereof.

Line 378—Strike out the figures "\$250,299.00" and insert the figures "\$260,911.00" in lieu thereof.

Line 382—Strike out the figures "\$267,399.00" and insert the figures "\$278,011.00" in lieu thereof.

The House concurs to Senate Amendment in line 398, in striking out the figures "\$43,774.00" and inserting the figures "\$47,374.00", in lieu thereof.

The House concurs to Senate Amendment in line 401, in striking out the figures "\$372,675.00" and inserting the figures "\$376,275.00", in lieu thereof.

Line 402—Strike out the figures "\$115,000.00" and insert the figures "\$110,000.00" in lieu thereof.

Line 403—Strike out the figures "\$257,675.00" and insert the figures "\$266,275.00" in lieu thereof.

Line 407—Strike out the figures "\$286,675.00" and insert the figures "\$295,275.00" in lieu thereof.

For the House:

REP. ALLEN of Grand Forks

REP. JOHNSON of Cass

REP. STAIR

For the Senate:

SEN. BRANT

SEN. STREIBEL

SEN. YOUNG

Rep. Johnson of Cass moved that the report be adopted, which motion prevailed and the report was adopted.

Rep. Johnson of Cass moved that the rules be suspended and House Bill No. 1 be considered properly engrossed and placed on second reading and final passage, which motion prevailed.

House Bill No. 1. 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, 77; nays, 14; absent and not voting, 22.

Those voting in the affirmative were:

Allen, Grand Forks	Gackle	Olson, Bowman
Allen, Pierce	Gainor	Ohnstad
Arndt	Halcrow	Peterson, Ransom
Bagge	Heckman	Pyle
Bauer	Hildre	Rettke
Baumgartner	Hofstrand	Rohrer
Benno	Hogoboom	Runck
Bergesen	Holm	Sailer
Bjella	Hovey	Sandness
Blair	Iszler	Saumur
Boulden	Jennings	Schmalenberger
Bolmeier	Johnson, Cass	Schnell
Braun	Langley	Sellens
Bubel	Larson, Ward	Severson
Bureau	Leet	Sharpe
Carlson	Levin	Stair
Coghlan	Lillehaugen	Starck
Collette	Lunde	Sticka
Dahlen	McInnes	Stormon
Dalzell	Manstrom	Twichell
Devlin	Mittag	Wambheim
Drovdal	Moe	Welk
Ekren	Mortenson	Westbv
Fleck	Nelson	Williams, Stutsm'n
Fraser	Nystrom	Mr. Speaker
Fuglestad	Olson, Barnes	
Those voting in the negative were:		
Anderson	Monson	Williams, Richland
Falconer	Morrison	Williams, Sargent
Haag	Myers	Wolf, McIntosh
Haugen	Schwartz	Wolf, Morton
Hegge	Tuff	
Absent and not voting:		
Aker	Halvorson	Mollet
Belzer	Haugland	Morland
Bymers	Johnson, Richland	Ostgulen
Callahan	Johnson, Rolette	Peterson, Bottina'u
Crockett	Kolpin	Rohde
Fitch	Larson, Wells	Shure
Forseth	Marks	Welder
Graham		

So the bill passed as amended and the title was agreed to.

#### MESSAGES TO THE SENATE

House of Representatives  
Bismarck, March 5, 1943

Mr. President: I have the honor to inform you that the Speaker has appointed the following Conference Committee on Senate Bill No. 68: Reprs. Rohde, Aker and Bymers.

Very respectfully,  
W. M. SMART, Chief Clerk.

House of Representatives  
Bismarck, March 5, 1943

Mr. President: I have the honor to inform you that the Speaker has appointed the following Conference Committee on Senate Bill No. 181: Reprs. Graham, Haugland and Mollet.

Very respectfully,  
W. M. SMART, Chief Clerk.

House of Representatives  
Bismarck, March 5, 1943

Mr. President: I have the honor to inform you that the Speaker has appointed the following Conference Committee on Senate Bill No. 122: Reprs. Kolpin, Johnson of Richland and Callahan.

Very respectfully,  
W. M. SMART, Chief Clerk.

### SECOND READING OF SENATE BILLS

Senate Bill No. 211. A Bill for an Act Imposing a Motor Fuel Use Tax Upon Products Used for Propelling Motor Vehicles on the Highways and Streets of This State Other Than Gasoline; Providing for the Licensing and Bonding of Users and for the Administration, Report and Payment of Such Tax and the Repeal of All Acts or Parts of Acts in Conflict With the Provisions of This Act.

Was read the second time.

### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 94; nays, 1; absent and not voting, 18.

Those voting in the affirmative were:

Allen, Grand Forks	Haugen	Ohnstad
Allen, Pierce	Haugland	Ostgulen
Anderson	Heckman	Peterson, Ransom
Arndt	Hegge	Pyle
Bagge	Hildre	Rettke
Bauer	Hofstrand	Rohrer
Baumgartner	Hogboom	Runk
Benno	Holm	Sailer
Bergesen	Hovey	Sandness
Bjella	Iszler	Schwartz
Blair	Jennings	Schmalenberger
Bolmeier	Kolpin	Schnell
Boulden	Langley	Saumur
Braun	Larson, Ward	Sellens
Bubel	Larson, Wells	Severson
Callahan	Leet	Sharpe
Carlson	Levin	Shure
Coghlan	Lillehaugen	Stair
Collette	Lunde	Starck
Dahlen	McInnes	Sticka
Dalzell	Manstrom	Stormon
Devlin	Mittag	Twichell
Drovdal	Moe	Wambheim
Ekren	Mollet	Welk
Falconer	Monson	Westby
Fraser	Morrison	Williams, Richland
Fuglestad	Mortenson	Williams, Sargent
Gackle	Nelson	Williams, Stutsm'n
Graham	Nystrom	Wolf, McIntosh

Gainor	Olson, Barnes	Wolf, Morton
Haag	Olson, Bowman	Mr. Speaker

Halcrow

Those voting in the negative were:

Myers

Absent and not voting:

Aker	Fleck	Marks
Belzer	Forseth	Morland
Burau	Halvorson	Peterson, Bottin'au
Bymers	Johnson, Cass	Rohde
Crockett	Johnson, Richland	Tuff
Fitch	Johnson, Rolette	Welder

So the bill passed as amended and the title was agreed to.

## MESSAGE TO THE SENATE

House of Representatives

Bismarck, March 5, 1943

Mr. President: I have the honor to return:

Senate Bill No. 211. A Bill for an Act Imposing a Motor Fuel Use Tax Upon Products Used for Propelling Motor Vehicles on the Highways and Streets of This State Other Than Gasoline; Providing for the Licensing and Bonding of Users and for the Administration, Report and Payment of Such Tax and the Repeal of All Acts or Parts of Acts in Conflict With the Provisions of This Act.

Which the House has amended.

W. M. SMART, Chief Clerk.

Senate Bill No. 176. A Bill for an Act to Amend and Re-enact Sections, 1, 5, 7, 9, and 15 of Chapter 243 of the Session Laws of 1941 and Pertaining to Definitions, Eligibility for Assistance, Application for Assistance, Award of Assistance, and Disbursements of Aid to Dependent Children 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, 87; nays, 2; absent and not voting, 24.

Those voting in the affirmative were:

Allen, Pierce	Halcrow	Myers
Anderson	Haugen	Olson, Barnes
Arndt	Haugland	Olson, Bowman
Bagge	Heckman	Ohnstad
Bauer	Hegge	Ostgulen
Baumgartner	Hildre	Peterson, Ransom
Benno	Hofstrand	Pyle
Bergeßen	Hogoboom	Rettke
Bjella	Holm	Runck
Blair	Hovey	Sailer
Bolmeier	Iszler	Sandness
Boulden	Jennings	Saumur
Braun	Johnson, Rolette	Sellens
Bubel	Kolpin	Schmalenberger
Callahan	Langley	Schnell
Carlson	Larson, Ward	Schwartz
Coghlan	Larson, Wells	Sharpe
Collette	Leet	Starck
Dahlen	Levin	Sticka
Dalzell	Lillehaugen	Stormon
Devlin	Lunde	Tuff

Drovdal	McInnes	Wambheim
Ekren	Manstrom	Welk
Falconer	Mittag	Westby
Fraser	Moe	Williams, Richland
Fuglestad	Mollet	Williams, Stutsm'n
Gackle	Monson	Wolf, McIntosh
Gainor	Morrison	Wolf, Morton
Haag	Mortenson	Mr. Speaker

Those voting in the negative were:

Allen, Grand Forks Stair

Absent and not voting:

Aker	Graham	Peterson, Bottin'au
Belzer	Halvorson	Rohde
Burau	Johnson, Cass	Rohrer
Bymers	Johnson, Richland	Severson
Crockett	Marks	Shure
Fitch	Morland	Twichell
Fleck	Nelson	Welder
Forseth	Nystrom	Williams, Sargent

So the bill passed as amended and the title was agreed to.

#### MESSAGE TO THE SENATE

House of Representatives  
Bismarck, March 5, 1943

Mr. President: I have the honor to return:

Senate Bill No. 176. A Bill for an Act to Amend and Re-enact Sections 1, 5, 7, 9, and 15 of Chapter 243 of the Session Laws of 1941 and Pertaining to Definitions, Eligibility for Assistance, Application for Assistance, Award of Assistance, and Disbursements of Aid to Dependent Children Fund.

Which the House has amended.

W. M. SMART, Chief Clerk.

Rep. Drovdal moved that the rules be suspended for the purpose of offering amendments to Senate Bill No. 119, which motion was lost.

Senate Bill No. 119. A Bill for an Act to Amend and Re-enact Section 7 of Chapter 235 of the Session Laws of 1929 Fixing the Limits for the Levy of Taxes by School Districts.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 89; nays, 1; absent and not voting, 23.

Those voting in the affirmative were:

Allen, Grand Forks	Halvorson	Nelson
Allen, Pierce	Haugen	Nystrom
Arndt	Haugland	Olson, Barnes
Bagge	Heckman	Olson, Bowman
Bauer	Hegge	Ohnstad
Baumgartner	Hildre	Ostgulen
Bjella	Hofstrand	Peterson, Ransom
Benno	Hogboom	Pyle
Bergesen,	Holm	Rettke
Blair	Hovey	Runck
Bolmeier	Iszler	Sailer
Boulden	Jennings	Sandness
Braun	Johnson, Rolette	Saumur
Bubel	Kolpin	Schmalenberger
Burau	Langley	Schwartz



Callahan	Larson, Ward	Sellens
Coghlan	Larson, Wells	Severson
Collette	Leet	Sharpe
Crockett	Levin	Starck
Dahlen	Lillehaugen	Sticka
Devlin	Lunde	Stormon
Drovdal	McInnes	Twichell
Ekren	Manstrom	Tuff
Falconer	Mittag	Wambheim
Fraser	Moe	Welk
Fuglestad	Mollet	Westby
Gackle	Monson	Williams, Stutsm'n
Graham	Morrison	Wolf, McIntosh
Haag	Mortenson	Wolf, Morton
Halcrow	Myers	

Those voting in the negative were:

Mr. Speaker

Absent and not voting:

Aker	Forseth	Rohrer
Anderson	Gainor	Schnell
Belzer	Johnson, Cass	Shure
Bymers	Johnson, Richland	Stair
Carlson	Marks	Welder
Dalzell	Morland	Williams, Richland
Fitch	Peterson, Bottin'au	Williams, Sargent
Fleck	Rohde	

So the bill passed as amended and the title was agreed to.

#### MESSAGE TO THE SENATE

House of Representatives

Bismarck, March 5, 1943

Mr. President: I have the honor to return:

Senate Bill No. 119. A Bill for an Act to Amend and Re-enact Section 7 of Chapter 235 of the Session Laws of 1929 Fixing the Limits for the Levy of Taxes by School Districts.

Which the House has amended.

W. M. SMART, Chief Clerk.

Senate Bill No. 107. A Bill for an Act to Amend and Re-enact Section 2346a16 of the 1925 Supplement to the Compiled Laws of 1913, as Amended by Chapter 253 of the Session Laws of 1933, and as Further Amended by Chapter 278 of the Session Laws of 1941; Providing for Allocation and Apportionment of Income of Individuals Doing Business Within and Without the State, and Declaring an Emergency.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 93; nays, 0; absent and not voting, 20.

Those voting in the affirmative were:

Allen, Grand Forks	Graham	Nelson
Allen, Pierce	Haag	Nystrom
Arndt	Halcrow	Ostgulen
Bagge	Haugen	Peterson, Ransom
Bauer	Heckman	Pyle
Baumgartner	Hegge	Rettke
Benno	Hildre	Rohrer
Bergesen	Hofstrand	Runk
Bjella	Hogoboom	Sailer

Blair	Holm	Sandness
Boulder	Hovey	Saumur
Bolmeier	Iszler	Schwartz
Braun	Jennings	Schmalenberger
Bubel	Johnson, Rolette	Schnell
Burau	Kolpin	Sellens
Callahan	Langley	Severson
Carlson	Larson, Ward	Sharpe
Coghlan	Larson, Wells	Starck
Collette	Leet	Sticka
Crockett	Levin	Stormon
Dahlen	Lillehaugen	Twichell
Dalzell	Lunde	Tuff
Devlin	McInnes	Wambheim
Drovdal	Manstrom	Welder
Ekren	Mittag	Westby
Falconer	Moe	Williams, Richland
Fitch	Mollet	Williams, Sargent
Fleck	Monson	Williams, Stutsm'n
Fraser	Morrison	Wolf, McIntosh
Fuglestad	Mortenson	Wolf, Morton
Gackle	Myers	Mr. Speaker
Absent and not voting:		
Aker	Haugland	Ohnstad
Anderson	Johnson, Cass	Peterson, Bottin'au
Belzer	Johnson, Richland	Rohde
Bymers	Marks	Shure
Forseth	Morland	Stair
Gainor	Olson, Barnes	Welk
Halvorson	Olson, Bowman	

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

#### MESSAGE TO THE SENATE

House of Representatives

Bismarck, March 5, 1943

Mr. President: I have the honor to return:

Senate Bill No. 107. A Bill for an Act to Amend and Re-enact Section 2346a16 of the 1925 Supplement to the Compiled Laws of 1913, as Amended by Chapter 253 of the Session Laws of 1933, and as Further Amended by Chapter 278 of the Session Laws of 1941; Providing for Allocation and Apportionment of Income of Individuals Doing Business Within and Without the State, and Declaring an Emergency.

Which the House has amended.

W. M. SMART, Chief Clerk.

Senate Bill No. 199. A Bill for an Act to Amend and Re-enact Sub-section (c) of Section 3 of Chapter 255 of the Session Laws of North Dakota for 1941 Relating to the Distribution of the Basis of Need; and to Amend Section 5 of Chapter 255 of the Session Laws of North Dakota for 1941 Relating to the Distribution of Per Pupil Basis; and to Amend Section 7 of Chapter 255 of the Session Laws of North Dakota for 1941 Relating to Payment on Teacher-Unit Basis.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 85; nays, 3; absent and not voting, 25.

Those voting in the affirmative were:

Allen, Grand Forks	Haag	Peterson, Ransom
Allen, Pierce	Halcrow	Pyle
Arndt	Haugland	Rettke
Bagge	Heckman	Rohrer
Bauer	Hegge	Runk
Baumgartner	Hildre	Sailer
Benno	Hofstrand	Sandness
Bergesen	Hogoboom	Schwartz
Bjella	Holm	Schmalenberger
Blair	Hovey	Schnell
Boulden	Iszler	Sellens
Bolmeier	Jennings	Severson
Braun	Johnson, Rolette	Slarpe
Bubel	Kolpin	Starck
Bureau	Langley	Sticka
Callahan	Larson, Wells	Stormon
Carlson	Levin	Twichell
Coghlan	Lunde	Tuff
Collette	Mittag	Wambheim
Dahlen	Moe	Welder
Dalzell	Monson	Welk
Devlin	Morrison	Westby
Drovdal	Mortenson	Williams, Richland
Ekren	Nelson	Williams, Sargent
Falconer	Nystrom	Williams, Stutsm'n
Fitch	Olson, Barnes	Wolf, McIntosh
Fraser	Ohnstad	Wolf, Morton
Fuglestad	Ostgulen	Mr. Speaker

Those voting in the negative were:

Larson, Ward      Manstrom      Myers

Absent and not voting:

Aker	Halvorson	Mollet
Anderson	Haugen	Morland
Belzer	Johnson, Cass	Olson, Bowman
Bymers	Johnson, Richland	Peterson, Bottin'au
Crockett	Leet	Rohde
Fleck	Lillehaugen	Saumur
Forseth	McInnes	Shure
Gackle	Marks	Stair

So the bill passed as amended and the title was agreed to.

#### MESSAGE TO THE SENATE

House of Representatives  
Bismarck, March 5, 1943

Mr. President: I have the honor to return:

Senate Bill No. 199. A Bill for an Act to Amend and Re-enact Sub-section (c) of Section 3 of Chapter 255 of the Session Laws of North Dakota for 1941 Relating to the Distribution of the Basis of Need; and to Amend Section 5 of Chapter 255 of the Session Laws of North Dakota for 1941 Relating to the Distribution of Per Pupil Basis; and to Amend Section 7 of Chapter 255 of the Session Laws of North Dakota for 1941 Relating to Payment on Teacher-Unit Basis.

Which the House has amended.

W. M. SMART, Chief Clerk.

#### REPORT OF SELECT COMMITTEE

The Conference Committee on House Bill No. 110 made the following report:

Mr. Speaker: Your Conference Committee to whom was referred House Bill No. 110, have had the same under consideration and recommend that the same be amended as follows:

In line 6 of the original bill, strike out the figures "\$5,000.00" and insert the figures "\$6000.00" in lieu thereof.

In line 8 of the original bill, strike out the figures "\$3,600.00" and insert the figures "\$4000.00" in lieu thereof.

And when so amended recommend the same do pass.

For the House:

REP. HAUGEN

REP. HOLM

REP. JOHNSON of Richland

For the Senate:

SEN. WATT

SEN. STREIBEL

SEN. MORGAN of Walsh

Rep. Holm moved that the report be adopted.

Rep. Bubel offered as a substitute motion that the House reject the report of the Conference Committee on House Bill No. 110 and that a new committee be appointed, which motion prevailed.

The Speaker appointed Reps. Bubel, Anderson and Langley.

#### MESSAGE TO THE SENATE

House of Representatives

Bismarck, March 5, 1943

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. 110 and the Speaker has appointed as a new conference committee to act with a like committee from the Senate, Reps. Bubel, Anderson of McKenzie and Langley.

Very respectfully,

W. M. SMART, Chief Clerk.

#### SECOND READING OF SENATE BILLS

Senate Bill No. 202. A Bill for an Act to Amend and Re-enact Sections 15-4017 and 15-4018 of the North Dakota Revised Code of 1943.

Was read the second-time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 97; nays, 0; absent and not voting, 16.

Those voting in the affirmative were:

Allen, Grand Forks	Haugland	Ohnstad
Allen, Pierce	Heckman	Ostgulen
Arndt	Hegge	Peterson, Ransom
Bagge	Hofstrand	Pyle
Baumgartner	Hogoboom	Rettke
Bauer	Holm	Rohrer
Benno	Hovey	Runk
Bergesen	Iszler	Sailer
Bjella	Jennings	Sandness
Blair	Johnson, Richland	Saumur
Bolmeier	Johnson, Rolette	Schwartz
Boulden	Kolpin	Schmalenberger
Braun	Langley	Schnell

Bubel	Larson, Ward	Sellens
Burau	Larson, Wells	Severson
Carlson	Leet	Sharpe
Callahan	Levin	Shure
Coghlan	Lillehaugen	Stair
Collette	Lunde	Starck
Dahlen	McInnes	Sticka
Dalzell	Manstrom	Stormon
Devlin	Mittag	Twichell
Drovdal	Moe	Tuff
Ekren	Mollet	Wambheim
Falconer	Monson	Welder
Fitch	Morland	Westby
Fraser	Morrison	Williams, Richland
Fuglestad	Mortenson	Williams, Sargent
Haag	Myers	Williams, Stutsm'n
Halcrow	Nelson	Wolf, McIntosh
Haugen	Nystrom	Wolf, Morton
Gackle	Olson, Barnes	Mr. Speaker
Graham		

Absent and not voting:

Aker	Forseth	Marks
Anderson	Gainor	Olson, Bowman
Belzer	Halvorson	Peterson, Bottina'u
Bymers	Hildre	Rohde
Crockett	Johnson, Cass	Welk
Fleck		

So the bill passed as amended and the title was agreed to.

#### MESSAGES FROM THE SENATE

Senate Chamber

Bismarck, March 5, 1943

Mr. Speaker: I have the honor to inform you that the Senate has adopted the report of the Conference Committee on House Bill No. 1.

Very respectfully,

W. J. TROUT, Secretary.

Senate Chamber

Bismarck, March 5, 1943

Mr. Speaker: I have the honor to inform you that the Senate has concurred in the House amendment to Senate Bill No. 70.

Very respectfully,

W. J. TROUT, Secretary.

Senate Chamber

Bismarck, March 5, 1943

Mr. Speaker: I have the honor to inform you that the Senate has concurred in the House amendment to Senate Bill No. 17.

Very respectfully,

W. J. TROUT, Secretary.

#### MESSAGE TO THE SENATE

House of Representatives

Bismarck, March 5, 1943

Mr. President: I have the honor to return:

Senate Bill No. 202. A Bill for an Act to Amend and Re-

enact Sections 15-4017 and 15-4018 of the North Dakota Revised Code of 1943.

Which the House has amended.

W. M. SMART, Chief Clerk.

#### MESSAGES FROM THE SENATE

Senate Chamber  
Bismarck, March 5, 1943

Mr. Speaker: I have the honor to inform you that the Senate has refused to concur in the House amendment to Senate Bill No. 154.

And the President has appointed as a conference committee to act with a like committee from the House, Senators Day, Thatcher and Braun.

Very respectfully,

W. J. TROUT, Secretary.  
Senate Chamber  
Bismarck, March 5, 1943

Mr. Speaker: I have the honor to inform you that the Senate has refused to concur in the House amendment to Senate Bill No. 119.

And the President has appointed as a conference committee to act with a like committee from the House, Senators Morgan of Walsh, Beaton and Feton.

Very respectfully,

W. J. TROUT, Secretary.

Rep. Bergeson requested that the House return to the seventh order of business, which request was granted.

Rep. Dalzell moved that the vote by which Senate Bill No. 139 was lost be reconsidered, which motion prevailed.

Rep. Bergeson moved that Senate Bill No. 139 be placed on the calendar, which motion prevailed.

Senate Bill No. 59. A Bill for an Act to Amend and Re-enact Section 1 of Chapter 204 of the Session Laws of North Dakota for 1933, Relating to Signatures on Chattel Mortgages and Bills of Sale of Household Goods, 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, 61; nays, 38; absent and not voting, 14.

Those voting in the affirmative were:

Allen, Grand Forks	Fitch	Myers
Allen, Pierce	Haugland	Nystrom
Arndt	Heckman	Olson, Barnes
Bagge	Hildre	Ohnstad
Bauer	Hogboom	Ostgulen
Bergesen	Holm	Peterson, Ransom
Bjella	Hovey	Pyle
Blair	Jennings	Runk
Bolmeier	Johnson, Richland	Sailer
Boulden	Johnson, Rolette	Sandness
Braun	Kolpin	Saumur
Bureau	Langley	Schnell
Bymers	Larson, Ward	Sellens
Callahan	Larson, Wells	Severson

Coghlan	Leet	Shure
Collette	Lunde	Stormon
Dahlen	McInnes	Twichell
Devlin	Manstrom	Wambheim
Drovdal	Moe	Westby
Ekren	Mollet	Williams, Stutsm'n
Gackle		

Those voting in the negative were:

Baumgartner	Hofstrand	Sharpe
Bubel	Iszler	Stair
Carlson	Levin	Starck
Dalzell	Lillehaugen	Sticka
Falconer	Mittag	Tuff
Forseth	Monson	Welder
Fraser	Morland	Welk
Fuglestad	Morrison	Williams, Richland
Graham	Mortenson	Williams, Sargent
Haag	Rettke	Wolf, McIntosh
Halcrow	Rohrer	Wolf, Morton
Haugen	Schwartz	Mr. Speaker
Hegge	Schmalenberger	

Absent and not voting:

Aker	Fleck	Nelson
Anderson	Gainor	Olson, Bowman
Belzer	Halvorson	Peterson, Bottin'au
Benno	Johnson, Cass	Rohde
Crockett	Marks	

So the bill passed as amended and the title was agreed to.

Rep. Shure moved that the vote by which Senate Bill No. 59 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

#### MESSAGE TO THE SENATE

• House of Representatives  
Bismarck, March 5, 1943

Mr. President: I have the honor to return:

Senate Bill No. 59. A Bill for an Act to Amend and Re-enact Section 1 of Chapter 204 of the Session Laws of North Dakota for 1933, Relating to Signatures on Chattel Mortgages and Bills of Sale of Household Goods, and Repealing All Acts in Conflict Herewith.

Which the House has amended.

W. M. SMART, Chief Clerk.

Rep. Graham moved that the rules be suspended for the purpose of amending Senate Bill No. 182, which motion prevailed.

Rep. Graham moved to amend Senate Bill No. 182 as follows:

In line 54 of the printed bill after the word "Bismarck" strike out "on the first Tuesday of each month" and insert in lieu thereof "within thirty days after the filing of the appeal", which motion prevailed.

Rep. Graham moved that the rules be suspended and Senate Bill No. 182 be placed on second reading and final passage, which motion prevailed.

Senate Bill No. 182. A Bill for an Act to Amend and Re-enact Section 7 of Chapter 211 of the Session Laws of North Dakota for the Year 1937, and to Define the Rights of

Applicants for Old Age Assistance, and the Duties of the State Agency, the County Agency and the State's Attorney, and to Provide for the Removal of Any Member of the State Agency Violating the Public Welfare Law 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, 45; nays, 46; absent and not voting, 22.

Those voting in the affirmative were:

Bauer	Iszler	Rettke
Baumgartner	Jennings	Rohrer
Braun	Kolpin	Sandness
Bymers	Larson, Ward	Schwartz
Collette	Larson, Wells	Stair
Devlin	Lillehaugen	Starck
Drovdal	Mittag	Sticka
Falconer	Mollet	Tuff
Fitch	Monson	Welder
Forseth	Morrison	Welk
Fraser	Mortenson	Williams, Richland
Graham	Myers	Williams, Sargent
Haag	Nelson	Wolf, McIntosh
Halvorson	Ohnstad	Wolf, Morton
Hegge	Ostgulen	Mr. Speaker

Those voting in the negative were:

Allen, Grand Forks	Haugland	Olson, Barnes
Allen, Pierce	Heckman	Peterson, Ransom
Arndt	Hildre	Pyle
Bagge	Hogoboom	Runck
Benno	Holm	Sailer
Bergesen	Hovey	Schmalenberger
Bjella	Johnson, Richland	Sellens
Bolmeier	Johnson, Rolette	Severson
Boulden	Langley	Sharpe
Callahan	Léet	Shure
Carlson	Lunde	Stormon
Coghlan	Manstrom	Twichell
Dahlen	Moe	Wambheim
Fuglestad	Morland	Westby
Gackle	Nystrom	Williams, Stutsman

Absent and not voting:

Aker	Ekren	McInnes
Anderson	Fleck	Marks
Belzer	Gainor	Olson, Bowman
Blair	Haugen	Peterson, Bottin'au
Bubel	Hofstrand	Rohde
Burau	Johnson, Cass	Saumur
Crockett	Levin	Schnell
Dalzell		

So the bill was declared lost.

MESSAGES TO THE SENATE

House of Representatives  
Bismarck, March 5, 1943

Mr. President: I have the honor to inform you that the



Speaker has appointed as a conference committee on Senate Bill No. 154, Reps. Levin, Ekren and Burau.

Very respectfully,

W. M. SMART, Chief Clerk.

House of Representatives

Bismarck, March 5, 1943

Mr. President: I have the honor to inform you that the Speaker has appointed as a conference committee on Senate Bill No. 119, Reps. McInnes, Hofstrand and Haugen.

Very respectfully,

W. M. SMART, Chief Clerk.

Rep. Fitch moved that the vote by which House Bill No. 233 was passed be reconsidered, which motion prevailed.

Rep. Fitch moved that the House do not concur in the Senate amendments to House Bill No. 233, which motion prevailed.

Rep. Fitch moved that a Conference Committee be appointed, which motion prevailed.

The Speaker appointed as a Conference Committee, Reps. Drovdal, Arndt and Morland.

Senate Bill No. 3. 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, 95; nays, 1; absent and not voting, 17.

Those voting in the affirmative were:

Allen, Grand Forks	Haag	Ohnstad
Allen, Pierce	Halcrow	Ostgulen
Arndt	Halvorson	Peterson, Ransom
Bagge	Haugland	Pyle
Bauer	Heckman	Rettke
Baumgartner	Hegge	Rohrer
Benno	Hildre	Runck
Bergesen	Hogoboom	Sailer
Bjella	Holm	Sandness
Blair	Hovey	Saumur
Bolmeier	Iszler	Schwartz
Boulden	Jennings	Schnell
Braun	Johnson, Richland	Sellens
Bubel	Johnson, Rolette	Severson
Bureau	Kolpin	Sharpe
Bymers	Langley	Shure
Callahan	Larson, Ward	Stair
Carlson	Larson, Wells	Starck
Coghlan	Leet	Sticka
Collette	Lillehaugen	Stormon
Dahlen	Lunde	Twichell
Dalzell	Manstrom	Tuff
Devlin	Mittag	Wambheim
Drovdal	Moe	Welder
Falconer	Mollet	Welk
Fitch	Monson	Westby
Fleck	Morland	Williams, Richland
Forseth	Morrison	Williams, Sargent
Fraser	Mortenson	Wolf, McIntosh

Fuglestad  
Gackle  
Graham

Myers  
Nystrom  
Olson, Barnes

Wolf, Morton  
Mr. Speaker

Those voting in the negative were:

Nelson

Absent and not voting:

Aker  
Anderson  
Belzer  
Crockett  
Ekren  
Gainor

Haugen  
Hofstrand  
Johnson, Cass  
Levin  
McInnes  
Marks

Olson, Bowman  
Peterson, Bottin'au  
Rohde  
Schmalenberger  
Williams, Stutsm'n

So the bill passed as amended and the title was agreed to.

Rep. Lillehaugen moved that the vote by which Senate Bill No. 3 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

#### MESSAGES TO THE SENATE

House of Representatives

Bismarck, March 5, 1943

Mr. President: I have the honor to inform you that the House had refused to concur in the Senate amendment to House Bill No. 233.

And the Speaker has appointed as a conference committee to act with a like committee from the Senate, Reps. Drovdal, Arndt and Morland.

Very respectfully,

W. M. SMART, Chief Clerk.

#### MESSAGE TO THE SENATE

House of Representatives

Bismarck, March 5, 1943

Mr. President: I have the honor to return:

Senate Bill No. 3. 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.

Which the House has amended.

W. M. SMART, Chief Clerk.

Rep. Bergesen requested the House return to the seventh order of business, which request was granted.

Rep. Bergesen: "We have had placed in our hands a copy of a book just off the press, personally autographed by its author, Col. Speed Wallace. Col. Wallace is in the corridor and I suggest that he present himself at the railing and the House extend to him our appreciation by proper applause."

The House arose in applause.

#### REPORT OF SELECT COMMITTEE

The Conference Committee on Senate Bill No. 122 made the following report:

Mr. Speaker: Your Conference Committee to whom was referred Senate Bill No. 122, have had the same under consideration and recommend:

That the House amendment on line 57 be changed to read, "not to exceed ninety (90) percent".

In line 215 strike out "two" and insert the word "three".

The House amendment in line 221 be changed to read "80% or 90%".

The House amendment in line 223 be changed to read "80% or 90%".

For the House:

REP. JOHNSON of Richland  
REP. CALLAHAN  
REP. KOLPIN

For the Senate:

SEN. PAGE  
SEN. SOLBERG  
SEN. RASCHKO

Rep. Johnson of Richland moved that the report be adopted, which motion prevailed and the report was adopted.

Rep. Fitch moved that the rules be suspended and that Senate Bill No. 122 be placed on second reading and final passage, which motion prevailed.

Senate Bill No. 122. A Bill for an Act to Amend and Re-enact Sections 189c1 to 189c14 Inclusive of the 1925 Supplement to the Compiled Laws of 1925, as Amended by Chapter 153, Laws of 1935 and Chapter 149, Laws of 1937, Being Chapter 26 of the Title, Insurance in North Dakota, Revised Code for 1943, and to Provide for the Risks to Be Covered, the Method of Valuing the Same, the Types of Coverage, and the Conduct of the Business of the State Fire and Tornado Fund, and to Provide the Method of Paying Losses and Expense of Operation, to Prohibit the Insurance Commissioner from Writing, Soliciting or Brokering Any Insurance Coverages Other Than Those Specifically Authorized by Law, and Providing for the Cancellation of Re-insurance, 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, 75; nays, 24; absent and not voting, 14.

Those voting in the affirmative were:

Allen, Grand Forks	Forseth	Olson, Barnes
Allen, Pierce	Fuglestad	Ohnstad
Arndt	Gackle	Peterson, Ransom
Bagge	Halcrow	Pyle
Baumgartner	Halvorson	Rohrer
Benno	Haugland	Runck
Bergesen	Heckman	Sailer
Bjella	Hildre	Sandness
Blair	Hogoboom	Saumur
Bolmeier	Holm	Schwartz
Boulden	Hovey	Schmalenberger
Bubel	Johnson, Richland	Schnell
Bureau	Johnson, Rolette	Sellens
Bymers	Langley	Severson
Callahan	Larson, Ward	Sharpe
Carlson	Leet	Shure
Coghlan	Levin	Stair
Collette	Lillehaugen	Sticka
Dahlen	Lunde	Stormon
Dalzell	Manstrom	Twichell
Devlin	Moe	Wambheim

Drovdal	Mollet	Westby
Ekren	Monson	Williams, Sargent
Falconer	Morland	Williams, Stutsman
Fitch	Nystrom	Mr. Speaker

Those voting in the negative were:

Bauer	Jennings	Rettke
Braun	Larson, Wells	Starck
Crockett	Mittag	Tuff
Fraser	Morrison	Welder
Graham	Mortenson	Welk
Haag	Myers	Williams, Richland
Hegge	Nelson	Wolf, McIntosh
Iszler	Ostgulen	Wolf, Morton

Absent and not voting:

Aker	Haugen	Marks
Anderson	Hofstrand	Olson, Bowman
Belzer	Johnson, Cass	Peterson, Bottin'au
Fleck	Kolpin	Rohde
Gainor	McInnes	

So the bill passed as amended and the title was agreed to.

Rep. Dalzell moved that the vote by which Senate Bill No. 122 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

#### REPORT OF SELECT COMMITTEES

The Conference Committee on Senate Bill No. 154 made the following report:

Mr. Speaker: Your Conference Committee, to whom was referred Senate Bill No. 154.

Have had the same under consideration and recommended:

That the Senate concur in the amendments made by the House and that the following amendment be adopted:

Following the word "foundation" on the next to the last line of the title, insert the following language: "and providing that all patents and benefits inure to the benefit of the State of North Dakota".

For the House:  
 REP. BURAU  
 REP. LEVIN  
 REP. EKREN

For the Senate:  
 SEN. DAY  
 SEN. THATCHER  
 SEN. BRAUN

Rep. Levin moved that the report be adopted, which motion prevailed and the report was adopted.

Rep. Bergesen moved that the rules be suspended and Senate Bill No. 154 be placed on second reading and final passage, which motion prevailed.

Senate Bill No. 154. A Bill for an Act to Create and Establish Under the Industrial Commission of the State of North Dakota a Research Agency to Be Known as the North Da-

kota Research Foundation; Fixing the Membership of the Foundation Providing for Their Appointment and Compensation; Prescribing the Duties of the Industrial Commission and the Foundation; and Making an Appropriation 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, 91; nays, 1; absent and not voting, 21.

Those voting in the affirmative were:

Aker	Halcrow	Peterson, Ransom
Allen, Grand Forks	Haugland	Pyle
Allen, Pierce	Heckman	Rohrer
Bagge	Hegge	Rettkke
Baumgartner	Hildre	Runk
Benno	Hogoboom	Sailer
Bergesen	Holm	Sandness
Bjella	Hovey	Saumur
Blair	Jennings	Schwartz
Bolmeier	Johnson, Rolette	Schmalenberger
Boulden	Kolpin	Schnell
Braun	Langley	Sellens
Bubel	Larson, Ward	Sharpe
Burau	Larson, Wells	Shure
Bymers	Leet	Stair
Callahan	Levin	Starck
Carlson	Lillehaugen	Sticka
Coghlan	Lunde	Stormon
Collette	Manstrom	Twichell
Crockett	Mittag	Tuff
Dahlen	Mollet	Wambheim
Dalzell	Monson	Welder
Devlin	Morrison	Welk
Ekren	Mortenson	Westby
Falconer	Myers	Williams, Richland
Forseth	Nelson	Williams, Sargent
Fraser	Nystrom	Williams, Stutsm'n
Fuglestad	Olson, Barnes	Wolf, McIntosh
Gackle	Ohnstad	Wolf, Morton
Graham	Ostgulen	Mr. Speaker
Haag		

Those voting in the negative were:

Rohde

Absent and not voting:

Anderson	Gainor	McInnes
Arndt	Halvorson	Marks
Bauer	Haugen	Moe
Belzer	Hofstrand	Morland
Drovdal	Iszler	Olson, Bowman
Fitch	Johnson, Cass	Peterson, Bottin'au
Fleck	Johnson, Richland	Severson

So the bill passed as amended and the title was agreed to.

Rep. Lillehaugen moved that the vote by which Senate Bill No. 154 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

## MESSAGES TO THE SENATE

House of Representatives  
Bismarck, March 5, 1943

Mr. President: I have the honor to inform you that the House has adopted the report of the Conference Committee on Senate Bill No. 154.

Very respectfully,  
W. M. SMART, Chief Clerk.  
House of Representatives  
Bismarck, March 5, 1943

Mr. President: I have the honor to inform you that the House has adopted the report of the Conference Committee on Senate Bill No. 122.

Very respectfully,  
W. M. SMART, Chief Clerk.

Rep. Lillehaugen moved that Senate Bill No. 2 be placed at the head of the calendar, which motion prevailed.

Senate Bill No. 2. 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.

Was read the second time.

## ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 91; nays, 0; absent and not voting, 22.

Those voting in the affirmative were:

Aker	Graham	Ostgulen
Allen, Grand Forks	Haag	Peterson, Ransom
Allen, Pierce	Halcrow	Pyle
Arndt	Haugland	Rettke
Bagge	Heckman	Rohde
Bauer	Hegge	Rohrer
Baumgartner	Hildre	Runck
Benno	Hogoboom	Sailer
Bergesen	Holm	Sandness
Bjella	Hovey	Saumur
Blair	Iszler	Schwartz
Bolmeier	Jennings	Schmalenberger
Boulden	Kolpin	Schnell
Bubel	Langley	Sellens
Bureau	Larson, Ward	Shure
Bymers	Larson, Wells	Stair
Callahan	Leet	Starck
Carlson	Levin	Sticka
Coghlan	Lillehaugen	Stormon
Collette	Lunde	Tuff
Dahlen	Manstrom	Wambheim
Dalzell	Mittag	Welder
Devlin	Mollet	Welk
Drovdal	Monson	Westby
Ekren	Morrison	Williams, Richland
Falconer	Mortenson	Williams, Sargent

Fleck	Myers	Williams, Stutsm'n
Forseth	Nelson	Wolf, McIntosh
Fraser	Nystrom	Wolf, Morton
Fuglestad	Ohnstad	Mr. Speaker
Gackle		
Absent and not voting:		
Anderson	Hofstrand	Morland
Belzer	Johnson, Cass	Olson, Barnes
Braun	Johnson, Richland	Olson, Bowman
Crockett	Johnson, Rolette	Peterson, Bottin'au
Fitch	McInnes	Severson
Gainor	Marks	Sharpe
Halvorson	Moe	Twichell
Haugen		

So the bill passed as amended and the title was agreed to, and the Emergency Clause was declared carried.

Rep. Halcrow moved that the vote by which Senate Bill No. 2 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

#### MESSAGES FROM THE SENATE

Senate Chamber  
Bismarck, March 5, 1943

Mr. Speaker: I have the honor to inform you that the Senate has concurred in the House amendment to Senate Bill No. 211.

Very respectfully,  
W. J. TROUT, Secretary.  
Senate Chamber  
Bismarck, March 5, 1943

Mr. Speaker: I have the honor to inform you that the Senate has concurred in the House amendment to Senate Bill No. 176.

Very Respectfully,  
W. J. TROUT, Secretary.  
Senate Chamber  
Bismarck, March 5, 1943

Mr. Speaker: I have the honor to inform you that the Senate has concurred in the House amendment to Senate Bill No. 102.

Very Respectfully,  
W. J. TROUT, Secretary.  
Senate Chamber  
Bismarck, March 5, 1943

Mr. Speaker: I have the honor to inform you that the Senate has adopted the report of the Conference Committee on Senate Bill No. 154.

Very Respectfully,  
W. J. TROUT, Secretary.

#### REPORT OF SELECT COMMITTEES

The Conference Committee on Senate Bill No. 181 made the following report:

Mr. Speaker: Your Conference Committee, to whom was referred Senate Bill No. 181.

Have had the same under consideration and recommended: That the striking out of the Emergency Clause in the Title of the Bill and Section 4 of the Bill by the House is agreed to.

That the title of the bill be amended by inserting after the words "Counties of the State of North Dakota" a comma and the following:

"Requiring liberal construction of the Public Welfare Law, Authorizing a full or part time Executive Director."

That the bill be amended by adding the following at the end of Section 2:

"Section 3. The Public Welfare Board of the State of North Dakota may select and appoint a competent full or part time Executive Director whenever the efficient administration of the Public Welfare Board of North Dakota requires it."

For the House:  
 REP. GRAHAM  
 REP. MOLLET  
 REP. HAUGLAND

For the Senate:  
 SEN. STUCKE  
 SEN. KEHOE  
 SEN. OLSON

Rep. Graham moved that the report be adopted.

Rep. Sellens offered as a substitute motion that Senate Bill No. 181 be indefinitely postponed.

Rep. Graham moved that Senate Bill No. 181 be deferred until tomorrow morning, which motion prevailed.

#### MESSAGE FROM THE SENATE

Senate Chamber  
 Bismarck, March 5, 1943

Mr. Speaker: I have the honor to inform you that the Senate has concurred in the House amendment to Senate Bill No. 181.

Very respectfully,  
 W. J. TROUT, Secretary.

#### MESSAGE FROM THE SENATE

Senate Chamber  
 Bismarck, March 5, 1943

Mr. Speaker: I have the honor to inform you that the Senate has concurred in the House amendment to Senate Bill No. 122.

Very respectfully,  
 W. J. TROUT, Secretary.

#### REPORT OF SELECT COMMITTEE

Mr. Speaker: Your Conference Committee on Senate Bill No. 68 make the following report, relative to Senate Bill No. 68.

Have had the same under consideration and recommend:  
 That the Senate accede to the House amendments at lines 18 and 19.

That the House recede from its amendments at line 30.

That at line 27, the words and figures forty dollars (\$40.00) be substituted for the words and figures Thirty Dollars (\$30.00).

And further recommend that after the figures (7000) in line 26, there be inserted the following words and figures, "And not exceeding twelve thousand in population,"



And that between lines 28 and 29, the following words and figures be inserted:

That in counties exceeding twelve thousand in population there shall be an additional compensation of twenty-five dollars (25.00) for each additional 1,000 in population and major fraction thereof; and provided further

That the House recede from its amendments at line 63.

That the Senate concur in all other House amendments.

For the House:

REP. ROHDE

REP. AKER

REP. BYMERS

For the Senate:

SEN. O'BRIEN

SEN. WATT

SEN. GUENTHER

Rep. Rohde moved that the report be adopted.

Rep. Bergesen moved that the House do not concur in the Senate amendments to Senate Bill No. 68, which motion prevailed.

Rep. Bergesen moved that a new Conference Committee be appointed, which motion prevailed.

The Speaker appointed Reps. Twichell, Benno and Saumur as a new Conference Committee on Senate Bill No. 68.

#### MESSAGES TO THE SENATE

House of Representatives

Bismarck, March 5, 1943.

Mr. President: I have the honor to return:

Senate Bill No. 2. 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.

Which the House has amended.

W. M. SMART, Chief Clerk.

House of Representatives

Bismarck, March 5, 1943.

Mr. President: I have the honor to inform you that the House has refused to adopt the report of the Conference Committee on Senate Bill No. 68 and the Speaker has appointed as a new Conference Committee, Reps. Twichell, Benno and Saumur.

Very respectfully,

W. M. SMART, Chief Clerk.

Senate Concurrent Resolution "1-H." Approving Contracts for the Paper and for Printing and Binding North Dakota Revised Code of 1943.

Was read the second time.

#### ROLL CALL

The question being on the adoption of the Resolution, the roll was called and there were ayes, 81; nays, 2; absent and not voting, 30.

Those voting in the affirmative were:

Allen, Pierce	Hildre	Pyle
Arndt	Hogoboom	Rettke
Bagge	Holm	Rohrer
Baumgartner	Hovey	Runk
Benno	Iszler	Sailer
Bergesen	Jennings	Sandness
Bjella	Johnson, Richland	Saumur
Blair	Johnson, Rolette	Schmalenberger
Boulden	Langley	Schnell
Bolmeier	Larson, Ward	Sellens
Burau	Larson, Wells	Severson
Rymers	Leet	Sharpe
Callahan	Levin	Shure
Dahlen	Lillehaugen	Stair
Dalzell	Lunde	Starck
Devlin	Manstrom	Sticka
Drovdal	Mittag	Stormon
Ekren	Mollet	Twichell
Falconer	Monson	Tuff
Fleck	Morland	Welder
Fraser	Morrison	Welk
Fuglestad	Mortenson	Williams, Richland
Graham	Nelson	Williams, Sargent
Haag	Nystrom	Williams, Stutsman
Halcrow	Ohnstad	Wolf, McIntosh
Haugland	Ostgulen	Wolf, Morton
Heckman	Peterson, Ransom	Mr. Speaker

Those voting in the negative were:

Hegge  
Schwartz

Absent and not voting:

Aker	Crockett	McInnes
Allen, Grand Forks	Fitch	Marks
Anderson	Forseth	Moe
Bauer	Gackle	Myers
Belzer	Gainor	Olson, Barnes
Braun	Halvorson	Olson, Bowman
Bubel	Haugen	Peterson, Bottin'au
Carlson	Hofstrand	Rohde
Coghlan	Johnson, Cass	Wambheim
Collette	Kolpin	Westby

So the Resolution was adopted.

Senate Bill No. 10. A Bill for an Act Making an Appropriation for the Biennium Beginning July 1st, 1943, and Ending June 30, 1945, for Disbursement by the Public Welfare Board in Providing Public Assistance to the Dependent Children and to Needy Blind and Providing Child Welfare Services and Services to Crippled Children and for Necessary Costs of Administration.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 90; nays, 0; absent and not voting, 23.

Those voting in the affirmative were:

Allen, Grand Forks	Haugen	Ostgulen
Allen, Pierce	Haugland	Peterson, Ransom
Anderson	Heckman	Pyle

Bagge	Hegge	Rettko
Baumgartner	Hildre	Rohde
Benno	Hofstrand	Rohrer
Blair	Hogoboom	Runk
Bolmeier	Holm	Sailer
Bergesen	Hovey	Sandness
Bjella	Iszler	Schwartz
Boulden	Jennings	Schmalenberger
Bubel	Johnson, Richland	Schnell
Burau	Johnson, Rolette	Sellens
Callahan	Kolpin	Severson
Carlson	Langley	Sharpe
Collette	Larson, Ward	Shure
Crockett	Larson, Wells	Stair
Dahlen	Leet	Starck
Dalzell	Levin	Sticka
Devlin	Lillehaugen	Stormon
Ekren	Manstrom	Twichell
Falconer	Mittag	Tuff
Fleck	Mollet	Welder
Forseth	Monson	Welk
Fraser	Morrison	Williams, Richland
Fuglestad	Mortenson	Williams, Sargent
Gackle	Myers	Williams, Stutsman
Graham	Nelson	Wolf, McIntosh
Haag	Nystrom	Wolf, Morton
Halcrow	Ohnstad	Mr. Speaker
Absent and not voting:		
Aker	Fitch	Morland
Arndt	Gainor	Olson, Barnes
Bauer	Halvorson	Olson, Bowman
Belzer	Johnson, Cass	Peterson, Bottina'u
Braun	Lunde	Saumur
Bymers	McInnes	Wambheim
Coghlan	Marks	Westby
Drovdal	Moe	

So the bill passed as amended and the title was agreed to.

#### MESSAGE FROM THE SENATE

Senate Chamber,  
Bismarck, March 5, 1943.

Mr. Speaker: I have the honor to return:

House Bill No. 184. A Bill for an Act to Amend and Re-enact Subdivisions (a), (b) and (c) of Section 4, and Section 10 of Chapter 235 of the Session Laws of North Dakota for the Year 1929, as Amended by Chapter 288 of the Session Laws of North Dakota for the Year 1941, Relating to Limitations Upon the Rate of Tax Levies for General and Specific Purposes; Providing for Exceptions to Such Levies, Authorizing the Levy of Taxes for Emergency Purposes and Limiting the Use Thereof.

Which the Senate has amended.

W. J. TROUT, Secretary.

Senate Bill No. 9. A Bill for an Act Making an Appropriation for the Biennium Beginning July 1st, 1943, and Ending June 30th, 1945, to Be Expended by the Public Welfare Board in Providing Assistance to the Needy Aged and for Necessary Costs of Administration.

Was read the second time.

## ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 77; nays, 0; absent and not voting, 36.

Those voting in the affirmative were:

Allen, Grand Forks	Haugen	Ostgulen
Allen, Pierce	Haugland	Peterson, Ransom
Bagge	Heckman	Pyle
Baumgartner	Hegge	Rettke
Benno	Hildre	Rohrer
Bergesen	Hofstrand	Runk
Bjella	Hogoboom	Sailer
Blair	Holm	Sandness
Boulder	Hovey	Saumur
Bubel	Iszler	Schwartz
Burau	Jennings	Sellens
Bymers	Johnson, Rolette	Severson
Callahan	Kolpin	Sharpe
Carlson	Langley	Stair
Dahlen	Larson, Ward	Starck
Dalzell	Larson, Wells	Sticka
Devlin	Leet	Stormon
Ekren	Levin	Tuff
Falconer	Lillehaugen	Twichell
Fleck	Manstrom	Wambheim
Forseth	Mittag	Welder
Fraser	Mollet	Williams, Richland
Fuglestad	Morrison	Williams, Stutsm'n
Gackle	Myers	Wolf, Morton
Graham	Nelson	Mr. Speaker
Halcrow	Nystrom	

Absent and not voting:

Aker	Gainor	Olson, Barnes
Anderson	Haag	Olson, Bowman
Arndt	Halvorson	Ohnstad
Bauer	Johnson, Cass	Peterson, Bottin'au
Belzer	Johnson, Richland	Rohde
Bolmeier	Lunde	Schmalenberger
Braun	McInnes	Schnell
Coghlan	Marks	Shure
Collette	Moe	Welk
Crockett	Monson	Westby
Drovdal	Morland	Williams, Sargent
Fitch	Mortenson	Wolf, McIntosh

So the bill passed as amended and the title was agreed to.

## MESSAGES FROM THE SENATE

Senate Chamber

Bismarck, March 5, 1943.

Mr. Speaker: I have the honor to inform you that the Senate has concurred in the House amendment to Senate Bill No. 3.

Very respectfully,

W. J. TROUT, Secretary.

Senate Chamber

Bismarck, March 5, 1943.

Mr. Speaker: I have the honor to inform you that the President has appointed as a conference committee to act

with a like committee from the House, on Senate Bill No. 68, Senators O'Brien, Ginter and Watt.

Very respectfully,

W. J. TROUT, Secretary.

Senate Chamber

Bismarck, March 5, 1943.

Mr. Speaker: I have the honor to inform you that the President has appointed as a conference committee to act with a like committee from the House, on House Bill No. 233, Senators Page, Lofthus, and Thatcher.

Very respectfully,

W. J. TROUT, Secretary.

#### CONSIDERATION OF MESSAGES FROM THE SENATE

Amendments to House Bill No. 184.

In line 51 of the Engrossed Bill, after the word "fund", insert the letter "a".

In line 66 of the Engrossed Bill, after the word "sources", insert the following:

"(b) EMERGENCY FUND, CITIES.) That the governing body of any city may levy a tax during each of the years 1943 and 1944 for war emergency purposes, which tax shall not exceed the amount produced by the levy of one mill on the dollar of its net taxable valuation. The monies in such fund shall not be considered in determining the budget or the amount to be levied for each fiscal year for normal tax purposes, but shall be shown in such budget as a "War Emergency Fund" and shall not be deducted from the budget as otherwise provided by law.

Each city levying such tax is hereby authorized to create a "War Emergency Fund," and all taxes levied for war emergency purposes by any city, when collected, shall be converted into such emergency fund and shall be used only for such war emergency purposes as the governing body of the city shall, by resolution, determine necessary and essential. Such emergency fund may be used for the replacement or repair of public buildings or property destroyed through war activities or sabotage, for the contribution of the city's share toward the erection, construction, or purchase of any building necessary or essential to the war effort or post-war rehabilitation, including the purchase of or contribution toward the cost of any site or sites necessary for such structures or for any other expenditures necessary and essential to co-operation with the federal government or any of its agencies in any war program or post-war rehabilitation activities.

The levy of a tax for such emergency purposes of one mill, authorized herein, shall not be subject to the fourteen mill limitation prescribed by law."

Renumber the lines accordingly.

Rep. Bagge moved that the House do concur in the Senate amendments to House Bill No. 184, which motion prevailed.

Rep. Bagge moved that the rules be suspended and House Bill No. 184 be considered properly engrossed and placed on second reading and final passage, which motion prevailed.

#### SECOND READING OF HOUSE BILLS

House Bill No. 184. A Bill for an Act to Amend and Re-enact Subdivisions (a), (b) and (c) of Section 4, and Section

10 of Chapter 235 of the Session Laws of North Dakota for the Year 1929, as Amended by Chapter 288 of the Session Laws of North Dakota for the Year 1941, Relating to Limitations Upon the Rate of Tax Levies for General and Specific Purposes; Providing for Exceptions to Such Levies, Authorizing the Levy of Taxes for Emergency Purposes and Limiting the Use 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, 86; nays, 0; absent and not voting, 27.

Those voting in the affirmative were:

Aker	Haugland	Ostgulen
Allen, Grand Forks	Hildre	Peterson, Ransom
Allen, Pierce	Hofstrand	Pyle
Arndt	Hogoboom	Rettke
Bagge	Holm	Rohde
Baumgartner	Hovey	Rohrer
Benno	Iszler	Runk
Bjella	Jennings	Sailer
Blair	Johnson, Richland	Sandness
Bolmeier	Johnson, Rolette	Saumur
Boulder	Kolpin	Schwartz
Bubel	Langley	Schnell
Bureau	Larson, Ward	Sellens
Bymers	Larson, Wells	Severson
Callahan	Leet	Sharpe
Carlson	Levin	Shure
Dahlen	Lillehaugen	Stair
Dalzell	Lunde	Starck
Devlin	McInnes	Sticka
Drovdal	Manstrom	Stormon
Ekren	Mittag	Twichell
Falconer	Mollet	Tuff
Forseth	Morland	Wambheim
Fraser	Morrison	Welder
Fuglestad	Myers	Westby
Gackle	Nelson	Williams, Stutsm'n
Graham	Nystrom	Wolf, Morton
Halcrow	Olson, Barnes	Mr. Speaker
Haugen	Ohnstad	

Absent and not voting:

Anderson	Fleck	Monson
Bauer	Gainor	Mortenson
Belzer	Haag	Olson, Bowman
Bergesen	Halvorson	Peterson, Bottin'au
Braun	Heckman	Schmalenberger
Coghan	Hegge	Welk
Collette	Johnson, Cass	Williams, Richland
Crockett	Marks	Williams, Sargent
Fitch	Moe	Wolf, McIntosh

So the bill passed as amended and the title was agreed to.

Rep. Bagge moved that the vote by which House Bill No. 184 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Rep. Westby moved that the House do now recess subject to the call of the chair, which motion was lost.

Senate Bill No. 95. A Bill for an Act Making an Appropriation for the Payment of Premiums at the State Penitentiary, the State Work Farm and the State Capitol.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 86; nays, 0; absent and not voting, 27.

Those voting in the affirmative were:

Aker	Halcrow	Ohnstad
Allen, Pierce	Haugen	Ostgulen
Allen, Grand Forks	Haugland	Peterson, Ransom
Arndt	Heckman	Pyle
Bagge	Hildre	Rettke
Baumgartner	Hofstrand	Rohde
Benno	Hogoboom	Rohrer
Bergesen	Holm	Runk
Blair	Hovey	Sailer
Bolmeier	Iszler	Sandness
Boulden	Jennings	Saumur
Bubel	Johnson, Richland	Schnell
Burau	Johnson, Rolette	Sellens
Bymers	Kolpin	Severson
Callahan	Langley	Sharpe
Carlson	Larson, Ward	Shure
Dahlen	Larson, Wells	Stair
Dalzell	Leet	Starck
Devlin	Levin	Sticka
Drovdal	Lillehaugen	Stormon
Ekren	Lunde	Twichell
Falconer	Manstrom	Tuff
Fitch	Mittag	Wambheim
Fleck	Mollet	Welder
Forseth	Morland	Westby
Fraser	Morrison	Williams, Stutsman
Fuglestad	Nelson	Wolf, Morton
Gackle	Nystrom	Mr. Speaker
Graham	Olson, Barnes	

Absent and not voting:

Anderson	Haag	Myers
Bauer	Halvorson	Olson, Bowman
Belzer	Hegge	Peterson, Bottin'au
Bjella	Johnson, Cass	Schwartz
Braun	McInnes	Schmalenberger
Coghlan	Marks	Welk
Collette	Moe	Williams, Richland
Crockett	Monson	Williams, Sargent
Gainor	Mortenson	Wolf, McIntosh

So the bill passed as amended and the title was agreed to.

The Speaker called Rep. Fitch to the chair.

Senate Bill No. 7. A Bill for an Act Making an Appropriation for the Purpose of Operating and Maintaining the State Bonding Fund.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 83; nays, 1; absent and not voting, 29.

Those voting in the affirmative were:

Aker	Halvorson	Ohnstad
Allen, Grand Forks	Haugen	Ostgulen
Allen, Pierce	Haugland	Peterson, Ransom
Arndt	Heckman	Pyle
Baumgartner	Hildre	Pettke
Benno	Hofstrand	Rohde
Bergesen	Hogoboom	Rohrer
Bjella	Holm	Runck
Blair	Hovey	Sailer
Bolmeier	Iszler	Sandness
Boulden	Jennings	Saumur
Bubel	Johnson, Richland	Schnell
Bureau	Johnson, Rolette	Sellens
Callahan	Kolpin	Severson
Carlson	Langley	Sharpe
Dahlen	Larson, Ward	Stair
Dalzell	Larson, Wells	Starck
Devlin	Leet	Sticka
Drovdal	Levin	Stormon
Ekren	Lillehaugen	Twichell
Falconer	Lunde	Tuff
Fitch	McInnes	Wambheim
Fleck	Manstrom	Welder
Forseth	Mollet	Westby
Fraser	Morland	Williams, Stutsm'n
Fuglestad	Morrison	Wolf, Morton
Graham	Nelson	Mr. Speaker
Halcrow	Nystrom	

Those voting in the negative were:

Mittag

Absent and not voting:

Anderson	Gainor	Olson, Bowman
Bagge	Haag	Peterson, Bottina'u
Bauer	Hegge	Schwartz
Belzer	Johnson, Cass	Schmalenberger
Braun	Marks	Shure
Bymers	Moe	Welk
Coghlan	Monson	Williams, Richland
Collette	Mortenson	Williams, Sargent
Crockett	Myers	Wolf, McIntosh
Gackle	Olson, Barnes	

So the bill passed as amended and the title was agreed to.

Rep. Mittag 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.

Senate Bill No. 186. A Bill for an Act Relating to the Issuance of No Par Corporate Stock and to Amend and Re-enact Chapter 119, Session Laws of 1941.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 63; nays, 24; absent and not voting, 26.

Those voting in the affirmative were:

Aker	Gackle	Olson, Barnes
Allen, Grand Forks	Halcrow	Ohnstad
Allen, Pierce	Haugen	Peterson, Ransom



Arndt	Haugland	Pyle
Bagge	Heckman	Rettke
Baumgartner	Hildre	Rohrer
Benno	Hofstrand	Runck
Bergesen	Hogoboom	Sailer
Bjella	Holm	Sandness
Bolmeier	Hovey	Saumur
Boulden	Jennings	Schmalenberger
Burau	Johnson, Richland	Schnell
Carlson	Johnson, Rolette	Sellens
Dahlen	Kolpin	Severson
Dalzell	Langley	Sharpe
Devlin	Leet	Sticka
Drovdal	Lunde	Stormon
Ekren	Manstrom	Twichell
Falconer	Mollet	Wambheim
Fitch	Morland	Westby
Fuglestad	Nystrom	Williams, Stutsm'n
Those voting in the	negative were:	
Blair	Iszler	Ostgulen
Bubel	Larson, Ward	Rohde
Bymers	Larson, Wells	Stair
Fleck	Levin	Starck
Forseth	Lillehaugen	Tuff
Fraser	Mittag	Welder
Graham	Morrison	Wolf, Morton
Halvorson	Nelson	Mr. Speaker
Absent and not voting:		
Anderson	Haag	Olson, Bowman
Bauer	Hegge	Peterson, Bottina'u
Belzer	Johnson, Cass	Schwartz
Braun	McInnes	Shure
Callahan	Marks	Welk
Coghan	Moe	Williams, Richland
Collette	Monson	Williams, Sargent
Crockett	Mortenson	Wolf, McIntosh
Gainor	Myers	

So the bill passed and the title was agreed to.

Rep. Halvorson moved that the vote by which Senate Bill No. 186 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Rep. Schnell moved that House Bill No. 42 be placed at the foot of the calendar, which motion prevailed.

Rep. Aker moved that the House recess subject to the call of the chair, which motion prevailed.

The House reconvened pursuant to the call of the chair, Speaker Beede presiding.

The Speaker announced the House would be on the fourteenth order of business.

#### SECOND READING OF SENATE BILLS

Senate Bill No. 208. A Bill for an Act to Amend and Re-enact Section 15-0710 North Dakota Revised Code for 1943.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 59; nays, 0; absent and not voting, 54.

Those voting in the affirmative were:

Allen, Grand Forks	Haugen	Peterson, Ransom
Allen, Pierce	Hildre	Rettke
Anderson	Hofstrand	Sailer
Arndt	Hogoboom	Sandness
Bagge	Holm	Saumur
Benjo	Iszler	Schmalenberger
Bergesen	Jennings	Schnell
Bjella	Johnson, Cass	Severson
Blair	Johnson, Rolette	Shure
Bolmeier	Langley	Stair
Bubel	Larson, Ward	Starck
Carlson	Leet	Sticka
Dahlen	Lillehaugen	Stormon
Drovdal	Marks	Twichell
Falconer	Morland	Welk
Fitch	Morrison	Westby
Fraser	Nystrom	Williams, Stutsm'n
Fuglestad	Olson, Barnes	Wolf, Morton
Graham	Ohnstad	Mr. Speaker
Halcrow	Ostgulen	

Absent and not voting:

Aker	Gainor	Mortenson
Bauer	Haag	Myers
Baumgartner	Halvorson	Nelson
Belzer	Haugland	Olson, Bowman
Boulden	Heckman	Peterson, Bottin'au
Braun	Hegge	Pyle
Burau	Hovey	Rohde
Bymers	Johnson, Richland	Rohrer
Callahan	Kolpin	Runk
Coghlan	Larson, Wells	Schwartz
Collette	Levin	Sellens
Crockett	Lunde	Sharpe
Dalzell	McInnes	Tuff
Devlin	Manstrom	Wambheim
Ekren	Mittag	Welder
Fleck	Moe	Williams, Richland
Forseth	Mollet	Williams, Sargent
Gackle	Monson	Wolf, McIntosh

So the bill passed as amended and the title was agreed to.

Rep. Anderson moved that the vote by which Senate Bill No. 208 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senate Bill No. 169. A Bill for an Act to Authorize the Industrial Commission of the State of North Dakota to Establish and Set Up a Research and Processing Unit for Soy Beans and Flax Seed at the State Mill and Elevator, and Making 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, 68; nays, 0; absent and not voting, 45.

Those voting in the affirmative were:

Allen, Grand Forks	Haugen	Olson, Barnes
Allen, Pierce	Haugland	Ostgulen
Anderson	Hildre	Peterson, Ransom
Arndt	Hofstrand	Rettke

Bagge	Hogoboom	Rohde
Baumgartner	Holm	Sailer
Benno	Hovey	Sandness
Bergesen	Iszler	Saumur
Bjella	Jennings	Schmalenberger
Blair	Johnson, Cass	Schnell
Bolmeier	Johnson, Rolette	Severson
Bubel	Kolpin	Shure
Carlson	Langley	Stair
Dahlen	Larson, Ward	Starck
Drovdal	Leet	Sticka
Falconer	Levin	Stormon
Fitch	Lillehaugen	Twichell
Fraser	Marks	Welk
Fuglestad	Mollet	Westby
Gackle	Monson	Williams, Stutsm'n
Graham	Morland	Wolf, Morton
Haag	Morrison	Mr. Speaker
Halcrow	Nystrom	

## Absent and not voting:

Aker	Forseth	Olson, Bowman
Bauer	Gainor	Ohnstad
Belzer	Halvorson	Peterson, Bottina'u
Boulden	Heckman	Pyle
Braun	Hegge	Rohrer
Burau	Johnson, Richland	Runk
Bymers	Larson, Wells	Schwartz
Callahan	Lunde	Sellens
Coghlan	McInnes	Sharpe
Collette	Manstrom	Tuff
Crockett	Mittag	Wambheim
Dalzell	Moe	Welder
Devlin	Mortenson	Williams, Richland
Ekren	Myers	Williams, Sargent
Fleck	Nelson	Wolf, McIntosh

So the bill passed as amended and the title was agreed to.

## MESSAGES TO THE SENATE

House of Representatives

Bismarck, March 5, 1943.

Mr. President: I have the honor to return:

Senate Bill No. 186. A Bill for an Act Relating to the Issuance of No Par Corporate Stock and to Amend and Re-enact Chapter 119, Session Laws of 1941.

Senate Bill No. 95. A Bill for an Act Making an Appropriation for the Payment of Premiums at the State Penitentiary, the State Work Farm and the State Capitol.

Which the House has passed unchanged.

W. M. SMART, Chief Clerk.

House of Representatives

Bismarck, March 5, 1943.

Mr. President: I have the honor to return:

Senate Bill No. 7. A Bill for an Act Making an Appropriation for the Purpose of Operating and Maintaining the State Bonding Fund.

Which the House has amended.

W. M. SMART, Chief Clerk.

## SECOND READING OF SENATE BILLS

Senate Bill No. 4. A Bill for an Act Making an Appro-

priation for the Purpose of Operating and Maintaining the State Fire and Tornado Fund.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 73; nays, 0; absent and not voting, 40.

Those voting in the affirmative were:

Allen, Grand Forks	Haag	Nystrom
Allen, Pierce	Halcrow	Olson, Barnes
Anderson	Haugen	Olson, Bowman
Arndt	Haugland	Ostgulen
Bagge	Hildre	Peterson, Ransom
Bauer	Hofstrand	Rettke
Baumgartner	Hogoboom	Rohde
Benno	Holm	Runck
Bergesen	Hovey	Sailer
Bjella	Iszler	Saumur
Blair	Jennings	Schmalenberger
Bolmeier	Johnson, Cass	Schnell
Bubel	Johnson, Rolette	Severson
Burau	Koplin	Shure
Bymers	Langley	Stair
Carlson	Larson, Ward	Starck
Dahlen	Levin	Sticka
Devlin	Leet	Stormon
Falconer	Lillehaugen	Twichell
Fitch	Marks	Welk
Forseth	Mollet	Westby
Fraser	Monson	Williams, Stutsm'n
Fuglestad	Morland	Wolf, Morton
Gackle	Morrison	Mr. Speaker
Graham		

Absent and not voting:

Aker	Heckman	Peterson, Bottin'au
Belzer	Hegge	Pyle
Boulden	Johnson, Richland	Rohrer
Braun	Larson, Wells	Sandness
Callahan	Lunde	Schwartz
Coghlan	McInnes	Sellens
Collette	Manstrom	Sharpe
Crockett	Mittag	Tuff
Dalzell	Moe	Wambheim
Drovdal	Mortenson	Welder
Ekren	Myers	Williams, Richland
Fleck	Nelson	Williams, Sargent
Gainor	Ohnstad	Wolf, McIntosh
Halvorson		

So the bill passed as amended and the title was agreed to.

Senate Bill No. 6. A Bill for an Act Making an Appropriation for the Operation and Maintenance of the State Hail Insurance Department.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 66; nays, 4; absent and not voting, 43.

Those voting in the affirmative were:		
Allen, Grand Forks	Haag	Nystrom
Allen, Pierce	Haugen	Olson, Barnes
Anderson	Haugland	Olson, Bowman
Arndt	Hildre	Ostgulen
Bagge	Hogoboom	Peterson, Ransom
Bauer	Holm	Rettke
Baumgartner	Hovey	Rohde
Benno	Iszler	Runck
Bergesen	Jenninø	Sailer
Bjella	Johnson, Cass	Saumur
Bolmeier	Johnson, Rolette	Schmalenberger
Bubel	Kolpin	Schnell
Burau	Langley	Shure
Bymers	Larson, Ward	Stair
Carlson	Leet	Starck
Dahlen	Levin	Sticka
Drovdal	Lillehaugen	Stormon
Falconer	Marks	Twichell
Fitch	Mollet	Welk
Fraser	Monson	Williams, Stutsm'n
Gackle	Morland	Wolf, Morton
Graham	Morrison	Mr. Speaker
Those voting in the negative were:		
Blair	Halcrow	Westby
Fuglestad		
Absent and not voting:		
Aker	Heckman	Peterson, Bottin'au
Belzer	Hegge	Pyle
Boulden	Hofstrand	Rohrer
Braun	Johnson, Richland	Sandness
Callahan	Larson, Wells	Schwartz
Coghlan	Lunde	Sellens
Collette	McInnes	Severson
Crockett	Manstrom	Sharpe
Dalzell	Mittag	Tuff
Devlin	Moe	Wambheim
Ekren	Mortenson	Welder
Fleck	Myers	Williams, Richland
Forseth	Nelson	Williams, Sargent
Gainor	Ohnstad	Wolf, McIntosh
Halvorson		

So the bill passed as amended and the title was agreed to.

Senate Bill No. 8. A Bill for an Act Making an Appropriation for Relief to Destitute and Necessitous Persons for the Biennium Beginning July 1st, 1943, and Ending June 30th, 1945, Defining the Powers and Duties of the Public Welfare Board in Relation Thereto, and in Providing for Allocation of Funds to Counties for Relief Purposes and for Other Specified Relief Expenditures and Costs of Administration.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 72; nays, 0; absent and not voting, 41.

Those voting in the affirmative were:		
Allen, Grand Forks	Halcrow	Olson, Barnes
Allen, Pierce	Haugen	Olson, Bowman
Anderson	Haugland	Ohnstad

Arndt	Hildre	Ostgulen
Bagge	Hofstrand	Peterson, Ransom
Bauer	Hogoboom	Rettke
Baumgartner	Holm	Rohde
Benno	Hovey	Runck
Bergesen	Iszler	Sailer
Bjella	Jennings	Sandness
Blair	Johnson, Cass	Saumur
Bolmeier	Kolpin	Schmalenberger
Braun	Langley	Schnell
Bubel	Larson, Ward	Severson
Bureau	Leet	Shure
Bymers	Levin	Stair
Carlson	Lillehaugen	Starck
Dahlen	McInnes	Sticka
Falconer	Marks	Stormon
Fitch	Mollet	Twichell
Fraser	Monson	Westby
Fuglestad	Morland	Williams, Stutsm'n
Gackle	Morrison	Wolf, Morton
Haag	Nystrom	Mr. Speaker

## Absent and not voting:

Aker	Graham	Peterson, Bottin'au
Belzer	Halvorson	Pyle
Boulden	Heckman	Rohrer
Callahan	Hegge	Schwartz
Coghlan	Johnson, Richland	Sellens
Collette	Johnson, Rolette	Sharpe
Crockett	Larson, Wells	Tuff
Dalzell	Lunde	Wambheim
Devlin	Manstrom	Welder
Drovdal	Mittag	Welk
Ekren	Moe	Williams, Richland
Fleck	Mortenson	Williams, Sargent
Forseth	Myers	Wolf, McIntosh
Gainor	Nelson	

So the bill passed as amended and the title was agreed to.

Senate Bill No. 198. A Bill for an Act to Amend and Re-act Chapter 111 of the Session Laws of North Dakota for the Year 1927, Providing the Place, a Holding of Stockholders and Directors Meetings, and Repealing 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, 51; nays 32; absent and not voting, 30.

Those voting in the affirmative were:

Allen, Grand Forks	Fleck	Morrison
Allen, Pierce	Fuglestad	Nystrom
Arndt	Gackle	Olson, Barnes
Bagge	Halcrow	Ohnstad
Bauer	Haugen	Peterson, Ransom
Bergesen	Haugland	Runck
Bjella	Hofstrand	Sailer
Blair	Hogoboom	Sandness
Bolmeier	Holm	Saumur
Boulden	Hovey	Schmalenberger
Bureau	Johnson, Rolette	Severson

Bymers	Kolpin	Shure
Carlson	Langley	Sticka
Coghlan	Leet	Stormon
Collette	Lunde	Westby
Dahlen	McInnes	Williams, Richland
Drovdal	Morland	Williams, Stutsm'n
Those voting in the negative were:		
Anderson	Johnson, Cass	Rohde
Baumgartner	Larson, Ward	Schnell
Falconer	Levin	Stair
Fitch	Lillehaugen	Starck
Fraser	Marks	Twichell
Gainor	Mollet	Tuff
Graham	Monson	Welk
Haag	Nelson	Wolf, McIntosh
Hildre	Olson, Bowman	Wolf, Morton
Iszler	Ostgulen	Mr. Speaker
Jennings	Rettke	

## Absent and not voting:

Aker	Forseth	Myers
Belzer	Halvorson	Peterson, Bottin'au
Benno	Heckman	Pyle
Braun	Hegge	Rohrer
Bubel	Johnson, Richland	Schwartz
Callahan	Larson, Wells	Sellens
Crockett	Manstrom	Sharpe
Dalzell	Mittag	Wambheim
Devlin	Moe	Welder
Ekren	Mortenson	Williams, Sargent

So the bill was declared lost.

## MESSAGES TO THE SENATE

House of Representatives  
Bismarck, March 5, 1943.

Mr. President: I have the honor to return:

Senate Bill No. 8. A Bill for an Act Making an Appropriation for Relief to Destitute and Necessitous Persons for the Biennium Beginning July 1st, 1943, and Ending June 30th, 1945, Defining the Powers and Duties of the Public Welfare Board in Relation Thereto, and in providing for Allocation of Funds to Counties for Relief Purposes and for Other Specified Relief Expenditures and Costs of Administration.

Senate Bill No. 6. A Bill for an Act Making an Appropriation for the Operation and Maintenance of the State Hail Insurance Department.

Senate Bill No. 4. A Bill for an Act Making an Appropriation for the Purpose of Operating and Maintaining the State Fire and Tornado Fund.

Senate Bill No. 169. A Bill for an Act to Authorize the Industrial Commission of the State of North Dakota to Establish and Set Up a Research and Processing Unit for Soy Beans and Flax Seed at the State Mill and Elevator, and Making an Appropriation Therefor.

Senate Bill No. 208. A Bill for an Act to Amend and Re-enact Section 15-0710 North Dakota Revised Code for 1943.

Which the House has amended.

W. M. SMART, Chief Clerk.

House of Representatives  
Bismarck, March 5, 1943.

Mr. President: I have the honor to return:

Senate Bill No. 198. A Bill for an Act to Amend and Re-act Chapter 111 of the Session Laws of North Dakota for the Year 1927, Providing the Place, a Holding of Stockholders and Directors Meetings, and Repealing Acts in Conflict Herewith.

Which the House has indefinitely postponed.

W. M. SMART, Chief Clerk.

Senate Bill No. 139 was read the second time.

Rep. Bergesen demanded a Call of the House.

A Call of the House was granted.

The Sergeant-at-Arms was instructed to have the doors closed and permit no member to leave the House Chamber.

The roll was called and disclosed all members present except Reps. Belzer, Forseth, Haag, Halvorson, Halcrow, Manstrom, Mortenson and Rohrer.

The Sergeant-at-Arms was instructed to bring the absent members to the House.

Rep. Bergesen moved that the Call of the House be dispensed with, which motion prevailed.

MESSAGE FROM THE SENATE

Senate Chamber  
Bismarck, March 5, 1943.

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 54. A Bill for an Act Requiring and Compelling All Licensed Beer Dealers to Make Available Reports, Records, Books, Vouchers, and Other Pertinent Documents to the State Tax Commissioner; Providing for Examination; Providing Penalties for Delinquencies and for Violations.

Which has been returned by the Governor, and which the Senate has amended in line 2 of Section 1 by striking out figures 1941 and inserting in lieu thereof the figures 1939.

W. J. TROUT, Secretary.

Rep. Graham moved that the rules be suspended for the purpose of offering amendments to Senate Bill No. 139, which motion was seconded by Rep. Twichell and which motion prevailed.

Rep. Graham moved that Senate Bill No. 139 be amended as follows:

In line 143 after the word "of", strike out "Five Thousand and No/100 Dollars (\$5,000.00)" and insert in lieu thereof "Two Thousand Five Hundred and No/100 Dollars (\$2,500.00)", which motion prevailed.

Rep. Graham moved that the rules be suspended and Senate Bill No. 139 be placed on Second Reading and Final Passage, which motion prevailed.

SECOND READING OF SENATE BILLS

Senate Bill No. 139. A Bill for an Act to Facilitate the Efficient Transportation of Persons and Property Needed for the Effective Prosecution of the War, to Authorize State Cooperation with the Officers and Agencies of the United States in Respect Thereof, Granting Certain Emergency Powers to the Governor in Relation Thereto, Creating a



State Highway Advisory Committee to the War Department, Defining Its Powers and Duties, and Making an Appropriation Therefor, and Declaring an Emergency.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 79; nays, 30; absent and not voting, 4.

Those voting in the affirmative were:

Aker	Gackle	Nystrom
Allen, Grand Forks	Gainor	Olson, Barnes
Allen, Pierce	Graham	Olson, Bowman
Arndt	Halcrow	Ohnstad
Bagge	Haugland	Peterson, Ransom
Bauer	Hildre	Pyle
Benno	Hofstrand	Rettke
Bergesen	Hogoboom	Rohde
Bjella	Holm	Runk
Blair	Hovey	Sailer
Bolmeier	Johnson, Cass	Sandness
Bouden	Johnson, Richland	Saumur
Burau	Johnson, Rolette	Schmalenberger
Callahan	Kolpin	Sellens
Carlson	Langley	Severson
Coghlan	Larson, Wells	Sharpe
Collette	Leet	Shure
Crockett	Levin	Stair
Dahlen	Lillehaugen	Starck
Dalzell	Lunde	Sticka
Devlin	McInnes	Stormon
Drovdal	Moe	Twichell
Ekren	Morland	Wambheim
Fitch	Mortenson	Westby
Fleck	Myers	Williams, Stutsm'n
Fraser	Nelson	Mr. Speaker
Fuglestad		

Those voting in the negative were:

Anderson	Hegge	Peterson, Bottin'au
Baumgartner	Iszler	Schwartz
Braun	Jennings	Schnell
Bubel	Larson, Ward	Tuff
Bymers	Marks	Welder
Falconer	Mittag	Welk
Forseth	Mollet	Williams, Richland
Haag	Monson	Williams, Sargent
Haugen	Morrison	Wolf, McIntosh
Heckman	Ostgulen	Wolf, Morton

Absent and not voting:

Belzer	Manstrom	Rohrer
Halvorson		

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

Rep. Bauer moved that the vote by which Senate Bill No. 139 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Rep. Crockett: "I am going to vote for this bill for the reason that the Governor needs this power. The so-called

'Progressives,' at least some of them, in the Senate talk about helping the little-fellows and standing for them, but on the Truckers' Bill the other day, they didn't see fit to stand for them, and now the Governor has got to have this power in order to handle the transportation problem and win the War. I therefore vote 'aye'."

Rep. Drovdal: "I vote 'aye' on this bill to give the Governor the power to let the trucks through the State with a saving of approximately \$30,000."

Rep. Graham: "I am voting for this law because I believe it is necessary to give the Governor the authority which is required so that rules and regulations may be made which will be in conformity with the rules and regulations made by the United States Government. I vote 'aye'."

Rep. Haugen: "I am voting 'no' on this bill because I believe the Governor has those-emergency powers already."

Rep. Marks: "I am voting 'no' on this bill for the same reason, the same statement as was made by Rep. Haugen."

Rep. Bauer: "I am going to vote 'aye' on this bill. I do not like that cut in the appropriation. I don't want to put anything in the way of the Governor. Oscar Hagen was my candidate last Fall but Moses is OUR Governor today, and I want to help him make a success in winning this war. I vote 'aye'."

#### MESSAGES FROM THE SENATE

Senate Chamber

Bismarck, March 5, 1943.

Mr. Speaker: I have the honor to inform you that the Senate has refused to concur in the House amendment to Senate Concurrent Resolution "H," and the President has appointed as a conference committee to act with a like committee from the House, Senators Wog, Raschko and Lavik.

Very respectfully,

W. J. TROUT, Secretary.

Senate Chamber

Bismarck, March 5, 1943.

Mr. Speaker: I have the honor to inform you that the Senate has refused to concur in the House amendment to Senate Bill No. 8, and the President has appointed as a conference committee to act with a like committee from the House, Senators Young, Striebel and Kehoe.

Very respectfully,

W. J. TROUT, Secretary.

Senate Chamber

Bismarck, March 5, 1943.

Mr. Speaker: I have the honor to inform you that the President has appointed as a conference committee to act with a like committee from the House, on House Bill No. 110, Senators Bridston, Solberg and Wog.

Very respectfully,

W. J. TROUT, Secretary.

Senate Chamber

Bismarck, March 5, 1943.

Mr. Speaker: I have the honor to inform you that the Senate has adopted the report of the Conference Committee on House Bill No. 119.

Very respectfully,

W. J. TROUT, Secretary.

Senate Chamber  
Bismarck, March 5, 1943.

Mr. Speaker: I have the honor to inform you that the Senate has adopted the report of the Conference Committee on House Bill No. 233.

Very respectfully,  
W. J. TROUT, Secretary.  
Senate Chamber,  
Bismarck, March 5, 1943.

Mr. Speaker: I have the honor to inform you that the President has appointed as a conference committee to act with a like committee from the House, on Senate Bill No. 2, Senators Rue, Streibel and Foss.

Very respectfully,  
W. J. TROUT, Secretary.  
Senate Chamber,  
Bismarck, March 5, 1943.

Mr. Speaker: I have the honor to inform you that the Senate has concurred in the House amendment to Senate Bill No. 59.

Very respectfully,  
W. J. TROUT, Secretary.  
Senate Chamber,  
Bismarck, March 5, 1943.

Mr. Speaker: I have the honor to inform you that the Senate has refused to concur in the House amendment to Senate Bill No. 202, and the President has appointed as a conference committee to act with a like committee from the House, Senators Morgan of Walsh, Fetton and Beaton.

Very respectfully,  
W. J. TROUT, Secretary.  
Senate Chamber,  
Bismarck, March 5, 1943.

Mr. Speaker: I have the honor to inform you that the Senate has refused to concur in the House amendment to Senate Bill No. 199, and the President has appointed as a conference committee to act with a like committee from the House, Senators Morgan of Walsh, Fetton and Beaton.

Very respectfully,  
W. J. TROUT, Secretary.  
Senate Chamber  
Bismarck, March 5, 1943.

Mr. Speaker: I have the honor to return:

House Bill No. 158. A Bill for an Act to Amend and Re-enact Subsections 1a and 1b of Section 1 of Chapter 185 of the Session Laws of North Dakota for the Year 1935, Prescribing the Powers and Duties of Officers in Connection With the Enforcement of Laws Relating to the Size and Load Weights of Motor Vehicles and Prescribing Penalties for the Violation Thereof.

House Bill No. 160. A Bill for an Act to Amend and Re-enact Section 41 of Chapter 162 of the Session Laws of North Dakota for 1927 as Amended and Re-enacted by Chapter 141 of the Session Laws of North Dakota for 1929 as Amended and Re-enacted by Chapter 140 of the Session Laws of North Dakota for 1937, Authorizing the State Highway Commis-

sioner and Local Authorities to Prohibit or Restrict the Use of Highways, and Declaring an Emergency.

House Bill No. 76. A Bill for an Act to Amend and Re-enact Section 3 of Chapter 242 of the 1939 Session Laws for North Dakota, as Amended and Re-enacted by Section 2 of Chapter 290 of the 1941 Session Laws of North Dakota, Relating to the Filing of Quarterly Price Lists by the Wholesale Liquor Dealers, and Declaring an Emergency.

House Concurrent Resolution "1-P." A Resolution Providing for an Increased Rate of Pay Schedule for Employees of the Twenty-eighth Legislative Assembly and Making an Appropriation Therefor.

Which the Senate has indefinitely postponed.

W. J. TROUT, Secretary.

Senate Chamber

Bismarck, March 5, 1943.

Mr. Speaker: I have the honor to return:

House Bill No. 65. A Bill for an Act to Amend and Re-enact Section 2596 of the Compiled Laws of North Dakota for 1913, and Sections 2602, 2603, 2604 and 2605, as Amended by Chapter 8 of the Session Laws of 1933, Relating to Cancellation and Re-recording Livestock Brands, Abolishing the Use of Single Figures or Single Letters as Livestock Brands, Providing for Publication and Distribution of Brand Books to Registered Owners of Brands, Making an Appropriation of \$12,600.00 to Carry Out the Provisions of this Act; and Repealing All Acts or Parts of Acts in Conflict Therewith.

House Concurrent Resolution "1-F." A Resolution Providing for a Compilation and Complete Record in Pamphlet Form of Action Taken on Bills Introduced in the House and Senate of the Twenty-eighth Legislative Assembly.

Which the Senate has passed unchanged.

W. J. TROUT, Secretary.

Senate Chamber

Bismarck, March 5, 1943.

Mr. Speaker: I have the honor to return:

House Bill No. 50. A Bill for an Act to Amend and Re-enact Sub-Section (e) (1) of Section Two of Chapter 194 of the Session Laws of North Dakota for the Year 1941, Said Sub-section (e), (1) of Section Two of Chapter 194 Being an Amendment to Sub-division (b) of Section 25 of Chapter 186 of the Session Laws of North Dakota for the Year 1931, as Amended by Chapter 161 of the Session Laws of North Dakota for the Year 1933, Providing for the Registration Fees for Trucks on a Gross Weight Basis, and Providing for the Classification of Special Auxiliary Equipment Used by Rural Mail Carriers in the Course of Their Duties, and Declaring an Emergency.

House Concurrent Resolution "Y." Memorializing Congress of the United States to Ask the War Production Board to Lift Restrictions and Priorities on New Trucks and Pickups Used for and Necessary for Farmers and Residents in Rural Communities.

Which the Senate has amended.

W. J. TROUT, Secretary.

Senate Chamber  
Bismarck, March 5, 1943.

Mr. Speaker: I have the honor to return:

House Bill No. 16. A Bill for an Act Making an Appropriation for the Operating and Maintenance Expenses of the Public Health Department, Public Health Laboratories and Division of Child Hygiene.

House Bill No. 44. A Bill for an Act to Amend and Re-enact Section 10322a27 of the 1925 Supplement to the Compiled Laws of North Dakota of 1913, as Amended by Chapter 117 of the Session Laws of North Dakota for 1933, Relative to the Use of Hunting Dogs.

House Bill No. 48. A Bill for an Act to Amend and Re-enact Section 436 and 437 Compiled Laws of 1913 Relating to the Area Which Shall Comprise a Registration District, for the Purpose of Registering Vital Statistics, Designating the Registrar, and Prescribing the Duties of the Local Registrar of Such Registration Districts, Defining Their Powers and Authorizing the Appointment of Sub-Registrars, and Declaring an Emergency.

House Bill No. 64. A Bill for an Act to Amend and Re-enact Chapter 109 of the Session Laws of 1941, by Providing a Penalty for Non-compliance Therewith.

House Bill No. 68. A Bill for an Act Removing Statutory Limitations on Salaries to Be Paid to the State Highway Commissioner, Chief Engineer, Engineers, Assistant Engineers and Draftsmen in the Highway Department Between July 1, 1943 and June 30, 1945; Repealing All Acts and Parts of Acts in Conflict Herewith.

House Bill No. 78. A Bill for an Act Requiring the Teaching of the Conservation of Natural Resources in the Public Schools of the State of North Dakota.

House Bill No. 98. A Bill for an Act to Provide for Participation in the North Dakota Teachers' Insurance and Retirement Fund by Members of the Armed Forces of the United States During the Period of Their Service, and Fixing the Period Within Which Such Persons May Withdraw from Participation and Receive Refund.

House Bill No. 100. A Bill for an Act Creating a Veterans' Post-War Rehabilitation Reserve Fund, and Providing for the Transfer of Monies Thereto and for the Maintenance and Investment Thereof.

House Bill No. 127. A Bill for an Act to Amend and Re-enact Sections 18, 19, and 20 of Chapter 286 of the 1941 Session Laws, Relating to the Terms of Private Sale and Redemption and Repurchase of County Tax Deed Land, Distribution of the Proceeds, Rights of Owner to Repurchase, Disposition of Rental and Landlord's Share of the Crop, Time of Assessment for Taxation, and Declaring an Emergency.

House Bill No. 148. A Bill for an Act Requiring Instruction in Military Training at the University and Agricultural College, and Repealing Chapter 234 of the Session Laws of North Dakota for 1937 and All Acts or Parts of Acts in Conflict Herewith.

House Bill No. 171. A Bill for an Act to Amend and Re-enact Section 1390a of the Supplement to the 1913 Compiled Laws of North Dakota, Authorizing the Erection and Equip-

ping of Teacherages and Dormitories, and Providing Boarding Facilities at Cost, and Repealing All Acts or Parts of Acts in Conflict Herewith, and Declaring an Emergency.

House Bill No. 173. A Bill for an Act Regulating the Transfer of Shares of Stock in Corporations, Repealing All Acts or Parts of Acts in Conflict Herewith, and Making Certain Exceptions Thereto.

House Bill No. 174. A Bill for an Act to Amend and Re-enact Section 1321a2 of the 1925 Supplement to the Compiled Laws of North Dakota, Providing for Annual School Election for the City of Fargo; the Number of Polling Places, Election Officials, and Hours of Election, and Declaring an Emergency.

House Bill No. 175. A Bill for an Act to Amend and Re-enact Section 1179 of the Compiled Laws for 1913, as Amended by Chapter 257 of the Session Laws of 1941, Relating to Powers of School Districts to Admit Pupils from Other Districts, Providing for Payment of Tuition and Transportation, and Repealing All Acts and Parts of Acts in Conflict Herewith.

House Bill No. 182. A Bill for an Act Authorizing School Districts to Transfer Certain Portions of the General Fund Into Sinking Funds, and Providing for the Time, Manner and Amount of Such Transfers, Repealing All Acts or Parts of Acts in Conflict Herewith and Declaring an Emergency.

House Bill No. 188. A Bill for an Act Amending and Re-enacting the Initiated Act Approved by the Electors of North Dakota on November 8, 1932, Which Act Amended and Re-enacted Section 769a9 of the 1925 Supplement to the Compiled Laws of North Dakota for 1913, Relating to the Salaries of the Judges of the Districts of the State of North Dakota; and Providing for an Increase of Salaries of Said District Judges from \$3,500.00 a Year to \$4,000.00 a Year, and Providing for the Payment of His Actual Travelling Expenses and Subsistence While Holding Court Inside of Their Districts But Outside the Counties in Which They Reside.

House Bill No. 192. A Bill for an Act to Amend and Re-enact Section 5 of Chapter 204, Session Laws of 1941, Relating to the Funding and Refunding of Existing Indebtedness of Municipalities, Authorizing Legal Expense Under Certain Conditions, and Declaring an Emergency.

House Bill No. 196. A Bill for an Act to Amend and Re-enact Section 2844 of the Supplement to the 1913 Compiled Laws of North Dakota as Amended by Chapter 119 of the 1929 Session Laws Relating to Licenses for Creameries, Cheese Factories, Process Butter Factories, Ice Cream Factories, Cream Stations and Dairies, and Declaring an Emergency.

House Bill No. 212. A Bill for an Act Providing a Means by Which Any Citizen May Have His Date of Birth and Place of Birth Judicially Determined; Providing for the Notice to Be Given of a Hearing; Giving to the District Courts Jurisdiction Thereof; Providing for an Appeal and Designating the Fees to Be Paid to the Clerk of Court in Connection Therewith.

House Bill No. 214. A Bill for an Act to Amend and Re-enact Sections 8 and 9 of Chapter 135 of the Session Laws of

1935, as Amended and Re-enacted by Chapter 143 of the Session Laws of 1939 Relating to the Election of Delegates to State Party Conventions and Members of County Executive Committees, and Repealing All Acts or Parts of Acts in Conflict Herewith.

House Bill No. 220. A Bill for an Act to Provide a Standard War Time for the State of North Dakota, Providing for Its Institution and continuance; Repealing All Acts in Conflict Therewith; and Declaring an Emergency.

House Bill No. 243. A Bill for an Act Appropriating the Balance Remaining in "The State Public Welfare Fund" Created by Section 25, Chapter 249, Session Laws of 1937.

House Bill No. 250. A Bill for an Act to Amend and Re-enact Section 3684a13 of the 1925 Supplement to the Compiled Laws Relative to the Disposition of Balances at the End of the Fiscal Year in City Appropriations.

House Concurrent Resolution "S." To the Honorable William H. Jeffers, United States Rubber Administrator, War Production Board, Washington, D. C., Urging the Establishment of a Plant at Bismarck, or Jamestown, North Dakota, for the Production of Synthetic Rubber from Grain Alcohol, or a Plant at Dickinson or Minot, North Dakota, for Production of Synthetic Rubber and Coal By-products From Lignite Coal.

House Concurrent Resolution "T." Memorializing the Congress of the United States to Abandon Further Acquisition of Land and the Extension of Game Refuges in the State of North Dakota; Urging Legislation to Provide for Making Payments in Lieu of Taxes Where Refuges Are Located, or Providing for Return of Such Lands to Private Ownership; and Payment of Claims of Landowners in Locality of Such Game Refuges, Whose Crops Have Been Destroyed by Game Birds and Predatory Animals Found on Such Reserves.

House Concurrent Resolution "1-C." Regarding the Heavy Snow on the Missouri River and Requesting Cooperation of the Adjutant General's Department in Eliminating Hazards.

Which the President has signed.

W. J. TROUT, Secretary.  
Senate Chamber  
Bismarck, March 5, 1943.

Mr. Speaker: I have the honor to inform you that the Senate has not concurred in the House amendment to Senate Bill No. 107, and the President has appointed as a conference committee to act with a like committee from the House, Senators Brant, Day and Lynch.

Very respectfully,  
W. J. TROUT, Secretary.  
Senate Chamber,  
Bismarck, March 5, 1943.

Mr. Speaker: I have the honor to inform you that the Senate has refused to concur in the House amendment to Senate Bill No. 6, and the President has appointed as a conference committee to act with a like committee from the House, Senators Stucke, Rue and Foss.

Very respectfully,  
W. J. TROUT, Secretary.

Senate Chamber  
Bismarck, March 5, 1943.

Mr. Speaker: I have the honor to inform you that the Senate has concurred in the House amendment to Senate Bill No. 149.

Very respectfully,  
W. J. TROUT, Secretary.  
Senate Chamber,  
Bismarck, March 5, 1943.

Mr. Speaker: I have the honor to inform you that the Senate has concurred in the House amendment to Senate Bill No. 4.

Very respectfully,  
W. J. TROUT, Secretary.  
Senate Chamber,  
Bismarck, March 5, 1943.

Mr. Speaker: I have the honor to inform you that the Senate has concurred in the House amendment to Senate Bill No. 7.

Very respectfully,  
W. J. TROUT, Secretary.  
Senate Chamber,  
Bismarck, March 5, 1943.

Mr. Speaker: I have the honor to inform you that the Senate has adopted the report of the Conference Committee on Senate Bill No. 140.

Very respectfully,  
W. J. TROUT, Secretary.  
Senate Chamber,  
Bismarck, March 5, 1943.

Mr. Speaker: I have the honor to return:

House Concurrent Resolution "1-L." A Resolution Requesting the Department of Animal Husbandry of the State Agricultural College to Prepare a Suitable Course of Instruction for Use in the Schools of the State in Providing Scientific and Practical Knowledge in Breeding and Care of Livestock.

House Concurrent Resolution "1-M." A Resolution Requesting Establishment of a Central Agency in the State to Assume Jurisdiction of Drives for Funds in Connection With the War Effort.

House Concurrent Resolution "1-O." A Resolution Memorializing the Treasury Department or the Collector of Internal Revenue or the Congress of the United States to Extend the Time for Filing Income Tax Returns Without Penalty.

Which the Senate has indefinitely postponed.

W. J. TROUT, Secretary.  
Senate Chamber,  
Bismarck, March 5, 1943.

Mr. Speaker: I have the honor to return:

House Bill No. 47. A Bill for an Act to Amend and Re-enact Chapter 7 of the Session Laws of 1935, as Amended by Chapter 20 of the Session Laws of 1941, Relating to Wolf, Coyote and Fox Bounty and Declaring an Emergency.

Which the Senate has amended.

W. J. TROUT, Secretary.



Rep. Shure moved that the vote by which Senate Bill No. 182 was lost be reconsidered, which motion prevailed.

A division was asked for which disclosed 49 voting for and 34 against so the motion prevailed.

Rep. Graham moved that the rules be suspended and that Senate Bill No. 182 be placed on second reading and final passage, which motion prevailed.

Senate Bill No. 182. A Bill for an Act to Amend and Re-enact Section 7 of Chapter 211 of the Session Laws of North Dakota for the Year 1937, and to Define the Rights of Applicants for Old Age Assistance, and the Duties of the State Agency, the County Agency and the State's Attorney, and to Provide for the Removal of Any Member of the State Agency Violating the Public Welfare Law of North Dakota, and Declaring an Emergency.

Was read the second time.

Rep. Bauer moved the previous question.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 56; nays, 49; absent and not voting, 8.

Those voting in the affirmative were:

Anderson	Haugen	Rettke
Bauer	Hegge	Rohde
Baumgartner	Iszler	Runk
Bolmeier	Jennings	Sandness
Braun	Kolpin	Schwartz
Burau	Larson, Ward	Schmalenberger
Bymers	Larson, Wells	Schnell
Callahan	Lillehaugen	Stair
Crockett	Marks	Starck
Devlin	Mittag	Sticka
Drovdal	Mollet	Tuff
Ekren	Monson	Welder
Falconer	Morrison	Welk
Fitch	Mortenson	Williams, Richland
Forseth	Myers	Williams, Sargent
Fraser	Nelson	Wolf, McIntosh
Gackle	Ohnstad	Wolf, Morton
Graham	Ostgulen	Mr. Speaker
Haag	Peterson, Bottin'au	

Those voting in the negative were:

Aker	Gainor	Morland
Allen, Grand Forks	Halcrow	Nystrom
Allen, Pierce	Haugland	Olson, Barnes
Arndt	Heckman	Olson, Bowman
Bagge	Hildre	Peterson, Ransom
Benno	Hogoboom	Pyle
Bergesen	Holm	Sailer
Bjella	Hovey	Saumur
Blair	Johnson, Richland	Sellens
Boulden	Johnson, Rolette	Sharpe
Carlson	Langley	Shure
Coghlan	Leet	Stormon
Collette	Lunde	Twichell
Dahlen	McInnes	Wambheim
Dalzell	Manstrom	Westby

Fleck Moe Williams, Stutsm'n  
Fuglestad

Absent and not voting:

Belzer Hofstrand Rohrer  
Eubel Johnson, Cass Severson  
Halvorson Levin

So the bill was declared lost.

Rep. Boulden moved that the vote by which Senate Bill No. 182 was lost be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Rep. Allen of Grand Forks: "I think you are making a terrible mistake by bringing the State's Attorney into this. I have never heard of any complaints as it has been handled."

Rep. Bergesen: "One of the few times in my legislative career I want to explain my vote and have it recorded in the Journal. If I believed that Senate Bill No. 182 would help the old folks and give them better protection I would be for it. I believe under its provisions it is taking away from them some of the rights they now have and I am, therefore, against it. I vote 'No'."

Rep. Drovdal: "I vote Aye' on this Senate Bill No. 182 for the reason that I read in accordance with our Constitution it is not only the privilege but the duty of the State's Attorney to look after the citizens of their respective counties."

Rep. Moe: "If I knew it was going to help the old people a good deal I would be for it but I am afraid it is only another racket."

Rep. Rettke: "I wish to explain my vote and have it recorded in the Journal. This bill will give the old folks a better chance to state their case and it will also relieve the Welfare Board of a lot of criticism that is blamed on them. I vote 'Aye'."

Rep. Twichell: "I don't know what it is, maybe its suspicion that has been going through the House all the time, but in this case I am a little suspicious myself. It rather occurs to me that some attorney wants to stick his nose into it and for that reason I don't believe it is in the interests of the people who need help. I vote 'No'."

Rep. Stair moved that a Conference Committee be appointed to act with a like committee from the Senate on Senate Bill No. 2, which motion prevailed.

The Speaker appointed Reps. Stair, Haugland and Sticka.

Rep. Bergesen moved that the House request the Senate to reconsider its action on Senate Concurrent Resolution "1-H," which motion prevailed.

#### MESSAGE TO THE SENATE

House of Representatives

Bismarck, March 5, 1943

The House requests that the Senate reconsider its action on House Concurrent Resolution "1-H" and accept the House amendment.

W. M. SMART, Chief Clerk.

#### MESSAGES FROM THE SENATE

Senate Chamber

Bismarck, March 5, 1943

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 1. A Bill for an Act Extending the Time for Filing Income Tax Returns, Extending the Time for the Payment of Income, Personal Property and Real Property Taxes, Eliminating Interest and Penalty on Taxes, Exempting Military Income from the Income Tax to Members of the Armed Forces and of the Merchant Marine During the Present War, and Declaring an Emergency.

Senate Bill No. 18. A Bill for an Act Making an Appropriation for Services and Expenses for the Public Utility Division.

Senate Bill No. 29. 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. 30. 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. 31. 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. 32. A Bill for an Act Making an Appropriation for the Purpose of Defraying the Expenses of the Maintenance and Operation of the State of North Dakota Doing Business as the North Dakota Mill and Elevator Association.

Senate Bill No. 33. 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. 48. 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, Chapter 98 of the Session Laws of North Dakota for the Year 1937 and Chapter 103 of the Session Laws of North Dakota for the Year 1939; Providing Method of Examination; Method of Collecting State Tax on Beer by the State Tax Commissioner; Providing Penalty for Violation Thereof and Repealing All Acts and Parts of Acts in Conflict Herewith.

Senate Bill No. 113. A Bill for an Act to Amend and Re-enact Section 2174 (a) and (b) of the Compiled Laws of North Dakota for 1913 as Amended by Chapter 242 of the Session Laws of 1929, Relating to Delinquent Personal Taxes and Repealing Section 2174 (c) of the Compiled Laws of North Dakota for 1913 and All Acts or Parts of Acts in Conflict Therewith.

Senate Bill No. 114. A Bill for an Act to Amend and Re-enact Section 17 of Chapter 71 of the Session Laws of North Dakota for the Year 1933, Requiring the State Examiner to Prescribe a System of Uniform Accounting for County Officers, Making an Appropriation Therefore and Repealing All Acts and Parts of Acts in Conflict Herewith.

Senate Bill No. 124. A Bill for an Act to Amend and Re-

enact Sections 3790 and 3802 of the Compiled Laws of North Dakota for the Year 1913, Relating to Salaries of Members of the Board of City Commissioners.

Senate Bill No. 142. A Bill for an Act Authorizing the State of North Dakota to Exchange Tracts of Land Located Within the Diminished Borders of Fort Berthold Reservation for Lands Owned by the United States Government Outside of the Diminished Borders of said Fort Berthold Reservation; Providing for Appraisals, and Execution of Conveyance.

Senate Bill No. 145. A Bill for an Act to Amend and Re-enact Section 200b4 of the 1925 Supplement to the Compiled Laws of North Dakota for 1913, Providing for the Payment of Premiums on Bonds of Public Employees; and Providing for the Transfer of Such Bonds, and Declaring an Emergency.

Senate Bill No. 210. A Bill for an Act to Amend and Re-enact Sub-section (b) of Section 1 of the Initiated Measure Adopted June 30, 1926 Relating to the Definition of "Motor Vehicle Fuels."

Which the President has signed and your signature is respectfully requested.

W. J. TROUT, Secretary.  
Senate Chamber  
Bismarck, March 5, 1943

Mr. Speaker: I have the honor to inform you that the Senate has adopted the report of the Conference Committee on Senate Bill No. 19.

Very respectfully,  
W. J. TROUT, Secretary.  
Senate Chamber  
Bismarck, March 5, 1943

Mr. Speaker: I have the honor to inform you that the Senate has concurred in the House amendment to Senate Bill No. 199.

Very respectfully,  
W. J. TROUT, Secretary.  
Senate Chamber  
Bismarck, March 5, 1943

Mr. Speaker: I have the honor to inform you that the Senate has refused to adopt the report of the Conference Committee on House Bill No. 110 and the President has appointed as a new Conference Committee, Senators Flatt, Olson of Mountrail and Raschko.

Very respectfully,  
W. J. TROUT, Secretary.

#### MESSAGES TO THE SENATE

House of Representatives  
Bismarck, March 5, 1943

Mr. President: I have the honor to return:

Senate Bill No. 139. A Bill for an Act to Facilitate the Efficient Transportation of Persons and Property Needed for the Effective Prosecution of the War, to Authorize State Cooperation with the Officers and Agencies of the United States in Respect Thereof, Granting Certain Emergency Powers to the Governor in Relation Thereto, Creating a State Highway Advisory Committee to the War Department,

Defining Its Powers and Duties, and Making an Appropriation Therefor, and Declaring an Emergency.

Which the House has amended.

W. M. SMART, Chief Clerk.

House of Representatives

Bismarck, March 5, 1943

Mr. President: I have the honor to return:

Senate Bill No. 182. A Bill for an Act to Amend and Re-enact Section 7 of Chapter 211 of the Session Laws of North Dakota for the Year 1937, and to Define the Rights of Applicants for Old Age Assistance, and the Duties of the State Agency, the County Agency and the State's Attorney, and to Provide for the Removal of Any Member of the State Agency Violating the Public Welfare Law of North Dakota, and Declaring an Emergency.

Which the House has indefinitely postponed.

W. M. SMART, Chief Clerk.

House of Representatives

Bismarck, March 5, 1943

Mr. President: I have the honor to inform you that the House has concurred in the Senate amendment to House Bill No. 184.

Very respectfully,

W. M. SMART, Chief Clerk.

House of Representatives

Bismarck, March 5, 1943

Mr. President: I have the honor to return:

Senate Concurrent Resolution "1-H." Approving Contracts for the Paper and for Printing and Binding North Dakota Revised Code of 1943.

Senate Bill No. 10. A Bill for an Act Making an Appropriation for the Biennium Beginning July 1st, 1943, and Ending June 30, 1945, for Disbursement by the Public Welfare Board in Providing Public Assistance to the Dependent Children and to Needy Blind and Providing Child Welfare Services and Services to Crippled Children and for Necessary Costs of Administration.

Senate Bill No. 9. A Bill for an Act Making an Appropriation for the Biennium Beginning July 1st, 1943, and Ending June 30th, 1945, to Be Expended by the Public Welfare Board in Providing Assistance to the Needy Aged and for Necessary Costs of Administration.

Which the House has passed unchanged.

W. M. SMART, Chief Clerk.

Rep. Crockett requested that the House be on the eighth order of business, which request was granted, and the House was on the eighth order of business.

Rep. Crockett: "I have been in this House for fourteen years. There are only two men who have been here as long as I have, one was here before me and one came when I came. I may never be back here myself again but I want to give to each of these men a little token of appreciation at this time as an expression of what I think of them personally.

Addressing Rep. Fitch:

To you my good friend "Kenny" Fitch I give this fishing

rod—I couldn't get it complete Kenny but I hope it is complete enough so you will have some fun with it.

Addressing Rep. Twichell:

And now, Mr. Speaker, to the "Dean of the House"—many of you may not know it but he has been a builder in more ways than one. He is a worthy foe, when he fights with you he really fights. I haven't agreed with him in everything but I will have to admit I have always found him on the level. For that reason at this time I want to present to you Mr. Twichell, this 'level' as a token of your fairness and because I have always found you to be on the level in our dealings together.

I give you this 'square' Mr. Twichell because I have always found you on the square. I give you these 'saws' and will say this, if you saw as short and as long as you have here, I am sure it will not take you very long to build yourself another cabin at the lake. I give you this 'plane' and I want to say this, if you plane those boards you build with, as smooth as you have planed some us fellows down, I am sure you will do a good job. Also, here is a 'brace and bit' and I may say the same, if you bore as hard as you have bored into some of us fellows you will do a good job.

Some of these tools are not very good but even these are hard to get. I had to sign priorities to get these, but here are a few little 'knickknacks'. I hope when you use them you will think of Billy Crockett and you won't have to think very much because I am not very big.

This 'hammer' comes from our lady member in this House. She gave me Two Dollars when somehow she found out what I was doing and asked me to include this for her. If you hammer as hard with this hammer as you have hammered on some of us fellows during these past thirty years, you will have a lot more bright years ahead of you. And here's a 'hatchet'—if you had had this hatchet Lafe you surely would have trimmed some of us down to the right size.

Now I hope you will enjoy using these tools as much as I have enjoyed presenting them to you."

Mr. Twichell: "I have been sort of figuring that maybe I wasn't going back to the lake but now I will have to go. Most of you know that I lost my cabin by fire and lost with it all my tools and belongings. I didn't know where to get tools at this time to replace them and I don't know where you got these but you have certainly started me back on the job of being a carpenter again. I had done all my own carpenter work, tin work, cement work and everything about my cabin although until I went up to the lake I had not had a tool in my hands for years and years but if demonstrated I think I could now go out West and get myself a job at \$150.00 a month at any of that kind of work. I want you to know that I certainly do appreciate what you have just done for me and I thank you very, very much and you, too, Miss Haugland."

Rep. Crockett: "Just one more word—I want to say that the people of North Dakota don't realize what they are losing when Lafe Twichell does not come back to this House. He has saved the State many thousands of dollars that the people as a whole don't think of. There will never be another Lafe Twichell in the House of Representatives."

Rep. Fitch: "I, too, want to thank you Bill and want you to know that your thoughtfulness is very, very much appreciated. There is one thing emblematic about this fishing rod and that is 'while Lafe is working I'll be fishing'."

Rep. Fleck moved that the House do now recess for a short while to pay honor to our Speaker and to some other members at this time, which motion prevailed and the House stood recessed.

Rep. Fleck requested Rep. Twichell, Rep. Graham and Rep. Bergesen to step up to the rostrum and requested Rep. Ohnstad and Rep. Johnson of Richland to take charge of the balance of the program.

Rep. Ohnstad: "I think it is fitting and proper that we take a few minutes off to pay respect to these men who have provided the leadership in this Session. I have here a token of appreciation from the members of the House and also from the employees of the House. We are giving this to you, Mr. Twichell as a token of appreciation of what you have done for us. We are mindful of the quality of leadership you have afforded and we know you have contributed greatly to ALL the people of the State. We want you to know that we are able to rise above factional disputes and we are able to recognize you for what you are. We want you to know that we think very highly of you and have deep respect for you and we appreciate your long length of service to the State and the quality of the same. Our every wish is that your future years will bring to you better health and that you may have many years of health and happiness."

Rep. Twichell: "I have been convinced that the House and both factions of it have treated me better than I was entitled to. I appreciate these words and this gift very, very much. I thank you."

Rep. Johnson of Richland: "Mr. Speaker, on behalf of the members and employees I wish to address a few remarks to our minority floor leader, Rep. Graham. I believe the floor leaders are the hardest worked men in the Legislature. We owe them a lot. It has been really difficult this session to distinguish which was the minority and majority but for the benefit of the new members and I also speak for myself, I don't think we appreciate fully the heavy task that the floor leaders carry. If you will notice, we who are not charged with that responsibility can come and go more or less as we see fit but these men are on the floor all the time. They carry a heavy responsibility in this that they must necessarily be informed on every measure and they are charged with the responsibility of representing their group in the matter of legislation as it comes before the body and to protect their interests. Now in the case of Rep. Graham, as I understand it this is the first legislative experience he has had and I think we can all agree he has done an outstanding job. It has been a heavy drag to keep informed and to carry the fight which is essential and necessary as a floor leader on all these issues as they come up. This involves heavy physical exertion and I know I have been present when he has asked that certain measures in which he had an interest be carried over until the next day in order that he could do justice to them. I feel that these men have

contributed more than any others toward the success of the Legislature in passing legislation for the best interests of the State of North Dakota. I think Rep. Graham has at all times been courteous and fair and honest and it gives me a great deal of pleasure on behalf of the members of both factions and employees to present you with this token of appreciation for your efforts and cooperation."

Rep. Graham: "Fellow-members and employees of the Legislature. It is as Mr. Johnson has said, my first experience in the Legislature. I came up not knowing much of anything about it and whatever I have learned I have had to learn under the tutelage of the people who have been here before me. I have appreciated your help and consideration and I have tried to do the same as I did years ago when I was attending school and playing basketball, baseball, football and the like 'fight hard and fight square and forget who lost after the fight was over'. I have the sincerest respect for each and every one of you and I thank you each and every one."

Rep. Ohnstad: "We agree very heartily as to what Rep. Johnson has said about the ability necessary to fill the part of the floor leader. Many of the measures have not involved factional disputes. Those matters which have not involved factional disputes Mr. Bergesen has given us the benefit of his advice and lots of assistance on and then on those measures which were not factional we had the benefit of having a logical expression of his idea of the bill. On all measures we could not help but observe the remarkable ability of the man, his fairness, his refusal to be irked and lots of other admirable qualities. It has been a pleasure to serve with you Mr. Bergesen and I am now going to give the page a token of that appreciation for you."

Rep. Bergesen: "I really had not intended to say anything on this subject but members of the Legislature and fellow employees you know that we had our differences. It wouldn't be a Legislature if that were not true. We work along together, we each put up our own points of view and out of the melting pot of it all comes the type of Government we have—a Democracy. As we look back sometimes when things go against us we think that the world has gone wrong but as we go on we come to the realization that what the other fellow thought was not so bad after all. It's like the story I sometimes tell about my little daughter when she was about five or six. She happened to be sick on Valentine's Day and some little boy about her age brought a Valentine to the door for her. I brought it to her and asked who the little boy was and she answered 'Oh, I know him, we fight together'. That's what we do, the laws we get is the result—it's all to the good and I thank you all."

Rep. Johnson of Richland: "I feel that the task before me now is the most pleasant task I have had all through the Session. I am going to address my remarks to the Speaker. I have always had a great deal of admiration for Ralph Beede and I think every person who has had contact with him has had that same respect for him. At the beginning of this Session you know the difficulty we had in selecting our Speaker, we reached an agreement and while it was unanimous nevertheless Ralph took the seat as Speaker



under rather difficult circumstances. I think it is only fitting at this time that we should pay a little respect to the man who stepped aside in his favor. I do not think any man has ever stepped aside more gracefully than did Rep. McInnes and I think we will all agree that he has been a gentleman of the first order in any occasion.

Most of us do not appreciate the sacrifice Ralph made in taking over as Speaker. He had no intention of being a candidate for the office of Speaker as a matter of fact due to the precarious labor shortage it was his intention to go home once a week to aid and assist his wife in putting out their weekly paper. When he became Speaker it was necessary for his wife to continue the paper alone and she is due much credit when we realize it was necessary for her to solicit the help of some other newspaper man and to work the entire night preceding the day of publication each week and she has not missed a single publication. It is a real credit to his wife. Another characteristic trait in the Beede family is modesty. As I understand it there was no notice that Ralph had been elevated in his own paper. Last year the members who were here had an opportunity to observe Ralph as a minority floor leader and I think that we all formed very wonderful impressions of Ralph as floor leader. I think he contributed a very material part to our deliberations two years ago. He is an unusual type of political leader. When he was on the floor I do not recall a single instance in which he ever extended his remarks or discussions in any manner, shape or form to other than the issues involved in the bill up for consideration at the time and I do not believe he ever engaged in personalities at any time during the sixty days that he served. As Speaker, I do not believe there is a single individual in this House who can say that Ralph has played favoritism on any ruling. I speak for all of the members of the majority faction in saying that we are satisfied 100 per cent that he has been fair, courteous and honest in his rulings at all times so far as we were concerned. During the time that I have known him, I have personally come to admire him as much as any one that I have had contact with in public life both as an individual and as a public servant. In closing, it is my sincere hope that he will continue to be active in public life as I think he is making a real contribution to our State and Nation."

Speaker Beede: "Mr. Twichell, fellow members, and by fellow members I mean two things. The Representatives and the desk force, pages, stenographers and others because we are all employees of the State of North Dakota. It so happens that I have been serving as a double employee, as an employee of the State of North Dakota as a Representative and as an employee of the House of Representatives as your Speaker. That's all I have been—your employee up here. Now, ordinarily I am not much lost for words but on occasions like this sometimes it is hard to find the words to know exactly what to say. I will say that I dreaded the job of being your Speaker this year when I was selected by you. You know it is not very often that one who represents the minority group in any body such as this, is chosen as Speaker. Now that the Session has about come to a close, let me say that I have enjoyed working as your employee up here in the Chair, I have enjoyed it because each and every

one of you have given me your cooperation and helped me in every way possible to better work as your servant. You know this Legislature has been unique in other ways—I am just reminded of that because I happen to see Senator Day sitting down there now and I also noticed how he 'hotfooted' it out of the House the other day. This House is unique I say because the other day this House virtually excluded all Senators from the House of Representatives. I am not nearly as old a member of the Legislature as others but I doubt very much if that was ever done before, so in that way we have had a unique session here and I have enjoyed being your servant and I want to thank Rep. Johnson of Richland for those kind words that he spoke in behalf of my wife. She certainly is entitled to a great deal of credit for staying at home and doing two men's work while I was down here. I want to thank you for this present and I want to say that whatever it is, I am certainly going to cherish it as long as I live because it will help to remind me of the friendships that I have made here this Session with new members, the renewal of the friendships that I had made with old members and because it will remind me that as long as we have people meeting as we do here every two years, I believe the future of our Democratic System of Government is safe. I thank you."

Rep. Fleck thanked the members of his Committee.

Rep. Fleck moved that the House recess for one hour, which motion prevailed.

The House reconvened pursuant to recess taken, Speaker Beede presiding.

#### MESSAGE FROM THE SENATE

Senate Chamber  
Bismarck, March 5, 1943

Mr. Speaker: I have the honor to inform you that the Senate has concurred in the House amendment to Senate Bill No. 202.

Very respectfully,  
W. J. TROUT, Secretary.

Rep. Lillehaugen moved that a Conference Committee be appointed to act with a like committee from the Senate on Senate Bill No. 6, which motion prevailed.

The Speaker appointed Reps. Lillehaugen, Gackle and Carlson.

Rep. Graham moved that a Conference Committee be appointed to act with a like committee from the Senate on Senate Bill No. 8, which motion prevailed.

The Speaker appointed Reps. Graham, Johnson of Richland and Sellens.

Rep. Hofstrand moved that a Conference Committee be appointed to act with a like committee from the Senate on Senate Concurrent Resolution "H," which motion prevailed.

The Speaker appointed Reps. Hofstrand, Olson of Bowman and Bagge.

Rep. Bergesen moved that a Conference Committee be appointed to act with a like committee from the Senate on Senate Bill No. 7, which motion prevailed.

The Speaker appointed Reps. Crockett, Saumur and Fleck.

Rep. McInnes moved that Conference Committees be appointed to act with like committees from the Senate on Senate Bills Nos. 199 and 202, which motion prevailed.

The Speaker appointed Reps. McInnes, Hofstrand and Haugen.

Rep. Schnell requested that the House be on the seventh order of business, which request was granted.

Rep. Schnell moved that Rep. Anderson be appointed to conduct Mrs. Beede, wife of our Speaker, to the rostrum, which motion prevailed, and Mrs. Beede was escorted to the rostrum.

#### SECOND READING OF HOUSE BILLS

House Bill No. 42. A Bill for an Act to Amend and Re-enact Chapter 275 of the Session Laws of 1941, Relating to the Exemptions of Farm Machinery from Personal Property Taxes for the First Year After Its Purchase, on Which Sales or Use Tax Is Paid, and Declaring an Emergency.

Was read the second time.

Rep. Morland moved that action on House Bill No. 42 be deferred for a short while, which motion was lost.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 60; nays, 40; absent and not voting, 13.

Those voting in the affirmative were:

Aker	Fitch	Nystrom
Allen, Grand Forks	Fleck	Olson, Barnes
Allen, Pierce	Fuglestad	Ohnstad
Arndt	Gainor	Peterson, Ransom
Bagge	Halcrow	Rettke
Bauer	Haugland	Rohrer
Benno	Hildre	Runk
Bergesen	Hogboom	Sailer
Bjella	Holm	Sandness
Blair	Hovey	Saumur
Boulden	Johnson, Cass	Snell
Bymers	Johnson, Rolette	Sellens
Callahan	Kolpin	Severson
Coghlan	Langley	Sharpe
Collette	Leet	Shure
Dahlen	Lunde	Stormon
Dalzell	McInnes	Twichell
Devlin	Manstrom	Wambheim
Drovdal	Moe	Westby
Ekren	Morland	Williams, Stutsman

Those voting in the negative were:

Anderson	Jennings	Schwartz
Baumgartner	Larson, Ward	Schmalenberger
Braun	Larson, Wells	Stair
Bubel	Marks	Starck
Crockett	Mollet	Sticka
Falconer	Monson	Tuff
Forseth	Morrison	Welder
Fraser	Myers	Welk
Graham	Nelson	Williams, Richland
Haag	Ostgulen	Williams, Sargent
Haugen	Peterson, Bottin'au	Wolf, McIntosh
Heckman	Pyle	Wolf, Morton

Hegge	Rohde	Mr. Speaker
Iszler		
Absent and not voting:		
Belzer	Halvorson	Lillehaugen
Bolmeier	Hofstrand	Mittag
Burau	Johnson, Richland	Mortenson
Carlson	Levin	Olson, Bowman
Gackle		

So the bill passed as amended and the title was agreed to, and the emergency clause was declared lost.

Rep. Hogoboom moved that the vote by which House Bill No. 42 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Rep. Wolf of McIntosh moved that Rep. Ekren be excused from voting, which motion was lost.

Rep. Ekren: "I vote 'Aye'."

Rep. Stair requested the House to be on the seventh order of business, which request was granted.

CONSIDERATION OF MESSAGES FROM THE SENATE

Amendments to House Bill No. 10.

In the engrossed bill:

Under Section 1 in line 3, strike out the figures \$33,575.00 and insert the figures \$34,261.00 in lieu thereof.

Under Section 1 in line 9, strike out the figures \$4,500.00 and insert the figures \$4,725.00 in lieu thereof.

Under Section 1 in line 10, strike out the figures \$9,225.00 and insert the figures \$9,686.00 in lieu thereof.

Under Section 1 in line 17, strike out the figures \$18,625.00 and insert the figures \$19,311.00 in lieu thereof.

Under Section 1 in line 28 for the grand total strike out the figures \$33,575.00 and insert the figures \$34,261.00 in lieu thereof.

Rep. Stair moved that the House do concur in the Senate amendments to House Bill No. 10, which motion prevailed.

Rep. Stair moved that the rules be suspended and that House Bill No. 10 be considered properly engrossed and placed on second reading and final passage, which motion prevailed.

SECOND READING OF HOUSE BILLS

House Bill No. 10. A Bill for an Act Making an Appropriation to the State Historical Society, for Salary and General Expenses and Maintenance of State Parks.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 92; nays, 0; absent and not voting, 21.

Those voting in the affirmative were:

Aker	Haag	Peterson, Ransom
Allen, Grand Forks	Halcrow	Pyle
Allen, Pierce	Haugen	Rettke
Anderson	Heckman	Rohde
Arndt	Hegge	Rohrer
Bauer	Hofstrand	Runck

Baumgartner	Hogoboom	Sailer
Benno	Holm	Sandness
Bergesen	Hovey	Schwartz
Bjella	Iszler	Schmalenberger
Blair	Jennings	Schnell
Bolmeier	Johnson, Rolette	Sellens
Boulden	Kolpin	Severson
Braun	Langley	Sharpe
Bubel	Larson, Ward	Shure
Burau	Larson, Wells	Stair
Bymers	Leet	Starck
Coghlan	Lunde	Sticka
Collette	McInnes	Stormon
Crockett	Manstrom	Tuff
Dahlen	Marks	Wambheim
Dalzell	Moe	Welder
Devlin	Morland	Welk
Drovdal	Morrison	Westby
Ekren	Myers	Williams, Richland
Falconer	Nelson	Williams, Sargent
Fitch	Nystrom	Williams, Stutsm'n
Forseth	Olson, Barnes	Wolf, McIntosh
Fraser	Ohnstad	Wolf, Morton
Gainor	Ostgulen	Mr. Speaker
Graham	Peterson, Bottin'au	

Absent and not voting:

Bagge	Halvorson	Mittag
Belzer	Haugland	Mollet
Callahan	Hildre	Monson
Carlson	Johnson, Cass	Mortenson
Fleck	Johnson, Richland	Olson, Bowman
Fuglestad	Levin	Saumur
Gackle	Lillehaugen	Twichell

So the bill passed as amended and the title was agreed to.

#### MESSAGES TO THE SENATE

House of Representatives  
Bismarck, March 5, 1943

Mr. President: I have the honor to inform you that the House has concurred in the Senate amendment to House Bill No. 10.

Very respectfully,  
W. M. SMART, Chief Clerk.

#### MESSAGE FROM THE SENATE

Senate Chamber  
Bismarck, March 5, 1943

Mr. Speaker: I have the honor to inform you that the Senate has refused to concur in the House amendment to Senate Bill No. 139 and the President has appointed as a Conference Committee to act with a like committee from the House, Senators: Young, Blank and Drew.

Very respectfully,  
W. J. TROUT, Secretary.

#### REPORT OF SELECT COMMITTEE

The Conference Committee on Senate Bill No. 119 made the following report:

Mr. Speaker: Your Conference Committee to whom was referred Senate Bill No. 119, have had the same under consideration and recommend the following amendments:

In Section 7 on page 2 of the printed bill, Subsection 4 strike out the figure "21" and insert the figure "22".

For the House:  
H. W. McINNES  
DONNELL HAUGEN  
C. H. HOFSTRAND

For the Senate:  
RILIE R. MORGAN  
FRANK H. BEATON  
G. I. FETON

Rep. McInnes moved that the report be adopted, which motion prevailed and the report was adopted.

Rep. McInnes moved that the rules be suspended and Senate Bill No. 119 be placed on second reading and final passage, which motion prevailed.

#### SECOND READING OF SENATE BILLS

Senate Bill No. 119. A Bill for an Act to Amend and Re-enact Section 7 of Chapter 235 of the Session Laws of 1929 Fixing the Limits for the Levy of Taxes by School Districts.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 97; nays, 1; absent and not voting, 15.

Those voting in the affirmative were:

Aker	Graham	Ostgulen
Allen, Grand Forks	Haag	Peterson, Bottina'u
Allen, Pierce	Halcrow	Peterson, Ransom
Anderson	Heckman	Pyle
Arndt	Hegge	Rettke
Bauer	Hogoboom	Rohde
Baumgartner	Holm	Rohrer
Benno	Hovey	Runk
Bergeesen	Iszler	Sailer
Bjella	Jennings	Sandness
Blair	Johnson, Cass	Schwartz
Bolmeier	Johnson, Richland	Schmalenberger
Boulden	Johnson, Rolette	Schnell
Braun	Kolpin	Sellens
Bubel	Langley	Severson
Bureau	Larson, Ward	Sharpe
Bymers	Larson, Wells	Shure
Callahan	Leet	Stair
Carlson	Lillehaugen	Starck
Coghlan	McInnes	Sticka
Collette	Manstrom	Stormon
Crockett	Marks	Twichell
Dahlen	Moe	Tuff
Dalzell	Mollet	Wambheim
Devlin	Monson	Welder
Drovdal	Morland	Welk
Falconer	Morrison	Westby
Fitch	Myers	Williams, Richland
Fleck	Nelson	Williams, Sargent
Forseth	Nystrom	Williams, Stutsm'n
Fraser	Olson, Barnes	Wolf, McIntosh
Fuglestad	Ohnstad	Wolf, Morton
Gainor		

Those voting in the negative were:

Mr. Speaker

Absent and not voting:

Bagge	Haugen	Lunde
Belzer	Haugland	Mittag
Ekren	Hildre	Mortenson
Gackle	Hofstrand	Olson, Bowman
Halvorson	Levin	Saumur

So the bill passed as amended and the title was agreed to.

Rep. Morland moved that the vote by which Senate Bill No. 119 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

The Speaker stated in connection with the motion previously made by Rep. Fitch and as shown on page 1094 of the House Journal, that he had consulted the Attorney General and would now rule that the vote of Rep. Fitch on Senate Bill No. 56 may be changed from 'aye' to 'nay' in accordance with his motion but the totals of the roll call may not be changed at this late hour of the session.

Rep. Fitch moved that the Senate be requested to return Senate Bill No. 56 for the purpose of reconsideration and asked that the motion be recorded and that his remarks be entered in the Journal:

"I ask that Senate Bill No. 56 be returned because the Journal of March 4th shows that I voted 'Aye' on Senate Bill No. 56 whereas in fact I voted 'No' and in order to correct the error I ask the return of Senate Bill No. 56 and I will then move to reconsider our action so that I may be recorded in the negative so far as Senate Bill No. 56 and its final passage is concerned."

On a viva voce vote the chair was in doubt.

A rising vote disclosed 35 voting for and 19 against so the motion of Rep. Fitch prevailed.

#### MESSAGE TO THE SENATE

House of Representatives  
Bismarck, March 5, 1943

Mr. President: I have the honor to inform you that the House requests the return of Senate Bill No. 56.

Very respectfully,  
W. M. SMART, Chief Clerk.

#### MESSAGE FROM THE SENATE

Senate Chamber  
Bismarck, March 5, 1943

Mr. Speaker: I have the honor to inform you that the Senate has adopted the report of the Conference Committee on House Concurrent Resolution "1-A."

Very respectfully,  
W. J. TROUT, Secretary.

#### REPORT OF SELECT COMMITTEES

The Conference Committee on House Bill No. 119 made the following report:

Mr. Speaker: Your Conference Committee to whom was referred House Bill No. 119, have had the same under consideration and begs to report:

Your Committee concurs in the Senate amendment in Line

6 of the printed bill, after the word "Insurance" to insert the following: "with the approval of the Governor".

The Senate has receded from its amendment in Line 37 after the word "corn" down to and including the word "necessary" in Line 39.

The Senate has receded from its amendment in Line 51 after the word "year" down to and including the figure "9", in Line 56.

The Senate has receded from its amendment in Line 83 after the word "desired", to insert the following: "Provided, however, that in no case shall insurance take effect before such application is actually received in the office of the Hail Insurance Department."

Your Committee concurs in the Senate amendment in Line 93, after the word "completed" to insert the following: "and all costs and expenses in connection therewith paid for by the applicant."

Your Committee concurs in the Senate amendment in Line 137 after the word "auditor" to strike out the words up to and including the word "Department" in Line 138.

Your Committee concurs in the Senate amendment in Line 210 to strike out the figures "95" and insert the figures "90" in lieu thereof.

For the House:

W. M. CROCKETT

W. H. SHURE

L. K. MORLAND

For the Senate:

FRANKLIN PAGE

WM. A. THATCHER

R. R. LOFTHUS

Rep. Crockett moved that the report be adopted, which motion prevailed and the report was adopted.

Rep. Morland moved that the rules be suspended and that House Bill No. 119 be considered properly engrossed and placed on second reading and final passage, which motion prevailed.

#### SECOND READING OF HOUSE BILLS

House Bill No. 119. A Bill for an Act to Amend and Re-enact Sections 189b3, 189b5, 189b9, 189b15, of the 1925 Supplement to the Compiled Laws of the State of North Dakota for the Year 1913, as Amended by Chapter 137, Session Laws of North Dakota for 1933, Relating to the Operation of the State Hail Insurance Department, Defining the Duties of the Commissioner of Insurance, Defining the Crops to Be Insured, Relating to the Duty of Assessors, and the Indemnity to Be Paid for Hail Insurance Losses, 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, 87; nays, 8; absent and not voting, 18.

Those voting in the affirmative were:

Aker

Allen, Grand Forks

Gackle

Gainor

Peterson, Bottin'au

Peterson, Ransom



Allen, Pierce	Graham	Pyle
Anderson	Haag	Rettke
Arndt	Halcrow	Rohrer
Bagge	Hegge	Runck
Baumgartner	Hogoboom	Sailer
Benno	Holm	Sandness
Bergesen	Hovey	Saumur
Bjella	Johnson, Cass	Schwartz
Blair	Johnson, Richland	Schmalenberger
Bolmeier	Johnson, Rolette	Sellens
Boulden	Kolpin	Severson
Bubel	Langley	Sharpe
Bureau	Larson, Ward	Shure
Bymers	Larson, Wells	Stair
Carlson	Leet	Sticka
Collette	Lillehaugen	Stormon
Crockett	Lunde	Twichell
Dahlen	McInnes	Tuff
Dalzell	Manstrom	Wambheim
Devlin	Moe	Welder
Drovdal	Monson	Welk
Ekren	Morland	Westby
Falconer	Mortenson	Williams, Richland
Fleck	Nelson	Williams, Sargent
Forseth	Olson, Bowman	Williams, Stutsm'n
Fraser	Ohnstad	Wolf, Morton
Fuglestad	Ostgulen	Mr. Speaker
Those voting in the negative were:		
Braun	Marks	Myers
Iszler	Mollet	Rohde
Jennings	Morrison	
Absent and not voting:		
Bauer	Haugen	Mittag
Belzer	Haugland	Nystrom
Callahan	Heckman	Olson, Barnes
Coghlan	Hildre	Schnell
Fitch	Hofstrand	Starck
Halvorson	Levin	Wolf, McIntosh

So the bill passed as amended and the title was agreed to, and the emergency clause was declared carried.

Rep. Crockett moved that the vote by which House Bill No. 119 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

#### MESSAGE TO THE SENATE

House of Representatives

Bismarck, March 5, 1943

Mr. President: I have the honor to inform you that the House has adopted the Conference Committee report on House Bill No. 119.

Very respectfully,

W. M. SMART, Chief Clerk.

#### MESSAGES FROM THE SENATE

Senate Chamber

Bismarck, March 5, 1943

Mr. Speaker: I have the honor to inform you that the President has appointed as a new conference committee to

act with a like committee from the House, on Senate Bill No. 68, Senators Flatt, Blank and Day.

Very respectfully,

W. J. TROUT, Secretary.

#### CONSIDERATION OF MESSAGES FROM THE SENATE

Amendments to House Bill No. 47.

In the title of the engrossed bill, strike out the word "Fox".

In line three of the title of the engrossed bill, strike out the comma after the word wolf, and insert the word "and"; and in the same line, following the word coyote, strike out the words "and fox".

In line 4 of the engrossed bill, after the word wolves, strike out the comma and insert the word "and"; and after the word coyotes, strike out the words "and foxes".

In line 5 of the engrossed bill, after the word wolves, strike out the comma and insert the word "and"; and after the word coyotes, strike out the words, "and foxes".

In line 7, after the word wolf, strike out the comma, and insert the word "and", and after the word coyote, in the same line, strike out the words "and fox".

In line 11, of the engrossed bill, after the semicolon, strike out the remainder of the line, all of line 12, all of line 13, and line 14, up to and including the comma, following the figure \$1.50.

In line 15, of the engrossed bill, after the comma, strike out the remainder of the line, all of line 16 down to and including the word "pup".

In line 18 of the engrossed bill, strike out the comma after the word wolf, and insert in lieu thereof the word "or", and after the word coyote in the same line, strike out the words "or fox".

In line 19 of the engrossed bill, after the word wolves, strike out the comma, and insert the word "or" and after the word coyotes, strike out the words "or foxes".

In line 22, of the engrossed bill, after the word wolves, strike out the comma, and insert the word "or", and after the word coyotes in the same line, strike out the words "or foxes".

Rep. Starck moved that the House do not concur in the Senate amendments to House Bill No. 47, which motion prevailed.

Rep. Starck moved that a Conference Committee be appointed, which motion prevailed.

The Speaker appointed Reps. Starck, Bymers and Stormon.

#### MESSAGE TO THE SENATE

House of Representatives

Bismarck, March 5, 1943

Mr. President: I have the honor to inform you that the House has refused to concur in the Senate amendment to House Bill No. 47, and the Speaker has appointed as a conference committee to act with a like committee from the Senate, Reps. Starck, Bymers, and Stormon.

Very respectfully,

W. M. SMART, Chief Clerk.

#### CONSIDERATION OF MESSAGES FROM THE SENATE

Senate Amendments to House Bill No. 50.

Strike out everything after "A BILL" and insert the following:

For an Act to amend and re-enact Sub-section (b) (4) and (e) (1) of Section 2 of Chapter 194 of the Session Laws of North Dakota for the year 1941, providing for the registration of certain motor vehicles on a gross weight basis and for the classification of special auxiliary equipment used by rural mail carriers for registration purposes, and declaring an emergency.

**BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF NORTH DAKOTA:**

Section 1. AMENDMENT.) That Sub-section (b)(4) of Section 2 of Chapter 194 of the Session Laws of North Dakota for the year 1941, is amended and re-enacted to read as follows:

(b) (4) For motor vehicles, or for any lawful combinations of motor vehicles used for the transportation of property, the registration and license fee shall be based upon the gross weight of such motor vehicle or combination of vehicles. The minimum gross weight for which such motor vehicles or combination of motor vehicles can be licensed shall be double the unloaded weight of such motor vehicle or such combination of vehicles and, subject to such minimum, the owner of any motor vehicles or combination of vehicles shall be in his application for license, set out the gross weight for which he desires license. Such licensed weight shall be stenciled on both sides of the truck or tractor truck, as the case may be, in letters and figures not less than one inch in height, as follows: N. D. Legal Gross Wt. (here follows figures designating the licensed weight in pounds). The tare, or unloaded weight, of each truck, tractor truck, semi-trailer or full trailer, shall be stenciled upon both sides of each unit in letters and figures not less than one inch in height.

Section 2. AMENDMENT.) That Sub-section (e) (1) of Section 2 of Chapter 194 of the Session Laws of North Dakota for the year 1941, is amended and re-enacted to read as follows:

(e)(1) Motor vehicles which are used by the owner of such vehicle for the transportation of farm or agricultural products of such owner from the farm where such products are produced or grown to the market, or the transportation of goods of the owner of such vehicle from the market, or from the nearest livestock market to the farm of such owner; and motor vehicles which are used for the transportation of any and all property between the farms and the usual local trading places and between the farms and the nearest livestock market of the person for whom such transportation is performed or between farms locally; and motor vehicles which operate exclusively within the corporate limits of any city or village, or within two miles thereof; and motor vehicles of six thousand pounds registered gross weight or less, shall pay the registration fees provided for in Schedule B herein, provided that any such motor vehicle, except a motor vehicle used for the transportation of farm or agricultural products or a motor vehicle operated exclusively within the corporate limits of any city or village or within two miles thereof shall receive the license plate provided for vehicles registered under Schedule A. Trucks used by star and rural mail car-

riers in the course of their duties in the delivery of mail and equipped with special auxiliary equipment for use in snow and mud and equipment used exclusively for well drilling and house moving shall be charged a license fee of Three Dollars (\$3.00) per annum. All other trucks, including commercial and non-commercial trucks, except vehicles used for the transportation of passengers, shall pay the license fees provided for in Schedule 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.

In the title following the word "Sub-section" strike out the letter "B", and the figure "4" and their brackets, and the word "and" immediately following.

In the bill, strike out all of Section 1, and renumber the following sections and lines accordingly.

Rep. Aker moved that the House do not concur in the Senate amendments to House Bill No. 50, which motion prevailed.

Rep. Aker moved that a Conference Committee be appointed on House Bill No. 50, which motion prevailed.

The Speaker appointed on the Conference Committee Reps. Aker, Schnell and Sandness.

#### MESSAGE TO THE SENATE

House of Representatives  
Bismarck, March 5, 1943

Mr. President: I have the honor to inform you that the House has refused to concur in the Senate amendment to House Bill No. 50, and the Speaker has appointed as a conference committee to act with a like committee from the Senate, Reps. Aker, Schnell, and Sandness.

Very respectfully,

W. M. SMART, Chief Clerk.

Amendments to House Concurrent Resolution "Y".

At the end of line 22, add the following: "That a copy be sent to the War Production Board, Washington, D. C."

Rep. Bolmeier moved that the House do concur in the Senate amendments to House Concurrent Resolution "Y", which motion prevailed.

Rep. Bolmeier moved that the rules be suspended for the purpose of adopting House Concurrent Resolution "Y", which motion prevailed and the Resolution was adopted.

Rep. Bubel moved that a Conference Committee be appointed to act with a like Committee from the Senate on Senate Bill No. 139, which motion prevailed.

The Speaker appointed Reps. Bubel, Coghlan and Fleck.

#### MESSAGES FROM THE SENATE

Senate Chamber  
Bismarck, March 5, 1943

Mr. Speaker: I have the honor to inform you that the Senate has adopted the report of the Conference Committee on Senate Bill No. 6.

Very respectfully,

W. J. TROUT, Secretary.

Rep. Fitch moved that the rules be suspended and that any

discussion hereafter be limited to one minute, which motion prevailed.

The report of the Conference Committee on Senate Bill No. 181 was now before the House, the report having been previously printed in the Journal and action deferred until this time.

The question was on the substitute motion of Rep. Sellens that Senate Bill No. 181 be indefinitely postponed, which motion prevailed, and Senate Bill No. 181 was indefinitely postponed.

Rep. Aker moved that the vote by which Senate Bill No. 181 was indefinitely postponed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

#### MESSAGE TO THE SENATE

House of Representatives  
Bismarck, March 5, 1943

Mr. President: I have the honor to inform you that the House has indefinitely postponed Senate Bill No. 181.

W. M. SMART, Chief Clerk.

#### MESSAGES FROM THE SENATE

Senate Chamber  
Bismarck, March 5, 1943

Mr. Speaker: I have the honor to inform you that the Senate has refused to return Senate Bill No. 56.

Very respectfully,

W. J. TROUT, Secretary.

Senate Chamber  
Bismarck, March 5, 1943

Mr. Speaker: I have the honor to inform you that the Senate has concurred in the House amendment to Senate Bill No. 169.

Very respectfully,

W. J. TROUT, Secretary.

Senate Chamber  
Bismarck, March 5, 1943

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 56. A Bill for an Act to Appropriate Twenty Thousand (\$20,000.00) Dollars for the Biennium to Provide for the Control of Predatory Animals Such as Wolves, Coyotes, Bobcats and Other Predatory Animals Which Are Injurious to Livestock, Poultry and Game Animals and Birds; to Authorize Cooperation with the United States in the Control of Such Predatory Animals; and in Addition Thereto Appropriating for the Same Purpose the Net Proceeds of Furs, Skins or Specimens Sold, Making Such Proceeds Available in a Sum Not to Exceed Twenty Thousand (\$20,000.00) Dollars, and to Provide for Funds to Enable the Department of Agriculture and Labor to Carry Out the Provisions of This Act; Repealing All Acts or Parts of Acts in Conflict Herewith and Declaring an Emergency.

Which the President has signed and your signature is respectfully requested.

W. J. TROUT, Secretary.

Rep. Bergesen moved that the rules be suspended for the purpose of offering amendments to Senate Bill No. 54, which motion prevailed.

The Speaker announced that Senate Bill No. 54 is in possession of the House at this time.

Rep. Bergesen moved that Senate Bill No. 54 be amended as follows:

In line 2, Section 1, change "1941" to "1939", which motion prevailed.

Rep. Bergesen moved that the rules be suspended and Senate Bill No. 54 be placed on Second Reading and Final Passage, which motion prevailed.

SECOND READING OF SENATE BILLS

Senate Bill No. 54. A Bill for an Act Requiring and Compelling All Licensed Beer Dealers to Make Available Reports, Records, Books, Vouchers, and Other Pertinent Documents to the State Tax Commissioner; Providing for Examination; Providing Penalties for Delinquencies and for Violations.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 80; nays, 2; absent and not voting, 31.

Those voting in the affirmative were:

Allen, Grand Forks	Halcrow	Ostgulen
Allen, Pierce	Haag	Peterson, Bottin'au
Arndt	Heckman	Peterson, Ransom
Anderson	Hegge	Pyle
Bagge	Hofstrand	Rettke
Bergesen	Hogoboom	Rohde
Bjella	Hovey	Runk
Blair	Iszler	Sandness
Bolmeier	Johnson, Rolette	Schwartz
Boulder	Kolpin	Schmalenberger
Braun	Langley	Schnell
Bubel	Larson, Wells	Sellens
Bureau	Levin	Sharpe
Coghlan	Lillehaugen	Shure
Crockett	Lunde	Stair
Dalzell	McInnes	Sticka
Devlin	Manstrom	Twichell
Drovdal	Moe	Tuff
Ekren	Mollet	Wambheim
Falconer	Morland	Welder
Fitch	Morrison	Welk
Forseth	Mortenson	Westby
Fraser	Myers	Williams, Sargent
Fuglestad	Nelson	Williams, Stutsm'n
Gackle	Olson, Barnes	Wolf, Morton
Gainor	Olson, Bowman	Mr. Speaker
Graham	Ohnstad	

Those voting in the negative were:

Jennings Williams, Richland

Absent and not voting:

Aker	Halvorson	Mittag
Bauer	Haugen	Monson
Baumgartner	Haugland	Nystrom
Belzer	Hildre	Rohrer
Benno	Holm	Sailer
Bymers	Johnson, Cass	Saumur

Callahan	Johnson, Richland	Severson
Carlson	Larson, Ward	Starck
Collette	Leet	Stormon
Dahlen	Marks	Wolf, McIntosh
Fleck		

So the bill passed as amended and the title was agreed to.

#### MESSAGE TO THE SENATE

House of Representatives,  
Bismarck, March 5, 1943

Mr. President: I have the honor to inform you that the House has concurred in the Senate amendment to Senate Bill No. 54.

Very respectfully,  
W. M. SMART, Chief Clerk.

Rep. Boulden moved that the rules be suspended and that House Resolution "1-R" be considered properly introduced, which motion prevailed.

#### FIRST READING OF HOUSE CONCURRENT RESOLUTION

Rep. Nelson of Morton introduced:

#### HOUSE RESOLUTION "1-R"

1 WHEREAS, for historical purposes it has been the  
2 custom of all North Dakota Legislative Assemblies to  
3 have group pictures made of all members of such as-  
3a semblies

4 for hanging in the State Capitol, and  
5 WHEREAS, the 28th Legislative Assembly is about  
6 to adjourn without having made any provision for a  
7 group picture of the House of Representatives,

8 NOW, THEREFORE, BE IT RESOLVED BY THE  
8a HOUSE OF  
9 REPRESENTATIVES OF THE STATE OF NORTH  
9a DAKOTA:

10 That a committee be appointed consisting of  
11 Representatives John Fleck, William B. Falconer and  
12 Walter E. Sellens, which committee is authorized and  
13 instructed to take charge of the assembling of individual  
14 photographs of the members of the House of Representa-  
15 tives of the 28th Legislative Assembly at the earliest  
16 possible moment, and that each member of the assembly  
17 serving his first term as a member of the House of  
18 Representatives and the Chief Clerk and desk force be  
19 requested to furnish to said committee a picture of  
20 himself 3½" by 5" in size, and that the committee is  
21 instructed and authorized to assemble such pictures  
22 together with the pictures of the remaining members  
22a of the assembly,  
23 whose picture is available by reason of having been a  
24 member of the 27th Legislative Assembly, and that such  
25 committee be further authorized to employ a competent  
26 photographer to assemble such pictures so furnished  
27 and made available into a group picture of the 28th  
28 Legislative Assembly; That there is hereby appropriated  
29 the sum of \$200.00 to be paid as legislative expense  
30 for the purpose of defraying the expenses of assembling  
31 such photographs and making such group picture.

Rep. Nelson moved that House Resolution "1-R" be adopted.

## ROLL CALL

The question being on the adoption of House Resolution "1-R", the roll was called and there were ayes, 72; nays, 2; absent and not voting, 39.

Those voting in the affirmative were:

Aker	Halcrow	Ostgulen
Allen, Grand Forks	Hegge	Peterson, Ransom
Allen, Pierce	Hildre	Pyle
Arndt	Hogoboom	Rettke
Anderson	Holm	Rohde
Bagge	Iszler	Rohrer
Baumgartner	Jennings	Runk
Bergesen	Johnson, Cass	Sailer
Rolmeier	Johnson, Richland	Schwartz
Boulden	Johnson, Rolette	Schmalenberger
Braun	Langley	Schnell
Bureau	Larson, Wells	Sellens
Carlson	Leet	Sharpe
Coghlan	Levin	Shure
Dahlen	Lillehaugen	Stair
Dalzell	Lunde	Sticka
Drovdal	Mollet	Tuff
Falconer	Morland	Welk
Fleck	Morrison	Williams, Richland
Fraser	Mortenson	Williams, Sargent
Fuglestad	Nelson	Williams, Stutsm'n
Gackle	Nystrom	Wolf, McIntosh
Gainor	Olson, Barnes	Wolf, Morton
Haag	Ohnstad	Mr. Speaker

Those voting in the negative were:

Bauer Manstrom

Absent and not voting:

Belzer	Graham	Monson
Benno	Halvorson	Myers
Bjella	Haugen	Olson, Bowman
Blair	Haugland	Peterson, Bottin'au
Bubel	Heckman	Sandness
Bymers	Hofstrand	Saumur
Callahan	Hovey	Severson
Collette	Kolpin	Starck
Crockett	Larson, Ward	Stormon
Devlin	McInnes	Twichell
Ekren	Marks	Wambheim
Fitch	Mittag	Welder
Forseth	Moe	Westby

So the Resolution was adopted.

Rep. Bauer: "I don't want to start any catastrophe here in Bismarck and I haven't got any photograph of myself and I am afraid to get my photograph taken, it might break the camera, so I vote No."

Rep. Boulden moved that the rules be suspended and House Concurrent Resolution "1-S" be considered duly introduced, which motion prevailed.

Reps. Callahan, Fitch, Crockett and Schnell introduced:

HOUSE CONCURRENT RESOLUTION "1-S"  
BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF NORTH DAKOTA, THE SENATE CONCURRING THEREIN:



1 WHEREAS, The cost of living has materially in-  
 1a creased;  
 2 and  
 3 WHEREAS, The present pay schedule for employees  
 3a of the  
 4 Twenty-eighth Legislative Assembly is inadequate;  
 5 NOW, THEREFORE, BE IT RESOLVED BY THE  
 5a HOUSE  
 6 OF REPRESENTATIVES OF THE STATE OF NORTH  
 6a DAKOTA,  
 7 THE SENATE CONCURRING, That the rate of com-  
 7a pensation  
 8 for all legislative employees presently being paid five  
 9 dollars (\$5.00) per day or less, be increased twenty-five  
 10 (25) per cent above the amount now received and that  
 10a such  
 11 increase apply to all the days for which they are or have  
 12 been employed by the Twenty-eighth Legislative As-  
 12a ssembly.  
 13 That the rate of compensation for all legislative  
 14 employees presently being paid more than five dollars per  
 15 day be increased fifteen (15) per cent above the amount  
 15a now  
 16 received and that such increase apply to all the days for  
 17 which they are or have been employed by the Twenty-  
 17a eighth  
 18 Legislative Assembly.  
 19 BE IT FURTHER RESOLVED, That this Assembly  
 19a does hereby  
 20 appropriate and there is hereby appropriated the sum of  
 21 \$9,500.00, or so much thereof as is necessary for the  
 21a purpose  
 22 of paying such increases provided herein.

Rep. Rettke moved that the rules be suspended and House Concurrent Resolution "1-S" be placed on second reading and final passage, which motion prevailed.

House Concurrent Resolution "1-S." Providing for an Increase in the Pay Schedule for Employees of the Twenty-eighth Legislative Assembly and Making an Appropriation Therefor.

Was read the second time.

#### ROLL CALL

The question being on the adoption of House Concurrent Resolution "1-S", the roll was called and there were ayes, 83; nays, 2; absent and not voting, 28.

Those voting in the affirmative were:

Aker	Haag	Olson, Barnes
Allen, Grand Forks	Haugen	Ohnstad
Allen, Pierce	Haugland	Ostgulen
Anderson	Heckman	Peterson, Ransom
Arndt	Hegge	Pyle
Bagge	Hildre	Rettke
Bauer	Hogoboom	Rohde
Baumgartner	Holm	Rohrer
Bergesen	Iszler	Runck
Bolmeier	Jennings	Sailer
Boulden	Johnson, Cass	Schwartz
Braun	Johnson, Rolette	Schmalenberger

Bubel	Kolpin	Schnell
Burau	Langley	Sellens
Carlson	Larson, Ward	Severson
Crockett	Larson, Wells	Sharpe
Dahlen	Leet	Shure
Dalzell	Levin	Stair
Devlin	Lillehaugen	Tuff
Drovdal	Lunde	Twichell
Ekren	Manstrom	Westby
Falconer	Marks	Williams, Richland
Fleck	Mollet	Williams, Sargent
Forseth	Morrison	Williams, Stutsm'n
Fuglestad	Mortenson	Wolf, McIntosh
Gackle	Myers	Wolf, Morton
Gainor	Nelson	Mr. Speaker
Graham	Nystrom	

Those voting in the negative were:

Halcrow Welk

Absent and not voting:

Belzer	Halvorson	Olson, Bowman
Benno	Hofstrand	Peterson, Bottina'n
Bjella	Hovey	Sandness
Blair	Johnson, Richland	Saumur
Bymers	McInnes	Starck
Callahan	Mittag	Sticka
Coghlan	Moe	Stormon
Collette	Monson	Wambheim
Fitch	Morland	Welder
Fraser		

So the Resolution was adopted.

#### MESSAGE TO THE SENATE

House of Representatives  
Bismarck, March 5, 1943

Mr. President: I have the honor to transmit:

House Concurrent Resolution "1-S." Providing for an Increase in the Pay Schedule for Employees of the Twenty-eighth Legislative Assembly and Making an Appropriation Therefor.

Which the House has passed and your favorable consideration is requested.

W. M. SMART, Chief Clerk.

Rep. Bergesen moved that the House recess for one-half hour, which motion prevailed.

The House reconvened, pursuant to recess taken, Speaker Beede presiding.

#### MESSAGES FROM THE SENATE

Senate Chamber  
Bismarck, March 5, 1943

Mr. Speaker: I have the honor to inform you that the Senate has concurred in the House amendment to Senate Bill No. 208.

Very respectfully,  
W. J. TROUT, Secretary.

Senate Chamber  
Bismarck, March 5, 1943

Mr. Speaker: I have the honor to inform you that the

Senate has concurred in the House amendment to Senate Concurrent Resolution "1-A".

Very respectfully,  
W. J. TROUT, Secretary.  
Senate Chamber  
Bismarck, March 5, 1943

Mr. Speaker: I have the honor to inform you that the Senate has concurred in the House amendment to Senate Bill No. 139.

Very respectfully  
W. J. TROUT, Secretary.  
Senate Chamber  
Bismarck, March 5, 1943

Mr. Speaker: I have the honor to inform you that the Senate has concurred in the House amendment to Senate Concurrent Resolution "H".

Very respectfully  
W. J. TROUT, Secretary.

Rep. Holm moved that the rules be suspended for the purpose of adopting Senate Concurrent Resolution "1-I", which motion prevailed and the Resolution adopted.

Rep. Johnson of Cass moved that the rules be suspended for the purpose of adopting Senate Concurrent Resolution "1-J", which motion prevailed and the Resolution adopted.

Senate Concurrent Resolution "1-K".

Rep. Fitch moved that action be temporarily deferred on Senate Concurrent Resolution "1-K", which motion prevailed.

Rep. Bergesen moved that the rules be suspended for the purpose of adopting Senate Concurrent Resolution "1-L", which motion prevailed.

Senate Concurrent Resolution "1-L." Providing for the Payment of Printing, Stenographic Services, Mileage and Expenses Incurred by Senate Committee Appointed to Investigate Facts, Figures and Charges Contained in the Report of A. J. Klautd, Special Investigating Commissioner.

Was read the second time.

#### ROLL CALL

The question being on the adoption of Senate Concurrent Resolution "1-L", the roll was called and there yere ayes, 70; nays, 28; absent and not voting, 15.

Those voting in the affirmative were:

Aker	Forseth	Nystrom
Allen, Grand Forks	Fraser	Olson, Bafnes
Allen, Pierce	Fuglestad	Ohnstad
Arndt	Gackle	Peterson, Ransom
Bagge	Gainor	Pyle
Benno	Graham	Rettke
Bergesen	Halcrow	Rohrer
Bjella	Haugland	Runck
Blair	Hildre	Sailer
Bolmeier	Hogoboom	Sandness
Braun	Holm	Saumur
Bymers	Hovev	Schmalenberger
Callahan	Jennings	Schnell
Carlson	Johnson, Cass	Sellens
Coghlan	Johnson, Richland	Severson
Collette	Johnson, Rolette	Sharpe

Dahlen	Kolpin	Shure
Dalzell	Larson, Ward	Stair
Devlin	Larson, Wells	Sticka
Drovdal	Leet	Stormon
Ekren	Lunde	Twichell
Falconer	McInnes	Westby
Fitch	Manstrom	Williams, Stutsm'n
Fleck		

Those voting in the negative were:

Bauer	Lillehaugen	Schwartz
Baumgartner	Marks	Starck
Burau	Mollet	Tuff
Crockett	Monson	Welder
Haag	Morrison	Welk
Haugen	Mortenson	Williams, Richland
Heckman	Myers	Wolf, McIntosh
Hegge	Ostgulen	Wolf, Morton
Iszler	Peterson, Bottin'au	Mr. Speaker
Levin		

Absent and not voting:

Anderson	Hofstrand	Nelson
Belzer	Langley	Olson, Bowman
Boulden	Mittag	Rohde
Bubel	Moe	Wambheim
Halvorson	Morland	Williams, Sargent

So the Resolution was adopted.

Rep. Fitch: "I vote 'Aye' with some reservations."

Rep. Bauer: "I don't know what we are voting on but I would rather be safe than sorry. I vote 'No'."

#### REPORT OF SELECT COMMITTEE

The Conference Committee on Senate Bill No. 2 made the following report:

Mr. President: Your Conference Committee to whom was referred Senate Bill No. 2, have had the same under consideration and recommend:

The House recedes from all the House Amendments and that the Printed Bill be amended: In Line 391 by striking out the figures "\$75,000.00" and inserting in lieu thereof the figures "\$100,000.00".

For the House:  
 BRYNHILD HAUGLAND  
 ARLAN STAIR  
 LEO STICKA  
 For the Senate:  
 MILTON RUE  
 P. L. FOSS  
 R. M. STREIBEL

Rep. Johnson of Cass moved that the House do not adopt the Conference Committee report on Senate Bill No. 2 and that a new Conference Committee be appointed, which motion prevailed.

The Speaker appointed as a new Conference Committee on Senate Bill No. 2, Reps. Johnson of Richland, Stair and Haugen.

#### MESSAGE TO THE SENATE

House of Representatives

Bismarck, March 5, 1943

Mr. President: I have the honor to inform you that the

House has refused to concur in the Senate amendment to Senate Bill No. 2 and the Speaker has appointed as a Conference Committee to act with a like committee from the Senate, Reps. Johnson of Richland, Stair and Haugen.

Very respectfully,  
W. M. SMART, Chief Clerk.

Rep. Fitch moved that Senate Concurrent Resolution "1-K" be before the House at this time, which motion prevailed.

Rep. Fitch moved that Senate Concurrent Resolution "1-K" be adopted.

Senate Concurrent Resolution "1-K." Relating to Additional Pay to Myrtle Steen for Extra Services Rendered Other Than Committee Clerk.

Was read the second time.

#### ROLL CALL

The question being on the adoption of Senate Concurrent Resolution "1-K," the roll was called and there were ayes, 91; nays, 1; absent and not voting, 21.

Those voting in the affirmative were:

Aker	Haag	Olson, Barnes
Allen, Pierce	Halcrow	Olson, Bowman
Allen, Grand Forks	Haugland	Ohnstad
Arndt	Heckman	Ostgulen
Bauer	Hegge	Peterson, Bottin'au
Baumgartner	Hildre	Peterson, Ransom
Bergesen	Hofstrand	Pyle
Blair	Hogoboom	Rettke
Bolmeier	Holm	Rohrer
Braun	Hovey	Runk
Burau	Jennings	Sailer
Bymers	Johnson, Cass	Sandness
Callahan	Johnson, Richland	<b>Schwartz</b>
Carlson	Johnson, Rolette	Schmalenberger
Coghlan	Kolpin	Schnell
Collette	Larson, Ward	Severson
Crockett	Larson, Wells	Shure
Dahlen	Leet	Stair
Dalzell	Levin	Starck
Devlin	Lillehaugen	Sticka
Drovdal	Lunde	Stormon
Ekren	McInnes	Tuff
Falconer	Manstrom	Welder
Fitch	Marks	Welk
Fleck	Mollet	Westby
Forseth	Monson	Williams, Richland
Fraser	Morrison	Williams, Stutsm'n
Fuglestad	Mortenson	Wolf, McIntosh
Gackle	Myers	Wolf, Morton
Gainor	Nystrom	Mr. Speaker
Graham		

Those voting in the negative were:

Haugen

Absent and not voting:

Anderson	Halvorson	Rohde
Bagge	Iszler	Saumur
Belzer	Langley	Sellens
Benno	Mittag	Sharpe
Bjella	Moe	Twichell

Boulden  
Bubel

Morland  
Nelson

Wambheim  
Williams, Sargent

So the Resolution was adopted.

**HOUSE RESOLUTION "1-T"**

Introduced by Rep. Welder

A House Resolution calling for the payment of the sum of two hundred dollars (\$200.00) to Milton K. Higgins for legal services rendered during the recent investigation by the North Dakota State Senate of the charges and other matters referred to in the Report of the Special Examining Commissioner, filed with the Twenty-eighth Legislative Assembly on February 1st, 1943, concerning the State Insurance Department.

**BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE LEGISLATIVE ASSEMBLY OF THE STATE OF NORTH DAKOTA, THE SENATE CONCURRING THEREIN:**

WHEREAS on February 8th, 1943, the North Dakota State Senate passed a Resolution appointing a Special Senate Committee to carry on an investigation of the charges and other matters referred to in the report of the Special Examining Commissioner, filed with the Twenty-eighth Legislative Assembly on February 1st, 1943, concerning the State Insurance Department, and

WHEREAS such Special Senate Committee carried on such an investigation on February 17th to 22nd inclusive, and

WHEREAS the State Senate has ordered the payment of attorney fees to Attorney Clyde Duffy as a legal representative of such committee during the said investigation and has also ordered the payment of some other expenses out of the Special Examining Commissioner's appropriation authorized under Chapter 265 of the 1941 Session Laws, and

WHEREAS the said Special Senate Committee has prepared a fifty-three page report of its said investigation and the Senate has ordered the expenses for printing said report to be paid out of legislative expenses of the Twenty-eighth Assembly, and

WHEREAS the said Special Senate Committee suggested that the Commissioner of Insurance and his Department be represented by counsel at and during the said investigation, and

WHEREAS, following out this suggestion the Commissioner of Insurance retained Attorney Milton K. Higgins of Mandan, North Dakota, to act as attorney for the Insurance Commissioner and the State Insurance Department during such investigation, and

WHEREAS the legal fees of the said Attorney Milton K. Higgins for his legal services for the State Insurance Commissioner and the State Insurance Department during the said investigation amount to the sum of two hundred dollars (\$200.00).

NOW, THEREFORE, BE IT RESOLVED by the House of Representatives of the North Dakota Twenty-eighth Legislative Assembly, the Senate concurring therein, that the said sum of two hundred dollars (\$200.00) be paid to Attorney Milton K. Higgins for his legal services during the said investigation and that the said sum of two hundred dollars

(\$200.00) be paid out of the appropriation for the Special Examining Commissioner authorized under Chapter 265 of the 1941 Session Laws.

Rep. Welder moved that the rules be suspended for the purpose of adopting House Concurrent Resolution "1-T," which motion prevailed.

Rep. Fitch moved that the rules be suspended for the purpose of offering an amendment to House Concurrent Resolution "1-T," which motion prevailed.

Rep. Fitch moved that House Resolution "1-T" be amended to read House Concurrent Resolution "1-T," which motion prevailed.

Rep. Welder moved that House Concurrent Resolution "1-T," as amended, be adopted.

House Concurrent Resolution "1-T." A Concurrent Resolution for the Payment of \$200 as Attorney Fees to Milton K. Higgins for Legal Services Rendered for the State Insurance Department, in the Senate Investigation of Charges in the Special Examining Commission Concerning State Insurance Department, to Be Paid Out of the Appropriation for the Special Examining Commissioner.

Was read the second time.

#### ROLL CALL

The question being on the adoption of House Concurrent Resolution "1-T", the roll was called and there were ayes, 84; nays, 6; absent and not voting, 23.

Those voting in the affirmative were:

Aker	Graham	Nystrom
Allen, Grand Forks	Haag	Olson, Bowman
Allen, Pierce	Halcrow	Ohnstad
Arndt	Haugen	Ostgulen
Bauer	Haugland	Peterson, Bottin'au
Baumgartner	Heckman	Peterson, Ransom
Bergesen	Hegge	Pyle
Bolmeier	Hildre	Rettke
Boulden	Hogoboom	Rohrer
Braun	Holm	Runck
Bymers	Iszler	Sailer
Callahan	Jennings	Sandness
Carlson	Johnson, Cass	Schwartz
Coghlan	Johnson, Rolette	Schmalenberger
Collette	Kolpin	Schnell
Crockett	Larson, Ward	Sellens
Dahlen	Larson, Wells	Sharpe
Dalzell	Leet	Shure
Devlin	Levin	Stair
Drovdal	Lillehaugen	Starck
Ekren	Lunde	Sticka
Falconer	Manstrom	Stormon
Fitch	Marks	Tuff
Fleck	Mollet	Welk
Forseth	Monson	Welder
Fuglestad	Morrison	Williams, Sargent
Gackle	Myers	Wolf, McIntosh
Gainor	Nelson	Wolf, Morton

Those voting in the negative were:

Fraser	Mortenson	Williams, Richland
--------	-----------	--------------------

Hovey	Westby	Williams, Stutsm'n
Absent and not voting:		
Anderson	Halvorson	Olson, Barnes
Bagge	Hofstrand	Rohde
Belzer	Johnson, Richland	Saumur
Benno	Langley	Severson
Bjella	McInnes	Twichell
Blair	Mittag	Wambheim
Bubel	Moe	Mr. Speaker
Burau	Morland	

So the Resolution was adopted.

#### MESSAGES TO THE SENATE

House of Representatives  
Bismarck, March 5, 1943

Mr. President: I have the honor to return:

Senate Concurrent Resolution "1-I." Authorizing the State Land Department to Make Loans for the Purchase of Farms at the Rate of Four Per Cent Per Annum.

Senate Concurrent Resolution "1-K." Relating to Additional Pay to Myrtle Steen for Extra Services Rendered Other Than Committee Clerk.

Senate Concurrent Resolution "1-J." Reducing the Number of 1943 Session Laws to Be Published by the Secretary of State.

Which the House has passed unchanged.

W. M. SMART, Chief Clerk.

House of Representatives  
Bismarck, March 5, 1943

Mr. President: I have the honor to transmit:

House Concurrent Resolution "1-T." A Concurrent Resolution for the Payment of \$200 as Attorney Fees to Milton K. Higgins for Legal Services Rendered for the State Insurance Department, in the Senate Investigation of Charges in the Special Examining Commission Concerning State Insurance Department, to Be Paid Out of the Appropriation for the Special Examining Commissioner.

Which the House has passed and your favorable consideration is requested.

W. M. SMART, Chief Clerk.

The Speaker called Rep. Crockett to the chair.

Rep. Fitch requested that the Chief Clerk be instructed to defer messaging to the Senate, Senate Concurrent Resolution "1-L" for the time being. It was so ordered.

#### MESSAGES FROM THE SENATE

Senate Chamber  
Bismarck, March 5, 1943

Mr. Speaker: I have the honor to inform you that the President has appointed as a new conference committee to act with a like committee from the House, on Senate Bill No. 2, Senators Blank, Braun, and Day.

Very respectfully,

W. J. TROUT, Secretary.

Senate Chamber  
Bismarck, March 5, 1943

Mr. Speaker: I have the honor to return:



House Bill No. 91. A Bill for an Act Relating to Taxation in School Districts, Providing That the Voters of School District May Authorize Levies in Excess of the Legal Limitations for Certain Periods, and Providing for the Time and Manner of Holding Such Elections, and Repealing That Portion of Section 13 of Chapter 235 of the Session Laws for North Dakota for 1929 Relating to School Districts, and All Other Acts or Parts of Acts in Conflict Herewith.

Which the Senate has passed unchanged.

W. J. TROUT, Secretary.  
Senate Chamber  
Bismarck, March 5, 1943

Mr. Speaker: I have the honor to return:

House Concurrent Resolution "1-K." A Resolution Providing for State Departments, Boards or Commissions Doing State Business to Share Rides and Pool Cars in Travel to Rationing of Gas to Conserve Tires.

Which the Senate has indefinitely postponed.

W. J. TROUT, Secretary.

The Speaker resumed the chair.

#### REPORT OF SELECT COMMITTEES

The Conference Committee on Senate Bill No. 8 made the following report:

Mr. Speaker: Your Conference Committee, to whom was referred Senate Bill No. 8, have had the same under consideration and recommend the following amendments:

In line 4 of the House amendment, strike out the figures, "\$650,000.00" and insert in lieu thereof the figures "\$450,000.00".

In line 24 of the House amendments, strike out the figures, "\$650,000.00" and insert in lieu thereof the figures "\$450,000.00".

In line 25, of the House amendments, strike out the figures, "\$34,700.00" and insert in lieu thereof the figures "\$47,700.00".

In line 35 of the House amendments, strike out the figures "\$25,000.00" and insert in lieu thereof the figures "\$34,000.00".

In line 36 strike out the figures of the engrossed bill, "\$15,000.00" and insert in lieu thereof the figures "\$5,500.00".

In line 46 of the House amendments, strike out the figures "\$43,700.00" and insert in lieu thereof the figures "\$47,700.00".

And further recommend the adoption of the balance of the House amendments.

For the House:  
W. E. SELLENS  
F. J. GRAHAM  
VERNON M. JOHNSON

For the Senate:  
M. R. YOUNG  
J. J. KEHOE  
R. M. STREIBEL

Rep. Graham moved that the report be adopted.

Rep. Allen of Grand Forks offered as a substitute motion that the House do not adopt the report of the Conference Committee, which motion was lost.

The question was on the adoption of the report of the Conference Committee, which motion prevailed.

Rep. Graham moved that the rules be suspended and Senate Bill No. 8 be placed on second reading and final passage, which motion prevailed.

### SECOND READING OF SENATE BILLS

Senate Bill No. 8. A Bill for an Act Making an Appropriation for Relief to Destitute and Necessitous Persons for the Biennium Beginning July 1st, 1943, and Ending June 30th, 1945, Defining the Powers and Duties of the Public Welfare Board in Relation Thereto, and in Providing for Allocation of Funds to Counties for Relief Purposes and for Other Specified Relief Expenditures and Costs of Administration.

Was read the second time.

### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 97; nays, 3; absent and not voting, 13.

Those voting in the affirmative were:

Aker	Halcrow	Ohnstad
Allen, Grand Forks	Haugen	Ostgulen
Allen, Pierce	Haugland	Peterson, Bottin'au
Anderson	Heckman	Peterson, Ransom
Arndt	Hegge	Pyle
Bauer	Hildre	Rettke
Baumgartner	Hofstrand	Rohrer
Bergesen	Hogoboom	Runk
Blair	Holm	Sailer
Boulden	Jennings	Sandness
Braun	Johnson, Cass	Schwartz
Bubel	Johnson, Richland	Schmalenberger
Burau	Johnson, Rolette	Schnell
Bymers	Langley	Sellens
Callahan	Larson, Ward	Sharpe
Carlson	Larson, Wells	Shure
Coghlan	Leet	Stair
Collette	Levin	Starck
Dahlen	Lillehaugen	Sticka
Dalzell	Lunde	Stormon
Devlin	McInnes	Tuff
Drovdal	Manstrom	Twichell
Ekren	Moe	Wambheim
Falconer	Mollet	Welder
Fitch	Monson	Welk
Fleck	Mortenson	Westby
Forseth	Morrison	Williams, Richland
Fraser	Myers	Williams, Sargent
Fuglestad	Nelson	Williams, Stutsm'n
Gackle	Nystrom	Wolf, McIntosh
Gainor	Olson, Barnes	Wolf, Morton
Graham	Olson, Bowman	Mr. Speaker
Haag		

Those voting in the negative were:

Hovey	Kolpin	Marks
Absent and not voting:		
Bagge	Crockett	Morland
Belzer	Halvorson	Ronde

Benno  
Bjella  
Bolmeier

Iszler  
Mittag

Saumur  
Severson

So the bill passed as amended and the title was agreed to.

Rep. Falconer: "I want to explain my vote and have it recorded. I am going to vote 'Aye' on this bill although I think it is very unreasonable on the part of the Legislature to drop the help for the General Assistance for the poor people to less than half of the Budget Board's recommendation and that the same Legislature should then increase the appropriations for the Educational Institutions of Higher Learning above what the Budget Board allowed and above the amount appropriated by the Legislature two years ago and which with a decreased enrollment, which will average about 40% of what it was two years ago, would amount on that basis of enrollment to somewhat over twice the amount that was available for the last biennium."

Rep. Johnson of Richland: "I wish to explain my vote and have it recorded in the Journal. I am voting 'yes' on this bill although I am not satisfied that the amount is great enough. In the Appropriation Committee I made a motion that the bill be increased to about one million dollars but the best compromise we could get was \$650,000. The Senate didn't concur. The best compromise we could reach with the Senate was \$450,000. In view of the policy which we have adopted with reference to Old Age Assistance I don't believe this amount is sufficient but it is better than nothing at all."

Mr. Speaker: "It is hard to know just how to vote on this appropriation bill. It seems the amount is insufficient and yet as Rep. Johnson has said, rather than do without anything we must vote Aye."

Rep. Forseth: "I agree with the remarks that have already been made by Rep. Johnson of Richland and Mr. Speaker and the other gentlemen here that the amount is very inadequate but rather than not have any, I vote Aye."

Rep. Stormon: "I would like to explain my vote on this Bill, as the Welfare Board appeared before the Appropriations Committee of the House and asked for \$1,000,000.00 for general assistance but as the best compromise we could get from this Committee was \$650,000.00 and as Mr. Graham now says this amount of \$450,000.00 is satisfactory to the Welfare Board, which I do not believe to be sufficient, but there is no other way to vote now, I therefore vote Aye."

Rep. Bergesen: "I would like to have the Journal show my reason for voting 'Aye' on this measure. I thought that if there was any basis for the amount allowed by the Budget Board, that this amount would seem to be inadequate but I am relying on the statement of Mr. Graham that this amount was agreed to by the Welfare Board themselves and I am sure that they are the best judges of what they need."

Rep. Moe: "I am changing my vote on this from 'No' to 'Aye' and the reason is that I feel it is better to have something than nothing although I do not think the amount is sufficient."

#### MESSAGE TO THE SENATE

House of Representatives

Bismarck, March 5, 1943

Mr. President: I have the honor to inform you that the

House has adopted the Conference Committee report on Senate Bill No. 8.

Very respectfully,  
W. M. SMART, Chief Clerk.

**REPORT OF SELECT COMMITTEE**

The Conference Committee on Senate Bill No. 6 made the following report:

Mr. Speaker: Your Conference Committee to whom was referred Senate Bill No. 6, have had the same under consideration and recommend that the Senate agree to the House amendments.

For the House:  
M. W. GACKLE  
HARRY CARLSON  
For the Senate:  
E. C. STUCKE  
MILTON RUE  
P. L. FOSS

Rep. Lillehaugen moved that the report be adopted, which motion prevailed and the report was adopted.

**MESSAGES FROM THE SENATE**

Senate Chamber

Bismarck, March 5, 1943

Mr. Speaker: I have the honor to inform you that the Senate has adopted the report of the Conference Committee on House Bill No. 9.

Very respectfully,  
W. J. TROUT, Secretary.  
Senate Chamber  
Bismarck, March 5, 1943

Mr. Speaker: I have the honor to inform you that the President has appointed as a Conference Committee to act with a like committee from the House on House Bill No. 50, Senators Thatcher, Oksendahl and Olson of Barnes.

Very respectfully,  
W. J. TROUT, Secretary.  
Senate Chamber  
Bismarck, March 5, 1943

Mr. Speaker: I have the honor to inform you that the Senate has adopted the report of the Conference Committee on House Bill No. 47.

Very respectfully,  
W. J. TROUT, Secretary.

**REPORT OF SELECT COMMITTEE**

The Conference Committee on House Bill No. 110 made the following report:

Mr. Speaker: Your Conference Committee to whom was referred House Bill No. 110, have had the same under consideration and beg leave to report that we have agreed to disagree and that a new committee be appointed and this committee be discharged.

For the House:  
WALTER BUBEL  
BERNT ANDERSON  
E. J. LANGLEY  
For the Senate:  
AXEL OLSON  
M. J. RASCHKO  
J. L. FLATT

Rep. Leet moved that the report be adopted, which motion prevailed and the report was adopted.

The Speaker appointed as the new Conference Committee on House Bill No. 110, Reps. Anderson, Leet and Bubel.

#### MESSAGE TO THE SENATE

House of Representatives  
Bismarck, March 5, 1943

Mr. President: I have the honor to inform you that the Speaker has appointed as a new conference committee to act with a like committee from the Senate, on Senate Bill No. 110, Reps. Anderson, Leet and Bubel.

Very respectfully,  
W. M. SMART, Chief Clerk.

#### REPORT OF SELECT COMMITTEES

The Conference Committee on Senate Bill No. 68 made the following report:

Mr. President: Your Conference Committee to whom was referred Senate Bill No. 68, have had the same under consideration and failed to reach an agreement.

For the House:  
L. L. TWICHELL  
A. W. BENNO  
GEO. H. SAUMUR

For the Senate:  
HARRY O'BRIEN  
WM. WATT  
H. C. GUENTHER

Rep. Benno moved that the report be adopted, which motion prevailed and the report was adopted.

Rep. Bergesen moved that the Chair reappoint the same Committee to confer with a new committee from the Senate with reference to Senate Bill No. 68, which motion prevailed.

The Speaker announced that Reps. Twichell, Benno and Saumur would be continued on that committee.

#### REPORTS OF SELECT COMMITTEES

The Conference Committee on House Concurrent Resolution "1-A" made the following report:

Mr. Speaker: Your Conference Committee to whom was referred House Concurrent Resolution "1-A", have had the same under consideration and recommend:

In line 20, strike out the period after the word "States", insert a comma and add the following: "to North Dakota Representatives in the Congress and Senate of the United States, to the Secretary of Agriculture, to the Bureau of Animal Industry and to the Office of Price Administration."

For the House:  
BRYNHILD HAUGLAND  
M. W. GACKLE

For the Senate:  
A. N. LAVIN  
R. R. LOFTHUS  
CHAS. A. GINTER

Rep. Haugland moved that the report be adopted, which motion prevailed and the report was adopted.

Rep. Haugland moved that the rules be suspended and that

House Concurrent Resolution 1-A be adopted as amended, which motion prevailed, and the Resolution was adopted.

The Conference Committee on Senate Concurrent Resolution "H" made the following report:

Mr. Speaker: Your Conference Committee to whom was referred Senate Concurrent Resolution "H", have had the same under consideration and recommend:

The Senate concurs on the House amendment.

For the House:

C. H. HOFSTRAND

EDWIN L. BAGGE

C. T. OLSON

For the Senate:

GUST WOG

A. N. LAVIN

M. J. RASCHKO

Rep. Haugen moved that the House adopt the report of the Conference Committee on Senate Concurrent Resolution "H", which motion prevailed and the report was adopted.

The Conference Committee on Senate Bill No. 139 made the following report:

Mr. Speaker: Your Conference Committee to whom was referred Senate Bill No. 139, have had the same under consideration and recommend:

The Senate concurs in the House amendments to Senate Bill No. 139.

For the House:

WALTER BUBEL

JOHN L. FLECK

JOHN COGHLAN

For the Senate:

J. B. BRIDSTON

P. W. BLANK

G. F. DREW

Rep. Bergesen moved that the report of the Conference Committee be adopted, which motion prevailed, and the report was adopted.

The Conference Committee on House Bill No. 233 made the following report:

Mr. Speaker: Your Conference Committee to whom was referred House Bill No. 233, have had the same under consideration and recommend that the same be indefinitely postponed.

For the House:

L. K. MORLAND

IVAR DROVDAL

C. F. ARNDT

For the Senate:

FRANKLIN PAGE

R. R. LOFTHUS

WM. A. THATCHER

Rep. Drovdal moved that the report be adopted, which motion prevailed and the report was adopted.

The Conference Committee on House Bill No. 47 made the following report:

Mr. Speaker: Your Conference Committee to whom was

referred House Bill No. 47, have had the same under consideration and recommend:

That the Senate recede from its Amendments to House Bill No. 47.

For the House:  
 CORNELIUS BYMERS  
 HARRY STORMON  
 TONY STARCK

For the Senate:  
 H. R. MORGAN  
 CHAS. A. GINTER  
 W. H. PORTER

Rep. Stormon moved that the report be adopted, which motion prevailed and the report was adopted.

The Conference Committee on House Bill No. 9 made the following report:

Mr. Speaker: Your Conference Committee to whom was referred House Bill No. 9, have had the same under consideration and recommend:

That in Line 3 of the Engrossed Bill the figures "\$45,000.00" be stricken from the bill and the figures "\$40,000.00" be inserted in lieu thereof.

For the House:  
 CORNELIUS BYMERS  
 HARRY STORMON  
 TONY STARCK

For the Senate:  
 H. R. MORGAN  
 CHAS. A. GINTER  
 W. H. PORTER

Rep. Stormon moved that the report be adopted, which motion prevailed and the report was adopted.

Rep. Stormon moved that the rules be suspended and that House Bill No. 9 be considered properly engrossed and placed on second reading and final passage, which motion prevailed.

#### SECOND READING OF HOUSE BILLS

House Bill No. 9. A Bill for an Act Making an Appropriation for the Purpose of Paying a Bounty on Wolves, Coyotes, Magpies and Foxes.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 85; nays, 0; absent and not voting, 28.

Those voting in the affirmative were:

Allen, Grand Forks	Haugland	Nystrom
Allen, Pierce	Hegge	Olson, Barnes
Anderson	Hofstrand	Olson, Bowman
Baumgartner	Hogoboom	Ohnstad
Bergesen	Hovey	Ostgulen
Bjella	Iszler	Peterson, Ransom
Blair	Jennings	Pyle
Boulden	Johnson, Richland	Rettke
Braun	Johnson, Rolette	Rohde
Burau	Kolpin	Runck
Callahan	Langley	Sailer

Carlson	Larson, Ward	Schwartz
Coghlan	Larson, Wells	Sellens
Collette	Leet	Severson
Crockett	Levin	Sharpe
Dahlen	Lillehaugen	Stair
Devlin	Lunde	Starck
Drovdal	McInnes	Sticka
Ekren	Manstrom	Stormon
Falconer	Marks	Tuff
Fitch	Moe	Welder
Fleck	Mollet	Welk
Fraser	Monson	Williams, Richland
Fuglestad	Morland	Williams, Sargent
Gackle	Morrison	Williams, Stutsm'n
Gainor	Mortenson	Wolf, McIntosh
Graham	Myers	Wolf, Morton
Halcrow	Nelson	Mr. Speaker
Haugen		

## Absent and not voting:

Aker	Forseth	Rohrer
Arndt	Haag	Sandness
Bagge	Halvorson	Saumur
Bauer	Heckman	Schmalenberger
Belzer	Hildre	Schnell
Benno	Holm	Shure
Bolmeier	Johnson, Cass	Twichell
Eubel	Mittag	Wambheim
Bymers	Peterson, Bottin'au	Westby
Dalzell		

So the bill passed as amended and the title was agreed to.

## MESSAGES FROM THE SENATE

Senate Chamber

Bismarck, March 5, 1943

Mr. Speaker: I have the honor to return:

House Bill No. 169. A Bill for an Act Authorizing the Bank of North Dakota as Agent for the State Treasurer of North Dakota as Trustee for the State of North Dakota to Sell Lands Belonging to the State Treasurer of North Dakota as Trustee for the State of North Dakota to Bona Fide Farmers; Fixing the Manner and Terms of Sale, Interest Rate on Deferred and Delinquent Payments, Publication of Notice of Sale, Method of Cancellation of Contract, Taxation of Land Sold, Redemption Rights of Tax Certificate Holders, and Providing for Rules and Regulations of the Industrial Commission.

Which the Senate has amended.

W. J. TROUT, Secretary.

Senate Chamber

Bismarck, March 5, 1943

Mr. Speaker: I have the honor to return:

House Concurrent Resolution "1-S." Providing for an Increase in the Pay Schedule for Employees of the Twenty-eighth Legislative Assembly and Making an Appropriation Therefor.

Which the Senate has indefinitely postponed.

W. J. TROUT, Secretary.

## CONSIDERATION OF MESSAGES FROM THE SENATE

Amendments to House Bill No. 169.

In the last line of the title of the engrossed bill after the



word "Commission" strike out the period, and add the following: "and repealing all Acts or parts of Acts in conflict herewith."

In line 3 after the word "authorized" insert the following: "and directed" and in lines 3 and 4 strike out "to bona fide farmers only."

In line 9 strike out the following language: "a Board consisting of the following person: one".

In line 10 strike out the words "person to be appointed by" and strike out "two per."

Strike out all of lines 11, 12, 13, 14 to the period.

In line 16 after the word "approval" insert the following: "or rejection".

In line 16 after the word "by" insert the following: "the present tenant",

In line 26 after the word "two" insert the word "successive" and also in the same line strike out the words "prior to the day of sale".

In line 31 strike out the word "seven" and insert the word "ten".

In line 35 after the first word in the line, insert the following: "the tenant," then strike out the balance of the line.

Strike out all of line 36 and all of line 37 down to the word "or" and after the word "or" insert the word "any" and strike out the letter "s" in the word "descendants", and after the word "degree" in line 37 add the following: "of such former owner, of the land to be sold".

At the end of line 41 add the following: "at the appraised value".

In line 42 strike out said line 42 up to the word "on".

In line 70 after the word "him" insert the following: "But if no sale is made pursuant to such application the amount of the expenses incident to appraisal, advertising and holding of the sale shall be deducted from the four per centum (4%) deposit and used by the Bank to defray the actual expenses incurred".

In line 82 after the word "expense" insert the words "notice and".

In line 87 strike the words "at the time" and insert the word "before".

In line 99 after the word "State" insert the following: "Treasurer, as Trustee for the State".

At the end of line 101 strike the words "Said con-" and strike out all of lines 102, 103, 104 and the first word "Dakota" in line 105.

In line 108 strike the words "on deferred payments" and insert the following: "earned on unpaid balances thereof".

In line 110 strike the words "in the name" and insert the word "by".

In line 111 strike the word "of" and after the word "State" insert the following: "Treasurer, as trustee for the State" and also in line 111 strike the words "by the Governor and such execu-".

Strike all of line 112 and all of line 113 and add the following: "and approved by the Industrial Commission".

In line 122 strike out the words "thereafter to"; also strike all of line 123 and 124.

In line 126 after the word "interest" insert the following: "insurance premiums".

In line 127 strike the last word in the line and in line 128 the words "Bank of North Dakota, at the direction of".

In line 142 after the word "taxation and period" insert the following: "And taxes not due shall be abated. The provisions of this paragraph shall be deemed procedural, and shall apply with equal force to contracts for the sale of lands heretofore issued by the State Treasurer, as Trustee, and to contracts hereinafter issued by him."

Strike out all of Section 9 and in line 175 after the word "annum" strike everything down to the word "Such" in line 178.

Renumber Sub-section 10 as Sub-section 9.

After Section 2, add Section 3 "REPEAL. All acts and parts of acts in conflict herewith are hereby repealed."

Rep. Stair moved that the House do concur in the Senate amendments to House Bill No. 169, which motion prevailed.

Rep. Stair moved that the rules be suspended and that House Bill No. 169 be considered properly engrossed and placed on second reading and final passage, which motion prevailed.

#### SECOND READING OF HOUSE BILLS

House Bill No. 169. A Bill for an Act Authorizing the Bank of North Dakota as Agent for the State Treasurer of North Dakota as Trustee for the State of North Dakota to Sell Lands Belonging to the State Treasurer of North Dakota as Trustee for the State of North Dakota to Bona Fide Farmers; Fixing the Manner and Terms of Sale, Interest Rate on Deferred and Delinquent Payments, Publication of Notice of Sale, Method of Cancellation of Contract, Taxation of Land Sold, Redemption Rights of Tax Certificate Holders, and Providing for Rules and Regulations of the Industrial 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, 92; nays, 1; absent and not voting, 20.

Those voting in the affirmative were:

Allen, Pierce	Haag	Ohnstad
Anderson	Halcrow	Ostgulen
Bauer	Haugen	Peterson, Bottin'au
Baumgartner	Haugland	Pyle
Benno	Heckman	Rettke
Bergesen	Hildre	Rohde
Bjella	Hofstrand	Rohrer
Blair	Hogoboom	Sailer
Boulden	Hovey	Sandness
Braun	Iszler	Saumur
Bubel	Jennings	Schwartz
Burau	Johnson, Rolette	Schmalenberger
Callahan	Kolpin	Schnell
Carlson	Langley	Sellens
Coghlan	Larson, Ward	Severson
Collette	Larson, Wells	Sharpe

Crockett	Leet	Stair
Dahlen	Levin	Starck
Dalzell	Lillehaugen	Sticka
Devlin	Lunde	Stormon
Drovdal	McInnes	Tuff
Ekren	Manstrom	Wambheim
Falconer	Marks	Welder
Fitch	Mollet	Welk
Fleck	Monson	Westby
Forseth	Morrison	Williams, Richland
Fraser	Mortenson	Williams, Sargent
Fuglestad	Nelson	Williams, Stutsm'n
Gackle	Nystrom	Wolf, Morton
Gainor	Olson, Barnes	Mr. Speaker
Graham	Olson, Bowman	

Those voting in the negative were:

Myers

Absent and not voting:

Aker	Halvorson	Morland
Allen, Grand Forks	Hegge	Peterson, Ransom
Arndt	Holm	Runk
Bagge	Johnson, Cass	Shure
Belzer	Johnson, Richland	Twichell
Bolmeier	Mittag	Wolf, McIntosh
Bymers	Moe	

So the bill passed as amended and the title was agreed to.

Rep. Bergeesen moved that the vote by which House Bill No. 169 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

#### MESSAGES TO THE SENATE

House of Representatives  
Bismarck, March 5, 1943

Mr. President: I have the honor to return:

Senate Concurrent Resolution "1-L." Providing for the Payment of Printing, Stenographic Services, Mileage and Expenses Incurred by Senate Committee Appointed to Investigate Facts, Figures and Charges Contained in the Report of A. J. Klautt, Special Investigating Commissioner.

Which the House has passed unchanged.

W. M. SMART, Chief Clerk.  
House of Representatives  
Bismarck, March 5, 1943

Mr. President: I have the honor to inform you that the House has adopted the Conference Committee Reports on the following bills:

Senate Bill No. 8.

House Bill No. 9.

House Concurrent Resolution "1-A."

House Bill No. 110.

Very respectfully,  
W. M. SMART, Chief Clerk.  
House of Representatives  
Bismarck, March 5, 1943

Mr. President: I have the honor to inform you that the House has concurred in the Senate amendment to House Bill No. 169.

Very respectfully,  
W. M. SMART, Chief Clerk.

Rep. Bergesen moved that the House recess for two hours, which motion prevailed.

The House reconvened pursuant to recess taken, Speaker Beede presiding.

The Speaker announced the House would be on the eighth order of business.

#### SIGNING OF BILLS

The Chief Clerk announced that the Speaker was about to sign the following bills; immediately before signing each bill the title was publicly read.

Senate Bill No. 1.  
Senate Bill No. 56.  
Senate Bill No. 18.  
Senate Bill No. 29.  
Senate Bill No. 30.  
Senate Bill No. 31.  
Senate Bill No. 32.  
Senate Bill No. 33.  
Senate Bill No. 48.  
Senate Bill No. 113.  
Senate Bill No. 114.  
Senate Bill No. 124.  
Senate Bill No. 142.  
Senate Bill No. 145.  
Senate Bill No. 210.  
Senate Bill No. 180.  
Senate Bill No. 206.  
Senate Bill No. 53.  
Senate Bill No. 60.  
Senate Bill No. 67.  
Senate Bill No. 91.  
Senate Bill No. 92.  
Senate Bill No. 93.  
Senate Bill No. 94.  
Senate Bill No. 109.  
Senate Bill No. 111.  
Senate Bill No. 146.  
Senate Bill No. 161.  
Senate Bill No. 184.  
Senate Bill No. 200.  
Senate Bill No. 204.  
Senate Bill No. 205.  
Senate Joint Memorial Resolution "A."  
Senate Concurrent Resolution "R."  
Senate Concurrent Resolution "Q."  
Senate Concurrent Resolution "S."

The Chief Clerk announced that the Speaker had signed the foregoing bills in the presence of the House.

## SIGNING OF BILLS

The Chief Clerk announced that the Speaker was about to sign the following bills; immediately before the signing of each bill the title was publicly read:

Senate Bill No. 103.  
Senate Bill No. 156.  
Senate Bill No. 171.  
Senate Bill No. 172.  
Senate Bill No. 187.  
Senate Bill No. 3.  
Senate Bill No. 4.  
Senate Bill No. 7.  
Senate Bill No. 8.  
Senate Bill No. 9.  
Senate Bill No. 10.  
Senate Bill No. 58.  
Senate Bill No. 59.  
Senate Bill No. 68.  
Senate Bill No. 95.  
Senate Bill No. 107.  
Senate Bill No. 119.  
Senate Bill No. 127.  
Senate Bill No. 140.  
Senate Bill No. 199.  
Senate Bill No. 202.  
Senate Bill No. 208.  
Senate Bill No. 211.  
Senate Bill No. 149.  
Senate Concurrent Resolution "1-D."  
Senate Concurrent Resolution "1-G."  
Senate Concurrent Resolution "1-H."  
Senate Concurrent Resolution "1-I."  
Senate Concurrent Resolution "1-J."  
Senate Concurrent Resolution "1-K."  
Senate Concurrent Resolution "1-L."  
Senate Bill No. 2.  
Senate Bill No. 6.  
Senate Bill No. 139.  
Senate Bill No. 154.  
Senate Concurrent Resolution "1-A."  
Senate Concurrent Resolution "H."  
Senate Concurrent Resolution "P."  
Senate Bill No. 22.  
Senate Bill No. 21.  
Senate Bill No. 20.  
Senate Bill No. 19.

The Chief Clerk announced that the Speaker had signed the foregoing bills in the presence of the House.

## SIGNING OF BILLS

The Chief Clerk announced that the Speaker was about to sign the following bills; immediately before the signing of each bill the title was publicly read:

Senate Bill No. 12.  
Senate Bill No. 5.  
Senate Bill No. 186.  
Senate Bill No. 179.  
Senate Bill No. 176.  
Senate Bill No. 169.  
Senate Bill No. 175.  
Senate Bill No. 122.  
Senate Bill No. 102.  
Senate Bill No. 77.  
Senate Bill No. 55.  
Senate Bill No. 37.  
Senate Bill No. 41.  
Senate Bill No. 61.  
Senate Bill No. 65.  
Senate Bill No. 75.  
Senate Bill No. 76.  
Senate Bill No. 78.  
Senate Bill No. 84.  
Senate Bill No. 96.  
Senate Bill No. 97.  
Senate Bill No. 99.  
Senate Bill No. 100.  
Senate Bill No. 101.  
Senate Bill No. 120.  
Senate Bill No. 123.  
Senate Bill No. 125.  
Senate Bill No. 131.  
Senate Bill No. 133.  
Senate Bill No. 136.  
Senate Bill No. 152.  
Senate Bill No. 162.  
Senate Bill No. 168.  
Senate Bill No. 185.  
Senate Bill No. 188.  
Senate Bill No. 190.  
Senate Bill No. 197.  
Senate Concurrent Resolution "B."  
Senate Concurrent Resolution "1-B."  
Senate Concurrent Resolution "1-E."  
Senate Bill No. 15.  
Senate Bill No. 16.

And the Speaker signed each of the above bills in the presence of the House.

The Chief Clerk announced that the Speaker was about to sign the following bills. Immediately before the signing of each bill the title was publicly read:

Senate Bill No. 17.  
Senate Bill No. 23.  
Senate Bill No. 70.  
Senate Bill No. 104.  
Senate Bill No. 108.  
Senate Bill No. 110.  
Senate Bill No. 112.  
Senate Bill No. 121.  
Senate Bill No. 129.  
Senate Bill No. 134.  
Senate Bill No. 144.  
Senate Bill No. 173.  
Senate Bill No. 203.  
Senate Bill No. 209.  
House Concurrent Resolution "1-A."  
House Resolution "1-R."  
House Concurrent Resolution "Y."  
House Concurrent Resolution "1-F."  
House Concurrent Resolution "1-H."  
House Concurrent Resolution "1-T."  
House Concurrent Resolution "1-G."  
House Bill No. 110.  
House Bill No. 42.  
House Bill No. 9.  
House Bill No. 85.  
House Bill No. 50.  
House Bill No. 91.  
House Bill No. 10.  
House Bill No. 47.  
House Bill No. 169.  
House Bill No. 244.  
House Bill No. 119.  
House Bill No. 1.  
House Bill No. 43.  
House Bill No. 65.  
House Bill No. 199.  
House Bill No. 130.  
House Bill No. 239.  
House Bill No. 31.  
House Bill No. 184.  
House Bill No. 159.  
House Bill No. 121.

The Chief Clerk announced that the Speaker had signed the foregoing bills in the presence of the House.

The Chief Clerk announced that the Speaker was about to sign the following bills; immediately before the signing of each bill the title was publicly read:

House Bill No. 202.  
 House Bill No. 240.  
 House Bill No. 229.  
 House Bill No. 28.  
 House Bill No. 189.  
 House Bill No. 102.  
 House Bill No. 33.  
 House Bill No. 90.  
 House Bill No. 77.  
 House Bill No. 165.  
 House Bill No. 147.  
 House Bill No. 37.  
 House Bill No. 72.  
 House Bill No. 236.  
 House Bill No. 27.  
 House Bill No. 245.  
 House Bill No. 228.  
 House Bill No. 213.  
 House Bill No. 198.  
 House Bill No. 153.  
 House Concurrent Resolution "G."  
 House Concurrent Resolution "O."  
 House Concurrent Resolution "1-J."  
 House Concurrent Resolution "1-I."  
 Memorial Resolution "1-D."  
 House Resolution "1-V."  
 House Bill No. 94.

And the Speaker signed each of the above bills in the presence of the House.

#### REPORT OF SELECT COMMITTEE

The Conference Committee on House Bill No. 50 made the following report:

Mr. Speaker: Your Conference Committee to whom was referred House Bill No. 50, have had the same under consideration and recommend that the Senate recede from all amendments save those to the title.

For the House:  
 M. S. AKER  
 RAY SCHNELL  
 A. J. SANDNESS

For the Senate:  
 MELVIN OLSON  
 WM. A. THATCHER  
 KNUT OKSENDAHL

Rep. Sandness moved that the report be adopted, which motion prevailed and the report was adopted.

Rep. Aker moved that the rules be suspended and House Bill No. 50 be considered properly engrossed and placed on second reading and final passage, which motion prevailed.



## SECOND READING OF HOUSE BILLS

House Bill No. 50. A Bill for an Act to Amend and Re-enact Sub-Section (e) (1) of Section Two of Chapter 194 of the Session Laws of North Dakota for the Year 1941, Said Sub-section (e) (1) of Section Two of Chapter 194 Being an Amendment to Sub-division (b) of Section 25 of Chapter 186 of the Session Laws of North Dakota for the Year 1931, as Amended by Chapter 161 of the Session Laws of North Dakota for the Year 1933, Providing for the Registration Fees for Trucks on a Gross Weight Basis, and Providing for the Classification of Special Auxiliary Equipment Used by Rural Mail Carriers in the Course of Their Duties, and Declaring an Emergency.

Was read the second time.

## ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 87; nays, 0; absent and not voting, 26.

Those voting in the affirmative were:

Aker	Gainor	Ohnstad
Allen, Pierce	Haag	Ostgulen
Anderson	Halcrow	Peterson, Ransom
Arndt	Haugen	Pyle
Bauer	Heckman	Rettke
Baumgartner	Hildre	Rohde
Benno	Hofstrand	Rohrer
Bergesen	Hogoboom	Runck
Bjella	Hovey	Sailer
Blair	Iszler	Sandness
Bolmeier	Johnson, Richland	Saumur
Boulden	Johnson, Rolette	Schnell
Bubel	Kolpin	Sellens
Burau	Larson, Ward	Severson
Bymers	Leet	Sharpe
Callahan	Lillehaugen	Starck
Carlson	Lunde	Sticka
Coghlan	Manstrom	Stormon
Collette	Marks	Twichell
Crockett	Mittag	Wambheim
Dahlen	Moe	Welder
Dalzell	Monson	Welk
Devlin	Morland	Westby
Drovdal	Morrison	Williams, Richland
Ekren	Mortenson	Williams, Sargent
Fitch	Nelson	Williams, Stutsm'n
Fleck	Nystrom	Wolf, McIntosh
Fuglestad	Olson, Barnes	Wolf, Morton
Gackle	Olson, Bowman	Mr. Speaker

Absent and not voting:

Allen, Grand Forks	Haugland	Mollet
Bagge	Hegge	Myers
Belzer	Holm	Peterson, Bottin'au
Braun	Jennings	Schwartz
Falconer	Johnson, Cass	Schmalenberger
Forseth	Langley	Shure

Fraser  
Graham  
Halvorson

Larson, Wells  
Levin  
McInnes

Stair  
Tuff

So the bill passed as amended and the title was agreed to, and the emergency clause was declared carried.

Rep. Sticka moved that the vote by which House Bill No. 50 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

#### REPORT OF SELECT COMMITTEE

The Conference Committee on Senate Bill No. 107 made the following report:

Mr. Speaker: Your Conference Committee to whom was referred Senate Bill No. 107, have had the same under consideration and recommend:

That the Senate do concur in the House amendment and that the Amendment be amended by inserting in Line 7 of the Amendment after the words "from gross income" and before the words "tax Imposed by the State of his residence," the following language: "to the extent that such compensation is subject to an income".

For the House:

W. M. CROCKETT  
GEO. H. SAUMUR  
JOHN R. FLECK

For the Senate:

E. H. BRANT  
R. D. LYNCH  
CARROLL E. DAY

Rep. Crockett moved that the report be adopted, which motion prevailed and the report was adopted.

Rep. Morland moved that the rules be suspended and Senate Bill No. 107 be placed on second reading and final passage, which motion prevailed.

#### SECOND READING OF SENATE BILLS

Senate Bill No. 107. A Bill for an Act to Amend and Re-enact Section 2346a16 of the 1925 Supplement to the Compiled Laws of 1913, as Amended by Chapter 253 of the Session Laws of 1933, and as Further Amended by Chapter 278 of the Session Laws of 1941; Providing for Allocation and Apportionment of Income of Individuals Doing Business Within and Without the State, and Declaring an Emergency.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 88; nays, 1; absent and not voting, 24.

Those voting in the affirmative were:

Aker	Gainor	Ohnstad
Allen, Grand Forks	Graham	Ostgulen

Allen, Pierce	Haag	Peterson, Ransom
Arndt	Halcrow	Pyle
Bagge	Haugen	Rettke
Baumgartner	Heckman	Rohde
Benno	Hildre	Rohrer
Bergesen	Hofstrand	Runck
Bjella	Hogoboom	Sailer
Blair	Hovey	Sandness
Bolmeier	Iszler	Saumur
Boulden	Johnson, Rolette	Schnell
Bubel	Kolpin	Sellens
Burau	Larson, Ward	Severson
Bymers	Larson, Wells	Sharpe
Callahan	Lillehaugen	Starck
Carlson	Lunde	Sticka
Coghlan	Manstrom	Stormon
Collette	Marks	Twichell
Crockett	Mittag	Wambheim
Dahlen	Moe	Welder
Dalzell	Monson	Welk
Devlin	Morland	Westby
Drovdal	Morrison	Williams, Richland
Ekren	Mortenson	Williams, Sargent
Falconer	Myers	Williams, Stutsm'n
Fitch	Nelson	Wolf, McIntosh
Fleck	Nystrom	Wolf, Morton
Fuglestad	Olson, Bowman	Mr. Speaker
Gackle		

Those voting in the negative were:

**Bauer**

Absent and not voting:

Anderson	Holm	Mollet
Belzer	Jennings	Olson, Barnes
Braun	Johnson, Cass	Peterson, Bottin'au
Forseth	Johnson, Richland	Schwartz
Fraser	Langley	Schmalenberger
Halvorson	Leet	Shure
Haugland	Levin	Stair
Hegge	McInnes	Tuff

So the bill passed as amended and the title was agreed to, and the emergency clause was declared carried.

Rep. Halcrow moved that the vote by which Senate Bill No. 107 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Rep. Graham requested the House to be on the eighth order of business, which request was granted.

#### MESSAGES FROM THE SENATE

Senate Chamber

Bismarck, March 5, 1943

Mr. Speaker: I have the honor to inform you that the Senate has adopted the report of the Conference Committee on House Bill No. 110 and the President has appointed as a new Conference Committee, Senators Rue, Bridston and Stucke.

Very respectfully,  
W. J. TROUT, Secretary.

Senate Chamber  
Bismarck, March 5, 1943

Mr. Speaker: I have the honor to inform you that the President has appointed as a Conference Committee to act with a like committee from the House, on House Bill No. 47, Senators Morgan of Richland, Porter and Ginter.

Very respectfully,  
W. J. TROUT, Secretary.

MESSAGES TO THE SENATE

House of Representatives  
Bismarck, March 5, 1943

Mr. President: I have the honor to return:

Senate Bill No. 15. A Bill for an Act Making an Appropriation for Operation and Maintenance of the Auto Transportation Division.

Senate Bill No. 16. A Bill for an Act Making an Appropriation for Salaries and Expenses of the Scale Inspection Division.

Senate Bill No. 17. A Bill for an Act Making an Appropriation for Salaries and Expenses of the Livestock Division (Dealers).

Senate Bill No. 23. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, New Building, Equipment and Miscellaneous Items for the Grafton State School at Grafton, North Dakota.

Senate Bill No. 70. A Bill for an Act Fixing the Maximum Salary Payable to the Commissioner of University and School Lands and Creating an Emergency.

Senate Bill No. 104. A Bill for an Act to Authorize the State Highway Commissioner to Cooperate with the Public Roads Administration of the United States in the Construction and Maintenance of Flight Strips and of Certain Classes of Highways and to Acquire, by Purchase or Condemnation, Lands Required for Such Flight Strips and Highways.

Senate Bill No. 108. A Bill for an Act to Provide for Acting Officials in Absences Caused by Induction Into the Military Service of Incumbent Officers, and Declaring an Emergency.

Senate Bill No. 110. A Bill for an Act to Amend and Re-enact Section 2157 of the Compiled Laws of North Dakota of the Year 1913 as Amended by Chapter 228 of the Session Laws of 1929 Relating to the Issuance of Tax Receipts and the Form Thereof.

Senate Bill No. 112. A Bill for an Act to Amend and Re-enact Section 2160 of the Compiled Laws of North Dakota of the Year 1913 Relating to Issuance of Receipts.

Senate Bill No. 121. A Bill for an Act Making an Appropriation to the State Water Conservation Commission for the Preparation of Water Conservation and Irrigation Projects for Post-war Construction and Development; and Declaring an Emergency.

Senate Bill No. 129. A Bill for an Act to Require All In-

urance Company Examinations Conducted by the Commissioner of Insurance to Be Conducted by Qualified Regular Employees, and to Require the Payment of Compensation Received for Such Services Into the State Treasury.

Senate Bill No. 134. A Bill for an Act to Amend and Re-enact Section 7, the Fourth Paragraph of Section 11, and Section 15 of Chapter 101 of the Session Laws of 1927, Chapter 79 of the Session Laws of 1933, the First Paragraph and Sub-section 2 of Section 18 (as Amended by Chapter 98 of the Session Laws of 1931) and the Second Paragraph of Section 21, of Chapter 101 of the Session Laws of 1927, Relating to the Barbers Examining Board of the State of North Dakota and the Regulation of the Business of Barbering.

Senate Bill No. 144. A Bill for an Act to Amend and Re-enact Section 11 of Chapter 159 of the Session Laws of North Dakota for 1927 as Amended by Chapter 174 of the Session Laws of North Dakota for 1941, Relating to the Department of State Highways.

Senate Bill No. 173. A Bill for an Act Authorizing and Relating to Contracts by Certain Cities and Villages for Obtaining a Supply of Water for Public and Domestic Uses.

Senate Bill No. 203. A Bill for an Act Relating to National and State Defense, Authorizing the Creation of State and Local Defense Agencies, Granting Emergency War Powers to Said Agencies and the Political Subdivisions of the State, and Making an Appropriation Therefor.

Senate Bill No. 209. A Bill for an Act Authorizing the Code Revision Commission to Incorporate the Session Laws Adopted by the Twenty-Eighth Legislative Assembly in the North Dakota Revised Code of 1943; to Rearrange, Renumber, and Correct Typographical Errors in Such Code; and to Prepare the Same for Publication, and Declaring an Emergency.

Senate Bill No. 41. A Bill for an Act to Amend and Re-enact Section 988 of the Compiled Laws of the State of North Dakota for the Year of 1913, as Amended and Re-enacted by Chapter 201 of the 1923 Session Laws and Chapter 132 of the 1925 Session Laws, Relating to the Disability of Electors in Marking Their Ballots.

Senate Bill No. 61. A Bill for an Act to Amend and Re-enact Section 8 of Chapter 241, Laws of 1937, Pertaining to Field Auditors.

Senate Bill No. 65. A Bill for an Act Making an Appropriation to Defray Expenses of the Delegates to National Political Conventions as Prescribed by Section 916 of the Compiled Laws of 1913.

Senate Bill No. 75. A Bill for an Act Amending and Re-enacting Section 3 of Chapter 163 of the Session Laws of 1939, Relating to Safety Rules.

Senate Bill No. 76. A Bill for an Act Amending and Re-enacting Section 5 of Chapter 168 of the Session Laws of the State of North Dakota for the Year 1919 and Acts Amendatory Thereof, Relating to Inspection of Mines.

Senate Bill No. 78. A Bill for an Act Providing for Reimbursement for Living Expenses of the Members of the State

Legislature While in Attendance at the Session, Making an Appropriation Therefor; and Declaring an Emergency.

Senate Bill No. 84. A Bill for an Act to Amend and Re-enact Section 3276 of the Compiled Laws of North Dakota for 1913 Relating to Supervision of Fiscal Affairs by the County Commissioners, and Repealing All Acts or Parts of Acts in Conflict Herewith.

Senate Bill No. 96. A Bill for an Act to Amend and Re-enact Sub-section (b) of Section 5 of Chapter 235 of the Session Laws of North Dakota for the Year 1929, as Amended and Re-enacted by Chapter 297 of the Session Laws of North Dakota for the Year 1931, and as Amended and Re-enacted by Chapter 208 of the Session Laws of North Dakota for the Year 1935, and as Amended and Re-enacted by Chapter 175 of the Session Laws of North Dakota for the Year 1937, as Amended and Re-enacted by Chapter 210 of the Session Laws of North Dakota for the Year 1941, Relating to Tax Limitations of Cities.

Senate Bill No. 97. A Bill for an Act to Amend and Re-enact Section 1 of Chapter 132 of the Session Laws of 1933, Relating to the Investment of Funds of Domestic Insurance Companies, and Declaring an Emergency.

Senate Bill No. 99. A Bill for an Act to Amend and Re-enact Section 4881a7 of the 1925 Supplement to the Compiled Laws of North Dakota, Relating to Incorporated Mutual Insurance Companies, and Declaring an Emergency.

Senate Bill No. 100. A Bill for an Act to Amend and Re-enact Section 5061 of the Compiled Laws of North Dakota for the Year 1913, Relating to the Government of Fraternal Benefit Societies, and Declaring an Emergency.

Senate Bill No. 101. A Bill for an Act to Amend and Re-enact Section 4863 of the 1925 Supplement to the Compiled Laws of North Dakota for the Year 1913, as Amended by Chapter 145 of the Session Laws of 1929, and Further Amended by Chapter 131 of the Session Laws of 1933, Relating to Capital Stock of Domestic and Other Insurance Companies, and Declaring an Emergency.

Senate Bill No. 120. A Bill for an Act Making an Appropriation for the General Maintenance, Administration, Salaries and Other Expenses for the State Hospital for the Insane at Jamestown, North Dakota, and Prescribing a Limitation as to the Availability of the Same.

Senate Bill No. 123. A Bill for an Act to Authorize the State Highway Commissioner to Cancel Certain Contracts for the Construction, Reconstruction, or Repair of Highways or Bridges Which Cannot Be Performed Because of War Conditions, and to Make Full Settlement with Such Contractors, and Declaring an Emergency.

Senate Bill No. 125. A Bill for an Act to Amend and Re-enact Section 15, Chapter 187, Session Laws of 1941, Providing for the Issuance of Temporary Permits, and Declaring an Emergency.

Senate Bill No. 131. A Bill for an Act to Amend and Re-enact Section 27 of Chapter 148 of the Session Laws of North Dakota for 1931 Relating to County Auditors' Bonds, Reports and Fees and Repealing Chapter 160 of the Session Laws of North Dakota for 1941 and All Acts or Parts of Acts in Conflict Herewith.

Senate Bill No. 133. A Bill for an Act to Regulate and

Control the Barber Shop Business of the State of North Dakota; Conferring Upon the State Board of Barber Examiners Powers and Jurisdiction with Relation Thereto, Defining Such Powers, Jurisdiction and Duties; Authorizing the Said Board to Approve Price Schedules and to Make Orders Fixing Minimum Prices for Barber Services; Providing for Judicial Review of Such Acts of Said Board; Providing Penalties for the Violation of This Act.

Senate Bill No. 136. A Bill for an Act to Limit the Time for Commencement of All Actions and Interposition of All Defenses and Counterclaims Grounded Upon Certain Defects in Proceedings for and Preliminary to Foreclosure of Real Estate Mortgages Where the Foreclosure Sales in Such Proceedings Were Had Prior to January 1st, 1943, and to Validate and Confirm Such Mortgage Foreclosure Sales.

Senate Bill No. 152. A Bill for an Act to Amend and Re-enact Section Six (6) of Chapter 110 of the Session Laws of 1937 Relating to License Fees of Public Contractors, and Declaring an Emergency.

Senate Bill No. 162. A Bill for an Act Making an Appropriation of \$5,000.00 Each for the Completion of the Armories at Carrington, North Dakota, and Bottineau, North Dakota, and Providing for the Manner of Disbursing Said Funds, and Declaring an Emergency.

Senate Bill No. 168. A Bill for an Act Regulating the Expenditure of Monies Appropriated by the Legislative Assembly of the State of North Dakota for Emergency Purposes, Fixing the Methods for Obtaining Approval for Such Expenditures, Providing Penalties for Violation Hereof, and Repealing All Acts or Parts of Acts in Conflict Herewith.

Senate Bill No. 170. A Bill for an Act Regulating the Business of Receiving Monies as Agent for Another for the Purpose of Depositing the Same in a Bank, Requiring a License Therefor, and Providing Penalties for the Violation Thereof.

Senate Bill No. 185. A Bill for an Act Providing for the Disposition of Property Where There Is No Sufficient Evidence That Persons Having Died Otherwise Than Simultaneously, and to Make Uniform the Law With Reference Thereto.

Senate Bill No. 188. A Bill for an Act to Regulate the Practice in the District Courts and County Courts of Increased Jurisdiction, to Provide for Conferences in Advance of Trial, and the Simplification of Issues and Other Purposes; and Giving the Judge Power to Make Orders in Connection With Such Conferences.

Senate Bill No. 190. A Bill for an Act to Amend and Re-enact Section 2 of Chapter 216 of the Session Laws of 1941 so as to Extend the Term of Office of Members of the Governmental Survey Commission Until January 1, 1945, Appropriating for the Use of the Commission the Balance Remaining Unexpended in the Governmental Survey Commission Fund Created Pursuant to Section 14 of Said Chapter 216 of the Session Laws of 1941, and Declaring an Emergency.

Senate Bill No. 197. A Bill for an Act to Amend and Re-enact Section 819 of the Compiled Laws of North Dakota for

1913 and to Provide for Keeping Jury Lists Filed With Names of Qualified Jurors.

Senate Concurrent Resolution "B." Authorizing the Secretary of State to Supply 1942 North Dakota Blue Books Free of Charge to New Members of the Twenty-eighth Legislative Assembly.

Senate Concurrent Resolution "1-B." A Concurrent Resolution Protesting Favoritism for Youth of Japanese Extraction, in the Advantages of Higher Education.

Senate Concurrent Resolution "1-E." A Concurrent Resolution Calling for the Appointment of a Committee from Both Houses of the North Dakota Legislature to Study and Examine the Work of the Interim Legislative Committee on Code Revision, to Prepare Necessary Contracts, and Present the Same to the Legislature for Its Ratification.

Which the Speaker has signed.

W. M. SMART, Chief Clerk.

#### MESSAGES TO THE SENATE

House of Representatives

Bismarck, March 5, 1943

Mr. President: I have the honor to return:

Senate Bill No. 180. A Bill for an Act to Amend and Re-enact 2346a18 of the 1925 Supplement to the Compiled Laws of North Dakota, as Amended by Section 4 of Chapter 283, Session Laws of 1931, as Further Amended by Section 2 of Chapter 241, Session Laws of 1937, and as Further Amended by Section 1 of Chapter 228, Session Laws of 1939; Providing for Net Operating Loss Carry Over and Additional Deductions in Computing Net Income for Income Tax Purposes, and Declaring an Emergency.

Senate Bill No. 206. A Bill for an Act to Amend and Re-enact Section 19 of the Session Laws of North Dakota for 1927 as Amended and Re-enacted by Chapter 150 of the Session Laws of North Dakota for 1939, Relating to the Regulation of the Occupation of Hairdressers and Cosmetologists, and Repealing All Acts or Parts of Acts in Conflict Herewith.

Senate Bill No. 53. A Bill for an Act to Amend and Re-enact Chapter 118 of the Session Laws of 1933 as Amended by Chapter 158 of the Session Laws of 1941, Relative to Limitations on Hunting and Fishing and the Possession of Game and Fish, and Providing a Penalty.

Senate Bill No. 60. A Bill for an Act to Amend and Re-enact Paragraph (a) of Section 3 of Chapter 221 of the Session Laws of North Dakota for 1935 Relative to Per Diem and Expenses of the Members of the State Board of Public Welfare and Repealing All Acts in Conflict Herewith.

Senate Bill No. 67. A Bill for an Act to Prohibit Cutting, Removing or Destroying Any Native Growing Fruit Bearing Shrubs, or Trees, Providing a Penalty and Creating an Emergency.

Senate Bill No. 91. A Bill for an Act to Establish the Responsibility of the County Treasurer, and Requiring Him to Make an Annual Settlement of His Tax List and to Make an Annual Report, and Repealing Sections 3342 and 3343 of the Compiled Laws of 1913.



Senate Bill No. 92. A Bill for an Act to Amend and Re-enact Section 3267 of the Compiled Laws of North Dakota for 1913, Relating to the Duties of the Chairman of the Board of County Commissioners and Repealing All Acts or Parts of Acts in Conflict Herewith.

Senate Bill No. 93. A Bill for an Act to Amend and Re-enact Section 3349 of the Compiled Laws of North Dakota for 1913, Relating to the Treasurer's Record of Warrants Paid, and Repealing All Acts in Conflict Herewith.

Senate Bill No. 94. A Bill for an Act to Amend and Re-enact Section 3367 of the Compiled Laws of North Dakota for 1913 and Repealing Section 2161 of the Compiled Laws of North Dakota for 1913, Both Sections Relating to the Duties of the County Auditor.

Senate Bill No. 109. A Bill for an Act to Amend and Re-enact Section 3271 of the Compiled Laws of North Dakota for 1913, Relating to the Record of Proceedings of the Board of County Commissioners, and Repealing All Acts in Conflict Therewith.

Senate Bill No. 111. A Bill for an Act to Amend and Re-enact Section 2180 of the Compiled Laws of North Dakota for 1913, Relating to the Duties of the County Treasurer, and Repealing All Acts or Parts of Acts in Conflict Therewith.

Senate Bill No. 146. A Bill for an Act to Legalize the Operation of Bowling Alleys During Certain Hours on the First Day of the Week; Permitting Labor and Services to Be Performed in Connection Therewith; Permitting Municipalities by Ordinance to Prohibit Operation; Repealing All Acts or Parts of Acts in Conflict Herewith.

Senate Bill No. 161. A Bill for an Act to Amend and Re-enact Section 2 and Section 5 of Chapter 7 of the Session Laws of 1939; Relating to the Membership of the State Poultry Improvement Board.

Senate Bill No. 184. A Bill for an Act to Amend and Re-enact Section 12 of Chapter 139 of the Session Laws of North Dakota for the Year 1937, as Amended and Re-enacted by Section 3 of Chapter 175 of the Session Laws of North Dakota for 1941, Relating to Revocation of Suspension of Drivers' Licenses, and to Amend and Re-enact Section 13 of Chapter 139 of the Session Laws of North Dakota for 1937, Relating to Court Review of Action of the State Highway Commissioner, and to Amend and Re-enact Subsection (d) of Section 18 of Chapter 139 of the Session Laws of North Dakota for 1937 as Amended and Re-enacted by Section 4 of Chapter 175 of the Session Laws of North Dakota for the Year 1941, Relating to Salaries and Wages of Officers of the Division of Highway Safety and Patrol, and to Repeal Section 14 of Chapter 139 of the Session Laws of North Dakota for 1937.

Senate Bill No. 187. A Bill for an Act to Amend and Re-enact Paragraph (b) of Subdivision 5 of Section 7 and All of Section 23 of Chapter 94, Session Laws of 1931, Pertaining to Fully Paid Shares in Building and Loan Associations and Bonds of Directors, Officers, Agents and Employees, and Repealing All Acts in Conflict Herewith.

Senate Bill No. 200. A Bill for an Act Making an Appropriation of Funds to Purchase Paper and Binding Material

and to Pay for Printing and Binding and Supervision, and Declaring an Emergency.

Senate Bill No. 204. A Bill for an Act to Amend and Re-enact Section 21 of Chapter 250 of the Session Laws of 1935.

Senate Bill No. 205. A Bill for an Act to Repeal Chapter 38 of the Session Laws of 1921 and Chapter 217 of the Session Laws of 1931.

Senate Bill No. 103. A Bill for an Act to Amend and Re-enact Section 4870 of the Compiled Laws of North Dakota for the Year 1913, Relating to the Organization of Domestic Mutual Life Insurance Companies, and Declaring an Emergency.

Senate Bill No. 156. A Bill for an Act Relating to the Juvenile Court and the Protection, Control, and Custody of Children; and Amending and Re-enacting Chapter 23 of the Code of Criminal Procedure, Consisting of Sections 11402 to 11427, Inclusive, of the Compiled Laws of North Dakota of 1913; Sections 11412a, 11428a1, 11428a2, 11428a3, 11428a4 and 11428a5 of the Supplement to the 1913 Compiled Laws of North Dakota; and Chapter 113 of the Laws of 1929.

Senate Bill No. 171. A Bill for an Act to Amend and Re-enact Sections 2, 5, 6, 8, 9, 10, 13, 15, 16, and 22 of Chapter 71 of the Session Laws of North Dakota for the Year 1933, Relating to the State Banking Board, and Making an Appropriation for the Expense Incident Thereto and Repealing All Acts in Conflict Herewith.

Senate Bill No. 172. A Bill for an Act to Amend and Re-enact Section 17 of Chapter 96 of the Session Laws of North Dakota for the Year 1931 as Amended by Chapter 93 of the Session Laws of 1935, Also Sections 4, 25, 31, and 35 of Chapter 96 of the Session Laws of 1931, Also Section 30 of Chapter 96 of the Session Laws of 1931 as Amended by Chapter 96 of the Session Laws of North Dakota for the Year 1937 and Further Amended by Chapter 102 of the Session Laws of North Dakota for the Year 1941 and Repealing Section 57 of Chapter 96 of the Session Laws of North Dakota for the Year 1931; All Relating to the Regulation of the State Banking Associations.

Senate Joint Memorial Resolution "A." A Resolution in Memory of Departed Members of the North Dakota Senate.

Senate Concurrent Resolution "R." In Appreciation for His Invaluable Services Rendered by the Honorable Fred B. Fancher in the Organization and Starting on Its Way, the Government of the State of North Dakota.

Senate Concurrent Resolution "S." A Concurrent Resolution in Appreciation for His Invaluable Services Rendered by the Honorable Henry M. Peterson in the Organization and the Starting on Its Way, the Government of the State of North Dakota.

Senate Concurrent Resolution "Q." For His Invaluable Services Rendered by the Honorable E. W. Camp, in the Organization and the Starting on Its Way, the Government of the State of North Dakota.

Senate Bill No. 1. A Bill for an Act Extending the Time for Filing Income Tax Returns, Extending the Time for the Payment of Income, Personal Property and Real Property Taxes, Eliminating Interest and Penalty on Taxes, Exempt-

ing Military Income from the Income Tax to Members of the Armed Forces and of the Merchant Marine During the Present War, and Declaring an Emergency.

Senate Bill No. 18. A Bill for an Act Making and Appropriation for Services and Expenses for the Public Utility Division.

Senate Bill No. 29. 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. 30. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, Equipment and Miscellaneous Expenses of the State

Senate Bill No. 31. 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. 32. A Bill for an Act Making an Appropriation for the Purpose of Defraying the Expenses of the Maintenance and Operation of the State of North Dakota Doing Business as the North Dakota Mill and Elevator Association.

Senate Bill No. 33. 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. 48. 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, Chapter 98 of the Session Laws of North Dakota for the Year 1937 and Chapter 103 of the Session Laws of North Dakota for the Year 1939; Providing Method of Examination; Method of Collecting State Tax on Beer by the State Tax Commissioner; Providing Penalty for Violation Thereof and Repealing All Acts and Parts of Acts in Conflict Herewith.

Senate Bill No. 113. A Bill for an Act to Amend and Re-enact Section 2174 (a) and (b) of the Compiled Laws of North Dakota for 1913 as Amended by Chapter 242 of the Session Laws of 1929, Relating to Delinquent Personal Taxes and Repealing Section 2174 (c) of the Compiled Laws of North Dakota for 1913 and All Acts or Parts of Acts in Conflict Therewith.

Senate Bill No. 114. A Bill for an Act to Amend and Re-enact Section 17 of Chapter 71 of the Session Laws of North Dakota for the Year 1933, Requiring the State Examiner to Prescribe a System of Uniform Accounting for County Officers, Making an Appropriation Therefore and Repealing All Acts and Parts of Acts in Conflict Herewith.

Senate Bill No. 124. A Bill for an Act to Amend and Re-enact Sections 3790 and 3802 of the Compiled Laws of North Dakota for the Year 1913, Relating to Salaries of Members of the Board of City Commissioners.

Senate Bill No. 142. A Bill for an Act Authorizing the State of North Dakota to Exchange Tracts of Land Located

Within the Diminished Borders of Fort Berthold Reservation for Lands Owned by the United States Government Outside of the Diminished Borders of said Fort Berthold Reservation; Providing for Appraisals, and Execution of Conveyance.

Senate Bill No. 145. A Bill for an Act to Amend and Re-enact Section 200b4 of the 1925 Supplement to the Compiled Laws of North Dakota for 1913, Providing for the Payment of Premiums on Bonds of Public Employees; and Providing for the Transfer of Such Bonds, and Declaring an Emergency.

Senate Bill No. 210. A Bill for an Act to Amend and Re-enact Sub-section (b) of Section 1 of the Initiated Measure Adopted June 30, 1926 Relating to the Definition of "Motor Vehicle Fuels."

Which the Speaker has signed.

W. M. SMART, Chief Clerk.

House of Representatives

Bismarck, March 5, 1943

Mr. President: I have the honor to transmit:

House Bill No. 121. 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, and Declaring an Emergency.

House Bill No. 202. A Bill for an Act to Amend and Re-enact Chapter 242 of the 1939 Session Laws of the State of North Dakota, as Amended and Re-enacted by Chapter 290 of the 1941 Session Laws of the State of North Dakota Relating to a Tax Upon Sales of Certain Alcoholic Beverages by Licensed Wholesale Liquor Dealers, Providing the Method of Taxing the Same, and Collecting, Distributing and Expending the Revenue from Said Tax, Providing for the Filing of a List of Said Wholesalers, Repealing All Acts and Parts of Acts in Conflict Herewith, Providing Penalties for Violations of Said Act, Providing for a Saving Clause and Declaring an Emergency.

House Bill No. 240. A Bill for an Act to Amend and Re-enact Section 1 of Chapter 210 of the Session Laws of 1937 and Section 2 of the Session Laws of 1937 as Amended by Chapter 191 of the Session Laws of 1939 and Chapter 241 of the Session Laws of 1941 Pertaining to Definitions and Eligibility for Assistance to the Needy Blind and Repeal of Sections 15 and 19 of Chapter 210 of the Session Laws of 1937, and Declaring an Emergency.

House Bill No. 229. A Bill for an Act Providing for the Organization and Regulation of Non-Profit Hospital Service Plan Corporations, and Declaring an Emergency.

House Bill No. 28. 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. 189. A Bill for an Act Providing That a Course for Teachers in Cooperatives, Their History, Principles, Organization and Operation Shall Be Taught in the Teachers' Colleges of the State of North Dakota and in the Teachers' College at the University of the State of North Dakota.

House Bill No. 236. A Bill for an Act Providing for the Regulation of Private Trade Schools and Correspondence Schools, and Providing Penalties for Violation.

House Bill No. 27. 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. 245. A Bill for an Act Suspending the Operation of Section 1 of Chapter 196 of the Session Laws of North Dakota for 1933 During the Biennium Beginning July 1, 1943 and Ending June 30, 1945, and Limiting Salary Increases to 25% of the Existing Limitations.

House Bill No. 228. A Bill for an Act Permitting Counties, Cities, Villages and Townships to Lease and Permit the Use of Public Buildings for Other Than Public Purposes, and Declaring an Emergency.

House Bill No. 213. A Bill for an Act Amending and Re-enacting Section 6762 of the Compiled Laws of North Dakota for 1913, as Amended by Chapter 175 of the Session Laws of 1927, as Amended by Chapter 168 of the Session Laws of 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 and Making the Same an Emergency Measure.

House Bill No. 198. A Bill for an Act Authorizing and Permitting the Payment and Discharge of Delinquent Estate Taxes Where Such Estate Is of an Appraised Value of Less Than \$30,000.00 and Consists of at Least Two-Thirds in Value of Agricultural Lands and Farm Equipment and Livestock, or Products on Such Lands, and Where Such Estate Tax Shall Have Been Due and Payable Since Prior to July 1, 1939, by the Payment of the Principal of Such Original Estate Tax, With One Percent Per Annum Penalty Thereon from Date Such Estate Tax Became Due, and Declaring an Emergency.

House Bill No. 153. A Bill for an Act Making It a Felony for an Official or Employee in Any Penal, Correctional, or Eleemosynary Institution to Have Sexual Intercourse With an Inmate of Such Institution in Which Such Officer or Other Person Is Employed; Making It a Felony for a Guardian or Person Administering Public Relief or Welfare to Induce a Female Ward Under His Care to Have Illicit Sexual Intercourse With Him, by Threatening to Withhold from Such Female or Her Family, the Necessities of Life, or Threatening Physical Violence; Providing Penalty.

House Concurrent Resolution "G." A Concurrent Resolution Providing for the Amendment of the Constitution of the State of North Dakota, Creating a State Equalization Fund, and Providing for a State Tax Levy for School Purposes.

House Concurrent Resolution "O." A Concurrent Resolution for an Amendment to the Constitution of the State of North Dakota Permitting Liquor Stores.

House Concurrent Resolution "1-J." A Concurrent Resolution Memorializing the Congress of the United States to Provide for and Continue the Program of Incentive Pay-

ments to Farmers Who Increase Their Production in 1943 of the Crops Mentioned Therein to Insure Production of Food Essential to Victory.

House Concurrent Resolution "1-I." A Resolution Expressing Affection to the Men and Officers of the 164th Infantry for Their Achievements, and All Other Men and Women of North Dakota Engaged in Military Service of Our Country.

House Bill No. 102. A Bill for an Act to Repeal Section 2 of Chapter 255 of the Session Laws of North Dakota for 1941, Relating to High School Correspondence Work, and to Amend and Re-enact Section 6 of Chapter 255 of the Session Laws of North Dakota for 1941, Relating to High School Tuition and Fixing the Amounts of Such Tuition.

House Bill No. 33. A Bill for an Act Making an Appropriation for Salaries, Operation, Maintenance, General and Miscellaneous Expenses for the State Laboratories Department.

House Bill No. 90. A Bill for an Act to Amend and Re-enact Section 7 of Chapter 297 of the Session Laws of North Dakota for 1941, Relating to the Confidential Character of Birth Records, and Who May Inspect the Same and to Whom Information Concerning the Same May Be Given.

House Bill No. 77. A Bill for an Act Making an Appropriation Into the "Administrative Fund" for the State Water Conservation Commission for General Administration Expenses, Maintenance of Existing Dams and Drainage Channels, Construction of Needed Drainage Channels, Planning and Surveying Projects, and Expenses of State Compacts.

House Bill No. 165. A Bill for an Act to Amend and Re-enact Section 2486 of the 1925 Supplement Relating to Repairs of Existing Drains; and Providing for the Abandonment and Dissolution Thereof.

House Bill No. 147. A Bill for an Act to Amend and Re-enact Sections 2 and 6 of Chapter 217 of the Session Laws of North Dakota for the Year 1941 to Extend the Time in Which the Development of Projects May Be Initiated Thereunder.

House Bill No. 37. 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. 72. A Bill for an Act Authorizing School Districts to Set Up and Maintain a Special Reserve Fund; Providing for the Expenditures Which May Be Made from Said Special Reserve Fund, Providing for the Transfer of Present Funds Into a Special Reserve Fund; and Authorizing a Three Mill Tax Levy for the Establishment and Maintenance of Said Special Reserve Fund; Repealing All Acts or Parts of Acts in Conflict; and Declaring an Emergency.

Which the Speaker has signed and your signature is respectfully requested.

W. M. SMART, Chief Clerk.

Rep. Graham moved that at this time the House select the two members of the House for the Post War Planning Board

and placed the name of Rep. Levin as representative of the Nonpartisan League group.

Rep. Bergesen placed the name of Rep. Sellens for the Coalition group.

Rep. Bergesen moved the nominations be closed, which motion prevailed.

Rep. Graham moved that the House elect Rep. Levin and Rep. Sellens as the two members to represent the House in the Post War Planning group, which motion prevailed and Rep. Levin and Rep. Sellens were elected.

#### MESSAGE FROM THE SENATE

Senate Chamber  
Bismarck, March 5, 1943

Mr. Speaker: I have the honor to inform you that the Senate has adopted the report of the Conference Committee on Senate Bill No. 8.

Very respectfully,

W. J. TROUT, Secretary.

Rep. Crockett moved that the rules be suspended and House Concurrent Resolution "1-U" be read from the desk.

#### INTRODUCTION OF HOUSE CONCURRENT RESOLUTION

Reps. Callahan, Fitch, Twichell, Bergesen and Schnell introduced:

#### HOUSE CONCURRENT RESOLUTION "1-U"

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF NORTH DAKOTA, THE SENATE CONCURRING THEREIN:

1 WHEREAS, The cost of living has materially increased;

2 and

3 WHEREAS, The present pay schedule for employees

3a of the

4 House of Representatives of the Twenty-eighth Legislative

4a tive

5 Assembly of North Dakota is inadequate;

6 NOW, THEREFORE BE IT RESOLVED BY THE

6a HOUSE

7 OF REPRESENTATIVES OF THE STATE OF NORTH

7a DAKOTA,

8 THE SENATE CONCURRING, That the rate of compensation

8a pension

9 for all employees of the House of Representatives of the

10 Twenty-eighth Legislative Assembly of the State of

10a North

11 Dakota presently being paid five dollars (\$5.00) per day

11a or

12 less, be increased twenty-five (25) per cent above the

13 amount now received and that such increase apply to all

13a the

14 days for which they are or have been employed by the

14a Twenty-

15 eighth Legislative Assembly.

16 That the rate of compensation for all legislative employ-

16a ploy-

17 ees of said House of Representatives presently being paid

17a more

18 than five dollars per day be increased fifteen (15) per  
 18a cent  
 19 above the amount now received and that such increase  
 19a apply to  
 20 all the days for which they are or have been employed by  
 20a the  
 21 Twenty-eighth Legislative Assembly.  
 22 BE IT FURTHER RESOLVED, That this Assembly  
 22a does hereby  
 23 appropriate and there is hereby appropriated the sum of  
 24 \$9,500.00, or so much thereof as is necessary for the pur-  
 24a pose  
 25 of paying such increases provided herein.

Rep. Crockett moved that House Concurrent Resolution "1-U" be adopted.

Rep. Wolf of McIntosh moved that House Concurrent Resolution "1-U" be laid on the table, which motion prevailed.

#### MESSAGE FROM THE SENATE

Senate Chamber  
 Bismarck, March 5, 1943

Mr. Speaker: I have the honor to inform you that the Senate has adopted the report of the Conference Committee on House Bill No. 110.

Very respectfully  
 W. J. TROUT, Secretary.

Rep. Aker moved that the rules be suspended and that the House reconsider action taken on House Bill No. 50, which motion prevailed.

Rep. Aker moved that the House reconsider action on House Bill No. 50 by which the report of the Conference Committee was adopted, which motion prevailed.

Rep. Aker moved that the rules be suspended for the purpose of offering a new Conference Committee report, which motion prevailed.

#### REPORT OF SELECT COMMITTEE

The Conference Committee on House Bill No. 50 made the following report:

Mr. Speaker: Your Conference Committee to whom was referred House Bill No. 50, have had the same under consideration and recommend:

That the Senate recede from all Senate amendments.

And the next to the last line of the title be amended by striking out the words "in the course of their" and strike out in the last line of the title the word "duties" and insert in lieu thereof the words "for registration purposes".

For the House:

M. S. AKER  
 A. J. SANDNESS  
 RAY SCHNELL

For the Senate:

MELVIN OLSON  
 KNUT OKSENDAHL  
 WM. A. THATCHER

Rep. Aker moved that the report be adopted, which motion prevailed and the report was adopted.

Rep. Aker moved that the rules be suspended and that



House Bill No. 50 be considered properly engrossed and placed on second reading and final passage, which motion prevailed.

### SECOND READING OF HOUSE BILLS

House Bill No. 50. A Bill for an Act to Amend and Re-enact Sub-Section (e) (1) of Section Two of Chapter 194 of the Session Laws of North Dakota for the Year 1941, Said Sub-section (e) (1) of Section Two of Chapter 194 Being an Amendment to Sub-division (b) of Section 25 of Chapter 186 of the Session Laws of North Dakota for the Year 1931, as Amended by Chapter 161 of the Session Laws of North Dakota for the Year 1933, Providing for the Registration Fees for Trucks on a Gross Weight Basis, and Providing for the Classification of Special Auxiliary Equipment Used by Rural Mail Carriers in the Course of Their Duties, 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, 92; nays, 0; absent and not voting, 21.

Those voting in the affirmative were:

Aker	Halcrow	Ohnstad
Allen, Grand Forks	Haugen	Ostgulen
Allen, Pierce	Haugland	Peterson, Bottina'u
Arndt	Heckman	Peterson, Ransom
Bauer	Hegge	Pyle
Baumgartner	Hildre	Rettke
Benno	Hofstrand	Rohde
Bergesen	Hogoboom	Rohrer
Bjella	Holm	Runck
Blair	Iszler	Sailer
Bolmeier	Johnson, Richland	Sandness
Boulden	Johnson, Rolette	Saumur
Bureau	Kolpin	Schmalenberger
Bymers	Langley	Schnell
Callahan	Larson, Ward	Sellens
Carlson	Leet	Sharpe
Collette	Lillehaugen	Stair
Crockett	Lunde	Starck
Dahlen	McInnes	Sticka
Dalzell	Manstrom	Stormon
Devlin	Marks	Twichell
Drovdal	Mittag	Tuff
Ekren	Moe	Wambheim
Falconer	Mollet	Welder
Fitch	Monson	Welk
Forseth	Morland	Williams, Richland
Fraser	Morrison	Williams, Sargent
Gackle	Mortenson	Wolf, McIntosh
Gainor	Myers	Wolf, Morton
Graham	Nystrom	Mr. Speaker
Haag	Olson, Bowman	
Absent and not voting:		
Anderson	Fuglestad	Nelson
Bagge	Halvorson	Olson, Barnes
Belzer	Hovey	Schwartz
Braun	Jennings	Severson
Bubel	Johnson, Cass	Shure

Coghlan  
Fleck

Larson, Wells  
Levin

Westby  
Williams, Stutsm'n

So the bill passed as amended and the title was agreed to, and the emergency clause was declared carried.

Rep. Morland moved that the vote by which House Bill No. 50 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

#### MESSAGES FROM THE SENATE

Senate Chamber  
Bismarck, March 5, 1943

Mr. Speaker: I have the honor to inform you that the Senate has requested the return of House Bill No. 119.

Very respectfully,

W. J. TROUT, Secretary.

Senate Chamber  
Bismarck, March 5, 1943

Mr. Speaker: I have the honor to inform you that the Senate has adopted the report of the Conference Committee on Senate Bill No. 107.

Very respectfully,

W. J. TROUT, Secretary.

Senate Chamber  
Bismarck, March 5, 1943

Mr. Speaker: I have the honor to inform you that the Senate has adopted the report of the Conference Committee on House Bill No. 50.

Very respectfully,

W. J. TROUT, Secretary.

Senate Chamber  
Bismarck, March 5, 1943

Mr. Speaker: I have the honor to return:

House Bill No. 244. A Bill for an Act to Permit the Purchase by the State, County, Township and Other Municipalities of North Dakota of Tax Exempt Gasoline for the Construction, Reconstruction or Maintenance of Highways, Public Roads, Streets and Airports; and Declaring an Emergency.

Which the Senate has passed as amended.

W. J. TROUT, Secretary.

Rep. Schnell moved that the House return to the Senate House Bill No. 119 as requested, which motion prevailed.

#### MESSAGE TO THE SENATE

House of Representatives  
Bismarck, March 5, 1943

Mr. President: I have the honor to return House Bill No. 119.

Very respectfully,

W. M. SMART, Chief Clerk.

#### HOUSE COMMITTEE ON ENROLLMENT AND ENGROSSMENT

Mr. Speaker: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

House Bill No. 28.

House Bill No. 189.

And find the same correctly Engrossed.

REP. MORLAND, Chairman.

Rep. Monson moved that the report be adopted, which motion prevailed and the report was adopted.

**HOUSE COMMITTEE ON ENROLLMENT AND  
ENGROSSMENT**

Mr. Speaker: Your committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

House Bill No. 28.

House Bill No. 189.

And find the same correctly Enrolled.

REP. MORLAND, Chairman.

Rep. Monson moved that the report be adopted, which motion prevailed and the report was adopted.

**REPORTS OF STANDING COMMITTEES**

The Committee on Enrollment and Engrossment respectfully reports that:

House Bill No. 16.

House Bill No. 44.

House Bill No. 48.

House Bill No. 64.

House Bill No. 68.

House Bill No. 78.

House Bill No. 98.

House Bill No. 100.

House Bill No. 127.

House Bill No. 148.

House Bill No. 171.

House Bill No. 173.

House Bill No. 174.

House Bill No. 175.

House Bill No. 182.

House Bill No. 188.

House Bill No. 192.

House Bill No. 196.

House Bill No. 212.

House Bill No. 214.

House Bill No. 220.

House Bill No. 243.

House Bill No. 250.

Were delivered to the Governor for his approval at the hour of 2:00 o'clock p. m., March 5, 1943.

REP. MORLAND, Chairman.

The Committee on Enrollment and Engrossment respectfully reports that:

House Concurrent Resolution "S."

House Concurrent Resolution "T."

House Concurrent Resolution "1-C."

Were delivered to the Secretary of State at the hour of 2:00 o'clock p. m., March 5, 1943.

REP. MORLAND, Chairman.

**REPORT OF SELECT COMMITTEES**

The Conference Committee on House Bill No. 110 made the following report:

Mr. Speaker: Your Conference Committee, to whom was referred House Bill No. 110, have had the same under consideration and recommend:

In line 6 of the original bill, strike out the figures "\$5,000.00" and insert the figures "\$6,000.00" in lieu thereof.

In line 8 of the original bill, strike out the figures "\$3,600.00" and insert the figures "\$4,200.00" in lieu thereof.

In line 12 of the original bill, strike out the figures "\$3,000.00" and insert the figures "\$3,600.00" in lieu thereof.

In line 14 of the original bill, strike out the figures "\$3,000.00" and insert the figures "\$3,600.00" in lieu thereof.

And when so amended recommend the same do pass.

For the House:

BERNT ANDERSON  
WALTER BUBEL  
LOUIS LEET

For the Senate:

J. B. BRIDSTON  
MILTON RUE  
E. C. STUCKE

Rep. Bergesen moved that the report be adopted, which motion prevailed and the report was adopted.

Rep. Bergesen moved that the rules be suspended and House Bill No. 110 be considered properly engrossed and placed on second reading and final passage, which motion prevailed.

#### SECOND READING OF HOUSE BILLS

House Bill No. 110. A Bill for an Act Fixing the Salaries or Compensation of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, Attorney General, Superintendent of Public Instruction, Commissioner of Insurance, Commissioner of Agriculture and Labor, and Each Commissioner of the Public Service Commission to Be Elected After the Effective Date of This Act and All Subsequent Elections and Amending and Re-enacting the Initiated Act Known as, Reduction Salaries of State Officials, Approved by the People of the State of North Dakota November 8, 1932.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 101; nays, 1; absent and not voting, 11.

Those voting in the affirmative were:

Aker	Haag	Ostgulen
Allen, Grand Forks	Halcrow	Peterson, Bottin'au
Allen, Pierce	Haugen	Peterson, Ransom
Anderson	Haugland	Pyle
Arndt	Heckman	Rettke
Bagge	Hildre	Rohde
Bauer	Hofstrand	Rohrer
Baumgartner	Hogoboom	Runck
Benno	Holm	Sailer
Bergesen	Hovey	Sandness
Bjella	Iszler	Saumur
Blair	Johnson, Richland	Schwartz
Bolmeier	Johnson, Rolette	Schmalenberger
Boulden	Kolpin	Schnell
Bubel	Langley	Sellens

Burau	Larson, Ward	Severson
Bymers	Larson, Wells	Sharpe
Callahan	Leet	Stair
Coghlan	Lillehaugen	Starck
Collette	McInnes	Sticka
Crockett	Manstrom	Stormon
Dahlen	Marks	Twichell
Dalzell	Moe	Tuff
Devlin	Mollet	Wambheim
Drovdal	Monson	Welder
Ekren	Morland	Welk
Falconer	Morrison	Westby
Fitch	Mortenson	Williams, Richland
Forseth	Myers	Williams, Sargent
Fraser	Nelson	Williams, Stutsm'n
Fuglestad	Nystrom	Wolf, McIntosh
Gackle	Olson, Barnes	Wolf, Morton
Gainor	Olson, Bowman	Mr. Speaker
Graham	Ohnstad	

Those voting in the negative were:

Mittag

Absent and not voting:

Belzer	Halvorson	Levin
Braun	Hegge	Lunde
Carlson	Jennings	Shure
Fleck	Johnson, Cass	

So the bill passed as amended and the title was agreed to.

Rep. Bubel moved that the vote by which House Bill No. 110 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Rep. Graham requested that the House be on the seventh order of business, which request was granted.

Rep. Graham moved that the House reconsider action taken on House Concurrent Resolution "1-U". Rep. Bergesen seconded the motion, which motion prevailed.

Rep. Graham moved that the rules be suspended and that House Concurrent Resolution "1-U" be placed on second reading and final passage at this time, which motion prevailed.

#### SECOND READING OF HOUSE CONCURRENT RESOLUTION

House Concurrent Resolution 1-U." Providing for an Increase in the Pay Schedule for Employees of the Twenty-eighth Legislative Assembly and Making an Appropriation Therefor.

Was read the second time.

#### ROLL CALL

The question being on the adoption of House Concurrent Resolution "1-U", the roll was called and there were ayes, 89; nays, 1; absent and not voting, 23.

Those voting in the affirmative were:

Aker	Graham	Nystrom
Allen, Grand Forks	Haag	Olson, Barnes
Allen, Pierce	Halcrow	Olson, Bowman
Anderson	Haugen	Ohnstad
Arndt	Haugland	Ostgulen
Bagge	Heckman	Peterson, Bottin'au

Bauer	Hegge	Peterson, Ransom
Baumgartner	Hildre	Pyle
Bergesen	Hofstrand	Rettke
Blair	Hogoboom	Rohde
Bolmeier	Holm	Rohrer
Burau	Hovey	Runk
Bymers	Iszler	Sailer
Callahan	Johnson, Rolette	Schwartz
Carlson	Kolpin	Schmalenberger
Coghlan	Larson, Ward	Schnell
Collette	Larson, Wells	Sellens
Crockett	Leet	Sharpe
Dahlen	Lillehaugen	Starck
Dalzell	McInnes	Stair
Devlin	Manstrom	Sticka
Drovdal	Marks	Tuff
Ekren	Mittag	Twichell
Fitch	Moe	Wambheim
Fleck	Mollet	Welk
Forseth	Monson	Williams, Sargent
Fraser	Morrison	Williams, Stutsm'n
Fuglestad	Mortenson	Wolf, Morton
Gackle	Myers	Mr. Speaker
Gainor	Nelson	

Those voting in the negative were:

Boulden

Absent and not voting:

Belzer	Johnson, Cass	Severson
Benno	Johnson, Richland	Shure
Bjella	Langley	Stormon
Braun	Levin	Welder
Bubel	Lunde	Westby
Falconer	Morland	Williams, Richland
Halvorson	Sandness	Wolf, McIntosh
Jennings	Saumur	

So the Resolution was adopted.

#### MESSAGE TO THE SENATE

House of Representatives,  
Bismarck, March 5, 1943

Mr. President: I have the honor to transmit:

House Concurrent Resolution 1-U." Providing for an Increase in the Pay Schedule for Employees of the Twenty-eighth Legislative Assembly and Making an Appropriation Therefor.

Which the House has passed and your favorable consideration is requested.

W. M. SMART, Chief Clerk.

Rep. Boulden moved that the rules be suspended and House Resolution "1-V" be considered properly introduced and placed on first reading.

Reps. Fitch and Aker introduced:

#### HOUSE RESOLUTION "1-V"

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF NORTH DAKOTA:

1 WHEREAS, William Bauer of Sioux County, North

1a Dakota,

2 has in an able and efficient manner investigated the

3 situation on the Standing Rock Indian Reservation; and  
 4 WHEREAS, Said William Bauer has proven able,  
 4a efficient

5 faithful and conscientious in his endeavor on behalf of  
 6 the Indians of the Standing Rock Indian Reservation; and

7 WHEREAS, William Bauer was not able to complete  
 7a the

8 investigation requested by the House of Representatives  
 8a of

9 the 28th Legislative Assembly.

10 NOW, THEREFORE, BE IT RESOLVED, that a  
 10a committee of

11 one consisting of William Bauer, of Sioux County, North  
 12 Dakota, be appointed an interim committee of one to

13 investigate the conditions on the Standing Rock Indian  
 14 Reservation so as to aid and assist the 29th Legislative

15 Assembly of the State of North Dakota in memorializing  
 16 Congress asking for proper legislation for the aid and

16a comfort of

17 the Indians of the Standing Rock Indian Reservation. The

18 said William Bauer to make a full and detailed report to  
 19 the 29th Legislative Session when it convenes in the year

20 A. D. 1945.

Rep. Fitch moved that the rules be suspended and House  
 Resolution "1-V" be adopted.

Rep. Myers offered as a substitute motion that House  
 Resolution "1-V" be adopted by a unanimous standing vote,  
 which motion prevailed and the Resolution was unanimously  
 adopted.

Rep. Tuff moved that the vote by which House Resolution  
 "1-V" was adopted be reconsidered and the motion to re-  
 consider be laid on the table, which motion prevailed.

Rep. Bauer: "This comes to me unexpected. I want to  
 tell every one of you that I appreciate it from the bottom of  
 my heart. I want to assure you that I have enjoyed my little  
 stay here with you. I have tried to do what is right. I have  
 tried to respect the rights of everyone. Sometimes I have  
 been praised and sometimes I have been censured but I believe  
 that I have done right. I have tried to. Life is too short to  
 be bitter against anybody. It is too short to be any way  
 other than try to do right. I appreciate this and I am going  
 to cherish this Resolution. I am going to take it with me and  
 in my last breath, if it is possible to do so, I will request  
 those who take my body to the grave, that it be buried with  
 me. I thank you one and all."

#### MESSAGES FROM THE SENATE

Senate Chamber  
 Bismarck, March 5, 1943

Mr. Speaker: I have the honor to return:

House Concurrent Resolution 1-U." Providing for an  
 increase in the Pay Schedule for Employees of the Twenty-  
 eighth Legislative Assembly and Making an Appropriation  
 Therefor.

Which the Senate has indefinitely postponed.

W. J. TROUT, Secretary.  
 Senate Chamber

Bismarck, March 5, 1943

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 15. A Bill for an Act Making an Appro-

priation for Operation and Maintenance of the Auto Transportation Division.

Senate Bill No. 16. A Bill for an Act Making an Appropriation for Salaries and Expenses of the Scale Inspection Division.

Senate Bill No. 17. A Bill for an Act Making an Appropriation for Salaries and Expenses of the Livestock Division (Dealers).

Senate Bill No. 23. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, New Building, Equipment and Miscellaneous Items for the Grafton State School at Grafton, North Dakota.

Senate Bill No. 70. A Bill for an Act Fixing the Maximum Salary Payable to the Commissioner of University and School Lands and Creating an Emergency.

Senate Bill No. 104. A Bill for an Act to Authorize the State Highway Commissioner to Cooperate with the Public Roads Administration of the United States in the Construction and Maintenance of Flight Strips and of Certain Classes of Highways and to Acquire, by Purchase or Condemnation, Lands Required for Such Flight Strips and Highways.

Senate Bill No. 108. A Bill for an Act to Provide for Acting Officials in Absences Caused by Induction Into the Military Service of Incumbent Officers, and Declaring an Emergency.

Senate Bill No. 110. A Bill for an Act to Amend and Re-enact Section 2157 of the Compiled Laws of North Dakota of the Year 1913 as Amended by Chapter 228 of the Session Laws of 1929 Relating to the Issuance of Tax Receipts and the Form Thereof.

Senate Bill No. 112. A Bill for an Act to Amend and Re-enact Section 2160 of the Compiled Laws of North Dakota of the Year 1913 Relating to Issuance of Receipts.

Senate Bill No. 121. A Bill for an Act Making an Appropriation to the State Water Conservation Commission for the Preparation of Water Conservation and Irrigation Projects for Post-war Construction and Development; and Declaring an Emergency.

Senate Bill No. 129. A Bill for an Act to Require All Insurance Company Examinations Conducted by the Commissioner of Insurance to Be Conducted by Qualified Regular Employees, and to Require the Payment of Compensation Received for Such Services Into the State Treasury.

Senate Bill No. 134. A Bill for an Act to Amend and Re-enact Section 7, the Fourth Paragraph of Section 11, and Section 15 of Chapter 101 of the Session Laws of 1927, Chapter 79 of the Session Laws of 1933, the First Paragraph and Sub-section 2 of Section 18 (as Amended by Chapter 98 of the Session Laws of 1931) and the Second Paragraph of Section 21, of Chapter 101 of the Session Laws of 1927, Relating to the Barbers Examining Board of the State of North Dakota and the Regulation of the Business of Barbering.

Senate Bill No. 144. A Bill for an Act to Amend and Re-enact Section 11 of Chapter 159 of the Session Laws of North Dakota for 1927 as Amended by Chapter 174 of the



Session Laws of North Dakota for 1941, Relating to the Department of State Highways.

Senate Bill No. 173. A Bill for an Act Authorizing and Relating to Contracts by Certain Cities and Villages for Obtaining a Supply of Water for Public and Domestic Uses.

Senate Bill No. 203. A Bill for an Act Relating to National and State Defense, Authorizing the Creation of State and Local Defense Agencies, Granting Emergency War Powers to Said Agencies and the Political Subdivisions of the State, and Making an Appropriation Therefor.

Senate Bill No. 209. A Bill for an Act Authorizing the Code Revision Commission to Incorporate the Session Laws Adopted by the Twenty-Eighth Legislative Assembly in the North Dakota Revised Code of 1943; to Rearrange, Renumber, and Correct Typographical Errors in Such Code; and to Prepare the Same for Publication, and Declaring an Emergency.

Which the President has signed and your signature is respectfully requested.

W. J. TROUT, Secretary.

#### REPORT OF SELECT COMMITTEE

The Conference Committee on Senate Bill No. 68 made the following report:

Mr. Speaker: Your Conference Committee to whom was referred Senate Bill No. 68, have had the same under consideration and recommend:

That Senate Bill No. 68 be amended as follows, the amendments being on the Senate Bill as it came to the House:

In Line 19, strike out the word "five" and insert the word "three", and strike out all of Lines 20, 21, 22, 23 and 24, and insert the following:

"thousand (3000): Sixteen hundred dollars (\$1600.00) in counties having a population exceeding three thousand (3000) and not exceeding four thousand (4000): Seventeen hundred dollars (\$1700.00) in counties having a population exceeding four thousand (4000) and not exceeding five thousand (5000): Eighteen hundred dollars (\$1800.00) in counties having a population exceeding five thousand (5000) and not exceeding seven thousand (7000): provided".

In Line 27, strike out the words and figures "Thirty Dollars (\$30.00)" and insert the words and figures "Thirty-five Dollars. (\$35.00)" in lieu thereof.

In Line 30, strike out the words and figures "Twenty-four Hundred Dollars (\$2400.00)" and insert "Twenty-seven Hundred Dollars (\$2700.00)".

In Line 32, after the word "jurisdiction", strike out the balance of the line as well as all of Lines 33, 34, 35, 36, 37, 38, 39, 40, 41, and 42, and in lieu thereof insert the following:

"Provided, further, that the county commissioners may appoint one or more assistant States Attorneys or clerks and fix their compensation in the same manner as in the case of deputies and clerks in other county offices."

In Line 63, strike out the word "Twenty-four" and insert in lieu thereof, the word "Twenty-seven".

In Line 63, strike out the figures "\$2400.00" and insert in lieu thereof the figures "\$2700.00".

Renumber the lines.

For the House:

L. L. TWICHELL  
GEO. H. SAUMUR  
A. W. BENNO

For the Senate:

J. B. BRIDSTON  
J. L. FLATT  
P. W. BLANK

Rep. Bergesen moved that the report be adopted, which motion prevailed and the report was adopted.

Rep. Bubel moved that the rules be suspended and Senate Bill No. 68 be placed on second reading and final passage, which motion prevailed.

#### SECOND READING OF SENATE BILLS

Senate Bill No. 68. A Bill for an Act to Amend and Re-enact Sections 1, 2, 5, 6, 8 and 10 of That Certain Initiated Law Adopted by the Voters of the State of North Dakota, at the Primary Election Held June 29, 1932, Entitled as Follows: "An Act Reducing and Fixing the Salaries of the Following County Officials Hereafter Elected: Auditor, Treasurer, Sheriff, Superintendent of Schools, Register of Deeds, County Judge, State's Attorney, and Clerk of District Court, and Providing for the Appointment of Certain Deputies, Clerks and Assistants to Such Officials and Fixing Their Salaries, and for Payment of All Fees to the County, and Fixing the Per Diem and Mileage of County Commissioners and Repealing Section 3551a2, 1925 Supplement to the Compiled Laws of 1913, Chapters 114 and 115 of the Laws of 1927, Chapter 108 of the Laws of 1929, Chapter 117 of the Laws of 1931, and All Acts and Parts of Acts so Far as in Conflict Herewith," and Repealing Sections 3, 4 and 9 of Said Initiated Law and All Acts and Parts of Acts in Conflict Herewith, and Declaring an Emergency.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 103; nays, 0; absent and not voting, 10.

Those voting in the affirmative were:

Aker	Halcrow	Olson, Bowman
Allen, Grand Forks	Haugen	Ohnstad
Allen, Pierce	Haugland	Ostgulen
Anderson	Heckman	Peterson, Bottin'au
Arndt	Hegge	Peterson, Ransom
Bagge	Hildre	Pyle
Bauer	Hofstrand	Rettke
Baumgartner	Hogoboom	Rohde
Benno	Holm	Rohrer
Bergesen	Hovey	Runck
Bjella	Iszler	Sailer
Blair	Johnson, Richland	Saumur
Bolmeier	Johnson, Rolette	Schwartz
Boulden	Kolpin	Schmalenberger
Bubel	Langley	Schnell

Burau	Larson, Ward	Sellens
Bymers	Larson, Wells	Severson
Callahan	Leet	Sharpe
Carlson	Lillehaugen	Stair
Coghlan	Lunde	Starck
Collette	McInnes	Sticka
Dahlen	Manstrom	Stormon
Dalzell	Marks	Twichell
Devlin	Mittag	Tuff
Drovdal	Moe	Wambheim
Ekren	Mollet	Welder
Falconer	Monson	Welk
Fitch	Morland	Westby
Fleck	Morrison	Williams, Richland
Forseth	Mortenson	Williams, Sargent
Fraser	Myers	Williams, Stutsm'n
Fuglestad	Nelson	Wolf, McIntosh
Gackle	Nystrom	Wolf, Morton
Gainor	Olson, Barnes	Mr. Speaker
Graham		
Absent and not voting:		
Belzer	Halvorson	Levin
Braun	Jennings	Sandness
Crockett	Johnson, Cass	Shure
Haag		

So the bill passed as amended and the title was agreed to, and the emergency clause was declared carried.

Rep. Rohde 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.

#### CONFERENCE COMMITTEE REPORT

Amendment to House Concurrent Resolution "1-T".

In the ninth line of the first page of the engrossed bill, strike the colon, insert a comma and the language, "The Senate Concurring therein", and in the ninth line of the second page after the word "Assembly" insert the language, "The Senate Concurring Therein."

Rep. Rohde moved that the House adopt the report of the Conference Committee on House Concurrent Resolution "1-T", which motion prevailed.

Rep. Rohde moved that the rules be suspended and House Concurrent Resolution "1-T" be placed on Second Reading and Final Passage, which motion prevailed.

#### SECOND READING OF HOUSE CONCURRENT RESOLUTION

House Concurrent Resolution "1-T." A Concurrent Resolution for the Payment of \$200 as Attorney Fees to Milton K. Higgins for Legal Services Rendered for the State Insurance Department, in the Senate Investigation of Charges in the Special Examining Commission Concerning State Insurance Department, to Be Paid Out of the Appropriation for the Special Examining Commissioner.

Was read the second time.

#### ROLL CALL

The question being on the adoption of House Concurrent Resolution "1-T", the roll was called and there were ayes, 96; nays, 1; absent and not voting, 16.

Those voting in the affirmative were:

Aker	Haugland	Ohnstad
Allen, Grand Forks	Heckman	Ostgulen
Allen, Pierce	Hegge	Peterson, Ransom
Anderson	Hildre	Pyle
Bauer	Hofstrand	Rettke
Baumgartner	Hogboom	Rohde
Benno	Holm	Rohrer
Bergesen	Hovey	Runck
Bjella	Iszler	Sailer
Blair	Johnson, Richland	Sandness
Boulden	Johnson, Rolette	Schwartz
Bureau	Kolpin	Schmalenberger
Callahan	Langley	Schnell
Carlson	Larson, Ward	Sellens
Coghlan	Larson, Wells	Severson
Collette	Leet	Sharpe
Crockett	Lillehaugen	Stair
Dahlen	Lunde	Starck
Dalzell	McInnes	Sticka
Devlin	Manstrom	Stormon
Drovdal	Marks	Twichell
Ekren	Mittag	Tuff
Falconer	Mollet	Wambheim
Fitch	Monson	Welder
Fleck	Morland	Welk
Forseth	Morrison	Westby
Fraser	Mortenson	Williams, Richland
Gainor	Myers	Williams, Sargent
Graham	Nelson	Williams, Stutsm'n
Haag	Nystrom	Wolf, McIntosh
Halcrow	Olson, Barnes	Wolf, Morton
Haugen	Olson, Bowman	Mr. Speaker

Those voting in the negative were:

Moe

Absent and not voting:

Arndt	Bymers	Johnson, Cass
Bagge	Fuglestad	Levin
Belzer	Gackle	Peterson, Bottina'u
Bolmeier	Halvorson	Saumur
Braun	Jennings	Shure
Bubel		

So the Resolution as amended was adopted.

#### MESSAGE TO THE SENATE

House of Representatives

Bismarck, March 5, 1943

Mr. President: I have the honor to inform you that the House has concurred in the Senate amendment to House Concurrent Resolution "1-T".

Very respectfully,

W. M. SMART, Chief Clerk.

#### MESSAGE FROM THE SENATE

Senate Chamber

Bismarck, March 5, 1943

Mr. Speaker: I have the honor to inform you that the Senate has adopted the report of the Conference Committee on Senate Bill No. 2.

Very respectfully,

W. J. TROUT, Secretary.

## REPORT OF SELECT COMMITTEES

The Conference Committee on Senate Bill No. 2 made the following report:

Mr. President: Your Conference Committee, to whom was referred Senate Bill No. 2, beg leave to report that we have had the same under consideration and recommend:

The House recedes from all the House amendments and that the Printed Bill be amended: In line 391 by striking out the figures "\$75,000.00" and inserting in lieu thereof the figures "\$100,000.00".

In line 87 of the engrossed bill strike out the figures "\$35,-650.00" and insert in lieu thereof the figures "\$38,500.00".

In line 90 of the engrossed bill strike out the figures "\$3,-500.00" and insert in lieu thereof the figures "\$5,000.00", and correct the totals accordingly.

For the House:

ARLAN STAIR  
VERNON M. JOHNSON  
BRYNHILD HAUGLAND

For the Senate:

P. W. BLANK  
WM. J. BRAUN  
CARROLL DAY

Rep. Johnson of Richland moved that the report be adopted, which motion prevailed and the report was adopted.

Rep. Johnson of Richland moved that the rules be suspended and that Senate Bill No. 2 be placed on Second Reading and Final Passage, which motion prevailed.

## SECOND READING OF SENATE BILLS

Senate Bill No. 2. 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.

Was read the second time.

## ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 97; nays, 1; absent and not voting, 15.

Those voting in the affirmative were:

Aker	Heckman	Ohnstad
Allen, Pierce	Hegge	Ostgulen
Anderson	Hildre	Peterson, Ransom
Bagge	Hofstrand	Pyle
Bauer	Hogoboom	Rettke
Baumgartner	Holm	Rohde
Benno	Hovey	Rohrer
Bergesen	Jennings	Runck
Bjella	Johnson, Richland	Sailer
Boulden	Johnson, Rolette	Sandness
Burau	Kolpin	Schwartz
Bymers	Langley	Schmalenberger

Callahan	Larson, Ward	Schnell
Carlson	Larson, Wells	Sellens
Coghlan	Leet	Severson
Collette	Lillehaugen	Sharpe
Dahlen	Lunde	Shure
Dalzell	McInnes	Stair
Devlin	Manstrom	Starck
Drovdal	Marks	Sticka
Ekren	Mittag	Stormon
Falconer	Moe	Twichell
Fitch	Mollet	Tuff
Fleck	Monson	Wambheim
Forseth	Morland	Welder
Fraser	Morrison	Welk
Fuglestad	Mortenson	Westby
Gackle	Myers	Williams, Richland
Gainor	Nelson	Williams, Sargent
Haag	Nystrom	Williams, Stutsm'n
Halcrow	Olson, Barnes	Wolf, Morton
Haugen	Olson, Bowman	Mr. Speaker
Haugland		

Those voting in the negative were:

Allen, Grand Forks

Absent and not voting:

Arndt	Bubel	Johnson, Cass
Belzer	Crockett	Levin
Blair	Graham	Peterson, Bottin'au
Bolmeier	Halvorson	Saumur
Braun	Iszler	Wolf, McIntosh

So the bill passed as amended and the title was agreed to, and the emergency clause was declared carried.

Rep. Westby moved that the vote by which Senate Bill No. 2 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

#### MESSAGE TO THE SENATE

House of Representatives

Bismarck, March 5, 1943

Mr. President: I have the honor to inform you that the House has adopted the Conference Committee reports on the following bills:

House Bill No. 50.

House Bill No. 110.

Senate Bill No. 107.

Senate Bill No. 68.

Senate Bill No. 2.

Very respectfully,

W. M. SMART, Chief Clerk.

#### MESSAGE FROM THE SENATE

Senate Chamber

Bismarck, March 5, 1943

Mr. Speaker: I have the honor to inform you that the Senate has adopted the report of the Conference Committee on Senate Bill No. 68.

Very respectfully,

W. J. TROUT, Secretary.

## MESSAGES FROM THE GOVERNOR

State of North Dakota  
OFFICE OF THE GOVERNOR

Bismarck, March 5, 1943

To the House of Representatives of the State of North Dakota:

This is to notify you that I have approved the following House Bills:

House Bill No. 251. A Bill for an Act Making an Appropriation for the Payment of Janitor Services of the House of Representatives of the 28th Legislative Assembly, and Declaring an Emergency.

House Bill. No. 235. A Bill for an Act Making it a Criminal Offense for a Parent or Other Person Legally Responsible for the Care or Support of a Child to Abandon Such Child; Providing for Penalty; Repealing All Acts in Conflict Herewith, and Declaring an Emergency.

House Bill No. 26. 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.

House Bill No. 248. A Bill for an Act Providing for the Recording of Discharge Papers from the National Guard, the Army, Navy, Marine Corps and Other Branches of the Military Forces, and Declaring an Emergency.

And the same have been filed with the Secretary of State.

Sincerely yours

JOHN MOSES, Governor.

State of North Dakota  
OFFICE OF THE GOVERNOR

Bismarck, March 5, 1943

To the House of Representatives of the State of North Dakota:

This is to notify you that I have approved the following House Bills:

House Bill No. 13. 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.

House Bill No. 30. A Bill for an Act Making an Appropriation and an Additional 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 Declaring an Emergency.

House Bill No. 75. 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.

House Bill No. 95. A Bill for an Act Creating a Veterans' Emergency Fund, and Providing an Appropriation Therefor, and Providing for the Use of Such Fund by the Veterans' Service Commissioner, and the Manner of Its Disbursement.

House Bill No. 99. A Bill for an Act Making an Appropriation to Provide Funds for the Maintenance of the North

Dakota State Guard, as Provided for Under Chapter 230 of the North Dakota Session Laws of 1941, and to Meet Other Requirements Prescribed by the Federal Statutes, and Declaring an Emergency.

House Bill No. 105. A Bill for an Act to Amend and Re-enact Section 9115 of the Compiled Laws of North Dakota for 1913, Relating to the Issuance of Executions on Judgments in Justice Court.

Sincerely yours,  
JOHN MOSES, Governor.

MESSAGE FROM THE SENATE

Senate Chamber  
Bismarck, March 5, 1943

Mr. Speaker: I have the honor to inform you that the President has appointed as a new conference committee to act with a like committee from the House, on House Bill No. 110, Senators Young, Nordhougen, and Streibel.

Very respectfully,  
W. J. TROUT, Secretary.

Rep. Sandness moved that a new Conference Committee be appointed to act with a like committee from the Senate on House Bill No. 110, which motion prevailed.

The Speaker appointed Reps. Westby, Graham, and Olson of Bowman.

MESSAGE TO THE SENATE

House of Representatives  
Bismarck, March 5, 1943

Mr. Speaker: I have the honor to inform you that the House has not adopted the report of the Conference Committee on House Bill No. 110 and the Speaker has appointed as a new Conference Committee, Reps. Westby, Graham, and Olson of Bowman.

Very respectfully,  
W. M. SMART, Chief Clerk.

REPORT OF SELECT COMMITTEES

The Conference Committee on House Bill No. 110 made the following report:

Mr. Speaker: Your Conference Committee, to whom was referred House Bill No. 110, have had the same under consideration and recommend:

In Line 6 of the original bill, strike out the figures "\$5,000.00" and insert the figures "\$6,000.00" in lieu thereof.

In line 8 of the original bill, strike out the figures "\$3,600.00" and insert the figures "\$4,200.00" in lieu thereof.

In line 12 of the original bill, strike out the figures "\$3,000.00" and insert the figures "\$3,300.00" in lieu thereof.

In line 14 of the original bill, strike out the figures "\$3,000.00" and insert the figures "\$3,300.00" in lieu thereof.

For the House:

P. G. WESTBY  
F. J. GRAHAM  
C. T. OLSON

For the Senate:

M. R. YOUNG  
R. M. STREIBEL  
ORRIS G. NORDHOUGEN



Rep. Westby moved that the report be adopted.

Rep. Westby moved that the rules be suspended and that House Bill No. 110 be considered properly engrossed and placed on second reading and final passage, which motion prevailed.

### SECOND READING OF HOUSE BILLS

House Bill No. 110. A Bill for an Act Fixing the Salaries or Compensation of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, Attorney General, Superintendent of Public Instruction, Commissioner of Insurance, Commissioner of Agriculture and Labor, and Each Commissioner of the Public Service Commission to Be Elected After the Effective Date of This Act and All Subsequent Elections and Amending and Re-enacting the Initiated Act Known as, Reduction Salaries of State Officials, Approved by the People of the State of North Dakota November 8, 1932.

Was read the second time.

### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 94; nays, 0; absent and not voting, 19.

Those voting in the affirmative were:

Aker	Graham	Ostgulen
Allen, Grand Forks	Haag	Peterson, Ransom
Allen, Pierce	Halcrow	Pyle
Anderson	Haugen	Rettke
Arndt	Haugland	Rohde
Bagge	Heckman	Rohrer
Bauer	Hegge	Runk
Baumgartner	Hildre	Sandness
Benno	Hofstrand	Saumur
Bergesen	Hogboom	Schwartz
Bjella	Holm	Schmalenberger
Blair	Hovey	Schnell
Bolmeier	Iszler	Sellens
Boulden	Johnson, Richland	Severson
Bubel	Johnson, Rolette	Sharpe
Bureau	Kolpin	Stair
Bymers	Leet	Starck
Callahan	Lillehaugen	Sticka
Carlson	Lunde	Stormon
Coghlan	McInnes	Twichell
Collette	Marks	Tuff
Dahlen	Mittag	Wambheim
Dalzell	Moe	Welder
Drovdal	Mollet	Welk
Ekren	Morland	Westby
Falconer	Morrison	Williams, Richland
Fitch	Myers	Williams, Sargent
Fleck	Nystrom	Williams, Stutsm'n
Forseth	Olson, Barnes	Wolf, McIntosh
Fraser	Olson, Bowman	Wolf, Morton
Fuglestad	Ohnstad	Mr. Speaker
Gackle		

Absent and not voting:

Belzer	Johnson, Cass	Monson
Braun	Langley	Mortenson

Crockett	Larson, Ward	Nelson
Devlin	Larson, Wells	Peterson, Bottin'au
Gainor	Levin	Sailer
Halvorson	Manstrom	Shure
Jennings		

So the bill passed as amended and the title was agreed to.

Rep. Bolmeier moved that the vote by which House Bill No. 110 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

#### MESSAGES FROM THE SENATE

Senate Chamber  
Bismarck, March 5, 1943

Mr. Speaker: I have the honor to return:

House Bill No. 119. A Bill for an Act to Amend and Re-enact Sections 189b3, 189b5, 189b9, 189b15, of the 1925 Supplement to the Compiled Laws of the State of North Dakota for the Year 1913, as Amended by Chapter 137, Session Laws of North Dakota for 1933, Relating to the Operation of the State Hail Insurance Department, Defining the Duties of the Commissioner of Insurance, Defining the Crops to Be Insured, Relating to the Duty of Assessors, and the Indemnity to Be Paid for Hail Insurance Losses, Repealing Acts in Conflict Herewith, and Declaring an Emergency.

Which the Senate has passed as amended by the Conference Committee.

W. J. TROUT, Secretary.  
Senate Chamber  
Bismarck, March 5, 1943

Mr. Speaker: I have the honor to inform you that the Senate has adopted the report of the Conference Committee on House Bill No. 110.

Very respectfully,

W. J. TROUT, Secretary.

#### MESSAGES TO THE SENATE

House of Representatives  
Bismarck, March 5, 1943

Mr. President: I have the honor to inform you that the House has adopted the Conference Committee report on House Bill No. 110.

Very respectfully,

W. M. SMART, Chief Clerk.

#### HOUSE COMMITTEE ON ENROLLMENT AND ENGROSSMENT

Mr. Speaker: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bills and resolutions:

House Bill No. 159.  
House Bill No. 94.  
House Bill No. 134.  
House Bill No. 31.  
House Bill No. 239.  
House Bill No. 130.  
House Bill No. 199.  
House Bill No. 65.  
House Bill No. 43.  
House Bill No. 1.

House Bill No. 119.  
 House Bill No. 244.  
 House Bill No. 169.  
 House Bill No. 47.  
 House Bill No. 10.  
 House Bill No. 91.  
 House Bill No. 50.  
 House Bill No. 85.  
 House Bill No. 9.  
 House Bill No. 42.  
 House Bill No. 110.  
 House Concurrent Resolution "1-G."  
 House Concurrent Resolution "1-T."  
 House Concurrent Resolution "1-F."  
 House Concurrent Resolution "Y."  
 House Resolution "1-R."  
 House Resolution "1-V."  
 House Concurrent Resolution "1-A."  
 And find the same correctly Enrolled.

REP. MORLAND, Chairman.

Rep. Burau moved that the report be adopted, which motion prevailed, and the report was adopted.

MESSAGE FROM THE SENATE

Senate Chamber  
 Bismarck, March 5, 1943

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 3. 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. 4. A Bill for an Act Making an Appropriation for the Purpose of Operating and Maintaining the State Fire and Tornado Fund.

Senate Bill No. 7. A Bill for an Act Making an Appropriation for the Purpose of Operating and Maintaining the State Bonding Fund.

Senate Bill No. 8. A Bill for an Act Making an Appropriation for Relief to Destitute and Necessitous Persons for the Biennium Beginning July 1st, 1943, and Ending June 30th, 1945, Defining the Powers and Duties of the Public Welfare Board in Relation Thereto, and in Providing for Allocation of Funds to Counties for Relief Purposes and for Other Specified Relief Expenditures and Costs of Administration.

Senate Bill No. 9. A Bill for an Act Making an Appropriation for the Biennium Beginning July 1st, 1943, and Ending June 30th, 1945, to Be Expended by the Public Welfare Board in Providing Assistance to the Needy Aged and for Necessary Costs of Administration.

Senate Bill No. 10. A Bill for an Act Making an Appropriation for the Biennium Beginning July 1st, 1943, and Ending June 30, 1945, for Disbursement by the Public Welfare Board in Providing Public Assistance to the Dependent Children and to Needy Blind and Providing Child Welfare Services and Services to Crippled Children and for Necessary Costs of Administration.

Senate Bill No. 58. A Bill for an Act to Amend and Re-

enact Section 5 of Chapter 162, Session Laws of 1939 Defining a Standard Serological Test and Providing Where Such Test Shall Be Made, and Declaring an Emergency.

Senate Bill No. 59. A Bill for an Act to Amend and Re-enact Section 1 of Chapter 204 of the Session Laws of North Dakota for 1933, Relating to Signatures on Chattel Mortgages and Bills of Sale of Household Goods, and Repealing All Acts in Conflict Herewith.

Senate Bill No. 68. A Bill for an Act to Amend and Re-enact Sections, 1, 2, 5, 6, 8 and 10 of That Certain Initiated Law Adopted by the Voters of the State of North Dakota, at the Primary Election Held June 29, 1932, Entitled as Follows: "An Act Reducing and Fixing the Salaries of the Following County Officials Hereafter Elected: Auditor, Treasurer, Sheriff, Superintendent of Schools, Register of Deeds, County Judge, State's Attorney, and Clerk of District Court, and Providing for the Appointment of Certain Deputies, Clerks and Assistants to Such Officials and Fixing Their Salaries, and for Payment of All Fees to the County, and Fixing the Per Diem and Mileage of County Commissioners and Repealing Section 3551a2, 1925 Supplement to the Compiled Laws of 1913, Chapters 114 and 115 of the Laws of 1927, Chapter 108 of the Laws of 1929, Chapter 117 of the Laws of 1931, and All Acts and Parts of Acts so Far as in Conflict Herewith," and Repealing Sections 3, 4 and 9 of Said Initiated Law and All Acts and Parts of Acts in Conflict Herewith, and Declaring an Emergency.

Senate Bill No. 95. A Bill for an Act Making an Appropriation for the Payment of Premiums at the State Penitentiary, the State Work Farm and the State Capitol.

Senate Bill No. 107. A Bill for an Act to Amend and Re-enact Section 2346a16 of the 1925 Supplement to the Compiled Laws of 1913, as Amended by Chapter 253 of the Session Laws of 1933, and as Further Amended by Chapter 278 of the Session Laws of 1941; Providing for Allocation and Apportionment of Income of Individuals Doing Business Within and Without the State, and Declaring an Emergency.

Senate Bill No. 119. A Bill for an Act to Amend and Re-enact Section 7 of Chapter 235 of the Session Laws of 1929 Fixing the Limits for the Levy of Taxes by School Districts.

Senate Bill No. 127. A Bill for an Act to Require the Commissioner of Insurance to Procure Catastrophe Insurance, and to Regulate the Type and Extent Thereof.

Senate Bill No. 140. A Bill for an Act to Create a State Post-War Planning Board, Prescribing Its Powers and Duties and Making an Appropriation Therefor.

Senate Bill No. 149. A Bill for an Act to Amend and Re-enact Subsection (c) of Section 51 of the Session Laws of North Dakota for the Year 1927, Providing for the Tilting of Motor Vehicle Headlights, and Declaring an Emergency.

Senate Bill No. 181. A Bill for an Act to Make it the Duty of the Public Welfare Board of North Dakota to Eliminate Disparity in the Amount of Old Age Assistance Between the Counties of the State of North Dakota, Authorizing a Full or Part-time Deputy Executive Director, Directing Discharge of Executive Director or Deputy Executive

Director, Requiring Liberal Construction of the Public Welfare Law and Declaring an Emergency.

Senate Bill No. 199. A Bill for an Act to Amend and Re-enact Sub-section (c) of Section 3 of Chapter 255 of the Session Laws of North Dakota for 1941 Relating to the Distribution of the Basis of Need; and to Amend Section 5 of Chapter 255 of the Session Laws of North Dakota for 1941 Relating to the Distribution of Per Pupil Basis; and to Amend Section 7 of Chapter 255 of the Session Laws of North Dakota for 1941 Relating to Payment on Teacher-Unit Basis.

Senate Bill No. 202. A Bill for an Act to Amend and Re-enact Sections 15-4017 and 15-4018 of the North Dakota Revised Code of 1943.

Senate Bill No. 208. A Bill for an Act to Amend and Re-enact Section 15-0710 North Dakota Revised Code for 1943.

Senate Bill No. 211. A Bill for an Act Imposing a Motor Fuel Use Tax Upon Products Used for Propelling Motor Vehicles on the Highways and Streets of This State Other Than Gasoline; Providing for the Licensing and Bonding of Users and for the Administration, Report and Payment of Such Tax and the Repeal of All Acts or Parts of Acts in Conflict With the Provisions of This Act.

Senate Concurrent Resolution "1-D." A Concurrent Resolution Requesting the Bank of North Dakota With the Approval of the Industrial Commission to Make Loans to the Public Welfare Board of North Dakota to Meet Emergencies for funds to Match Federal Grants Under the Social Security Programs for General Relief Requirements.

Senate Concurrent Resolution "1-G." Relating to Re-insurance in the State Bonding Fund.

Senate Concurrent Resolution "1-H." Approving Contracts for the Paper and for Printing and Binding North Dakota Revised Code of 1943.

Senate Concurrent Resolution "1-I." Authorizing the State Land Department to Make Loans for the Purchase of Farms at the Rate of Four Per Cent Per Annum.

Senate Concurrent Resolution "1-J." Reducing the Number of 1943 Session Laws to Be Published by the Secretary of State.

Senate Concurrent Resolution "1-K." Relating to Additional Pay to Myrtle Steen for Extra Services Rendered Other Than Committee Clerk.

Senate Concurrent Resolution "1-L." Providing for the Payment of Printing, Stenographic Services, Mileage and Expenses Incurred by Senate Committee Appointed to Investigate Facts, Figures and Charges Contained in the Report of A. J. Klaut, Special Investigating Commissioner.

Which the President has signed and your signature is respectfully requested.

W. J. TROUT, Secretary.

HOUSE COMMITTEE ON ENROLLMENT AND  
ENGROSSMENT

Mr. Speaker: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bills and resolutions:

House Bill No. 159.

House Bill No. 94.  
 House Bill No. 184.  
 House Bill No. 31.  
 House Bill No. 239.  
 House Bill No. 130.  
 House Bill No. 199.  
 House Bill No. 43.  
 House Bill No. 1.  
 House Bill No. 119.  
 House Bill No. 169.  
 House Bill No. 10.  
 House Bill No. 50.  
 House Bill No. 85.  
 House Bill No. 9.  
 House Bill No. 110.  
 House Concurrent Resolution "1-G."  
 House Concurrent Resolution "T."  
 House Concurrent Resolution "1-A."

And find the same correctly Engrossed.

REP. MORLAND, Chairman.

Rep. Bureau moved that the report be adopted, which motion prevailed, and the report was adopted.

#### MESSAGE FROM THE SENATE

Senate Chamber  
 Bismarck, March 5, 1943

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 2. 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.

Senate Bill No. 6. A Bill for an Act Making an Appropriation for the Operation and Maintenance of the State Hail Insurance Department.

Senate Bill No. 139. A Bill for an Act to Facilitate the Efficient Transportation of Persons and Property Needed for the Effective Prosecution of the War, to Authorize State Cooperation with the Officers and Agencies of the United States in Respect Thereof, Granting Certain Emergency Powers to the Governor in Relation Thereto, Creating a State Highway Advisory Committee to the War Department, Defining Its Powers and Duties, and Making an Appropriation Therefor, and Declaring an Emergency.

Senate Bill No. 154. A Bill for an Act to Create and Establish Under the Industrial Commission of the State of North Dakota a Research Agency to Be Known as the North Dakota Research Foundation; Fixing the Membership of the Foundation Providing for Their Appointment and Compensation; Prescribing the Duties of the Industrial Commission and the Foundation; and Making an Appropriation Therefore.

Senate Concurrent Resolution "1-A." A Concurrent Resolution Requesting Congress to Transfer the Fort Peck

Project to the Bureau of Reclamation of the Department of Interior for Operation and Maintenance and That Adequate Appropriations Be Made Available to the Bureau of Reclamation to Enable Completion of Preliminary Plans and Estimates in Preparation for Post-War Conditions.

Senate Concurrent Resolution "H." A Concurrent Resolution Providing for the Amendment of Section 158 of Article 9 of the Constitution of North Dakota as Amended by Article 13 of the Amendments Thereof as Further Amended by Article 50 of the Amendments Thereof, Relating to the Sale of School and Public Lands, and for Resale to Purchasers on Contract Whose Contracts Have Been Cancelled.

Senate Concurrent Resolution "P." A Concurrent Resolution Memorializing Congress and the President to Enact the Townsend Plan.

Which the President has signed and your signature is respectfully requested.

W. J. TROUT, Secretary.

#### MESSAGES TO THE SENATE

House of Representatives  
Bismarck, March 5, 1943

Mr. President: I have the honor to return:

Senate Bill No. 2. 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.

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Senate Bill No. 22. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, New Building and Equipment for the Tuberculosis Sanatorium at San Haven, North Dakota.

Senate Bill No. 21. 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. 20. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, New Building and Equipment of the School for the Deaf at Devils Lake, North Dakota.

Senate Bill No. 19. A Bill for an Act Making an Appropriation for Salaries and Expenses for the State Seed Department.

Senate Bill No. 12. A Bill for an Act Making an Appropriation for Administration and Expenses for the Liquor Control Act.

Senate Bill No. 5. A Bill for an Act Making an Appropriation for the Operation, Maintenance and Miscellaneous Expenses of the Poultry Improvement Board.

Senate Bill No. 186. A Bill for an Act Relating to the Issuance of No Par Corporate Stock and to Amend and Re-enact Chapter 119, Session Laws of 1941.

Senate Bill No. 179. A Bill for an Act to Amend and Re-enact Section 17 of Chapter 97 of the Session Laws of 1933 Relating to the Expense of Burial of Indigent Persons and Declaring an Emergency.

Senate Bill No. 176. A Bill for an Act to Amend and Re-enact Sections, 1, 5, 7, 9, and 15 of Chapter 243 of the Session Laws of 1941 and Pertaining to Definitions, Eligibility for Assistance, Application for Assistance, Award of Assistance, and Disbursements of Aid to Dependent Children Fund.

Senate Bill No. 169. A Bill for an Act to Authorize the Industrial Commission of the State of North Dakota to Establish and Set Up a Research and Processing Unit for Soy Beans and Flax Seed at the State Mill and Elevator, and Making an Appropriation Therefor.

Senate Bill No. 175. A Bill for an Act Amending and Re-enacting Section 17 of Chapter 14 of the Session Laws of 1941 Relating to the State Seed Department.

Senate Bill No. 122. A Bill for an Act to Amend and Re-enact Sections 189c1 to 189c14 Inclusive of the 1925 Supplement to the Compiled Laws of 1925, as Amended by Chapter



153, Laws of 1935 and Chapter 149, Laws of 1937, Being Chapter 26 of the Title, Insurance in North Dakota, Revised Code for 1943, and to Provide for the Risks to Be Covered, the Method of Valuing the Same, the Types of Coverage, and the Conduct of the Business of the State Fire and Tornado Fund, and to Provide the Method of Paying Losses and Expense of Operation, to Prohibit the Insurance Commissioner from Writing, Soliciting or Brokering Any Insurance Coverages Other Than Those Specifically Authorized by Law, and Providing for the Cancellation of Re-insurance, and Repealing All Acts or Parts of Acts in Conflict Herewith.

Senate Bill No. 102. A Bill for an Act to Amend and Re-enact Section 172 of the Compiled Laws of North Dakota for the Year 1913, Relating to the Duties of the Commissioner of Insurance, and Declaring an Emergency.

Senate Bill No. 77. A Bill for an Act Relating to the Public Health and the Control of Preventable Diseases; and to Authorize and Permit the Formation of District Health Units in the Several Counties of the State of North Dakota, Either Separately or in Conjunction and Cooperation With One or More Contiguous Counties, in Lieu of Local Health Units; to Establish and Maintain a District Board of Health to Operate in Cooperation With and Under the Direction of the State Department of Health; Providing for the Appointment of a District Board of Health, a Full Time District Health Officer and the Necessary Personnel of the District Health Unit; and, Providing for Their Compensation; and Authorizing a Levy for the Maintenance of the District Board of Health.

Senate Bill No. 55. A Bill for an Act to Amend and Re-enact Section 57 of Chapter 148 of the Session Laws of 1931, as Amended by Chapter 154 of the Session Laws of 1941 Giving the Governor Certain Powers Relative to Game and Fish, Limiting Such Power and Authorizing the Governor to Declare Foxes Predatory Animals in Certain Areas, and Dispensing with Licenses Relative to Foxes When Declared Predatory.

Senate Bill No. 37. A Bill for an Act Amending and Re-enacting the Workmen's Compensation Act by Amending and Re-enacting Paragraphs 3 and 7 of Section 2 of Chapter 162 of the Session Laws of 1919 and Acts Amendatory Thereof; Subsections A, C, E, F, G, G-e, G-f, G-l, and G-m of Section 3 of Chapter 162 of the Session Laws of 1919 and Acts Amendatory Thereof; Subsection I of Section 4 of Chapter 162 of the Session Laws of 1919 and Acts Amendatory Thereof; Paragraphs 5 and 9 of Section 7 of Chapter 162 of the Session Laws of 1919 and Acts Amendatory Thereof; Paragraph 6 of Section 8 of Chapter 162 of the Session Laws of 1919 and Acts Amendatory Thereof; Section 10 of Chapter 162 of the Session Laws of 1919 and Acts Amendatory Thereof; and Section 11 of Chapter 162 of the Session Laws of 1919 and Acts Amendatory Thereof, All Constituting Parts of the Workmen's Compensation Act of the State of North Dakota and Relating to the Definition of the Term "Employee"; the Term "Injury"; Providing for Rehabilitation of Injured Persons; Fixing Awards Which May Be Made; Removing the Limitation of Awards; Fixing the Amount of Interest to Be Computed and Charged in Lump Sum Settle-

ments; Providing for Schedules of Fees for Legal, Medical and Hospital Services; Providing for the Manner in Which a Surplus May Be Created and Maintained; Providing for the Payments of Awards in Case of Aggravation; Providing for the Collection of Premiums in Default and the Settlement of the Same; Providing Coverage for Elected Peace Officers in Cities and Villages; and Providing for Relief to Injured Employees of Non-complying Employer.

Senate Bill No. 56. A Bill for an Act to Appropriate Twenty Thousand (\$20,000.00) Dollars for the Biennium to Provide for the Control of Predatory Animals Such as Wolves, Coyotes, Bobcats and Other Predatory Animals Which Are Injurious to Livestock, Poultry and Game Animals and Birds; to Authorize Cooperation with the United States in the Control of Such Predatory Animals; and in Addition Thereto Appropriating for the Same Purpose the Net Proceeds of Furs, Skins or Specimens Sold, Making Such Proceeds Available in a Sum Not to Exceed Twenty Thousand (\$20,000.00) Dollars, and to Provide for Funds to Enable the Department of Agriculture and Labor to Carry Out the Provisions of This Act; Repealing All Acts or Parts of Acts

Senate Bill No. 3. 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. 4. A Bill for an Act Making an Appropriation for the Purpose of Operating and Maintaining the State Fire and Tornado Fund.

Senate Bill No. 7. A Bill for an Act Making an Appropriation for the Purpose of Operating and Maintaining the State Bonding Fund.

Senate Bill No. 8. A Bill for an Act Making an Appropriation for Relief to Destitute and Necessitous Persons for the Biennium Beginning July 1st, 1943, and Ending June 30th, 1945, Defining the Powers and Duties of the Public Welfare Board in Relation Thereto, and in Providing for Allocation of Funds to Counties for Relief Purposes and for Other Specified Relief Expenditures and Costs of Administration.

Senate Bill No. 9. A Bill for an Act Making an Appropriation for the Biennium Beginning July 1st, 1943, and Ending June 30th, 1945, to Be Expended by the Public Welfare Board in Providing Assistance to the Needy Aged and for Necessary Costs of Administration.

Senate Bill No. 10. A Bill for an Act Making an Appropriation for the Biennium Beginning July 1st, 1943, and Ending June 30, 1945, for Disbursement by the Public Welfare Board in Providing Public Assistance to the Dependent Children and to Needy Blind and Providing Child Welfare Services and Services to Crippled Children and for Necessary Costs of Administration.

Senate Bill No. 58. A Bill for an Act to Amend and Re-enact Section 5 of Chapter 162, Session Laws of 1939 Defining a Standard Serological Test and Providing Where Such Test Shall Be Made, and Declaring an Emergency.

Senate Bill No. 59. A Bill for an Act to Amend and Re-enact Section 1 of Chapter 204 of the Session Laws of North Dakota for 1933, Relating to Signatures on Chattel Mort-

gages and Bills of Sale of Household Goods, and Repealing All Acts in Conflict Herewith.

Senate Bill No. 68. A Bill for an Act to Amend and Re-enact Sections 1, 2, 5, 6, 8 and 10 of That Certain Initiated Law Adopted by the Voters of the State of North Dakota, at the Primary Election Held June 29, 1932, Entitled as Follows: "An Act Reducing and Fixing the Salaries of the Following County Officials Hereafter Elected: Auditor, Treasurer, Sheriff, Superintendent of Schools, Register of Deeds, County Judge, State's Attorney, and Clerk of District Court, and Providing for the Appointment of Certain Deputies, Clerks and Assistants to Such Officials and Fixing Their Salaries, and for Payment of All Fees to the County, and Fixing the Per Diem and Mileage of County Commissioners and Repealing Section 3551a2, 1925 Supplement to the Compiled Laws of 1913, Chapters 114 and 115 of the Laws of 1927, Chapter 108 of the Laws of 1929, Chapter 117 of the Laws of 1931, and All Acts and Parts of Acts so Far as in Conflict Herewith," and Repealing Sections 3, 4 and 9 of Said Initiated Law and All Acts and Parts of Acts in Conflict Herewith, and Declaring an Emergency.

Senate Bill No. 95. A Bill for an Act Making an Appropriation for the Payment of Premiums at the State Penitentiary, the State Work Farm and the State Capitol.

Senate Bill No. 107. A Bill for an Act to Amend and Re-enact Section 2346a16 of the 1925 Supplement to the Compiled Laws of 1913, as Amended by Chapter 253 of the Session Laws of 1933, and as Further Amended by Chapter 278 of the Session Laws of 1941; Providing for Allocation and Apportionment of Income of Individuals Doing Business Within and Without the State, and Declaring an Emergency.

Senate Bill No. 119. A Bill for an Act to Amend and Re-enact Section 7 of Chapter 235 of the Session Laws of 1929 Fixing the Limits for the Levy of Taxes by School Districts.

Senate Bill No. 127. A Bill for an Act to Require the Commissioner of Insurance to Procure Catastrophe Insurance, and to Regulate the Type and Extent Thereof.

Senate Bill No. 140. A Bill for an Act to Create a State Post-War Planning Board, Prescribing Its Powers and Duties and Making an Appropriation Therefor.

Senate Bill No. 199. A Bill for an Act to Amend and Re-enact Sub-section (c) of Section 3 of Chapter 255 of the Session Laws of North Dakota for 1941 Relating to the Distribution of the Basis of Need; and to Amend Section 5 of Chapter 255 of the Session Laws of North Dakota for 1941 Relating to the Distribution of Per Pupil Basis; and to Amend Section 7 of Chapter 255 of the Session Laws of North Dakota for 1941 Relating to Payment on Teacher-Unit Basis.

Senate Bill No. 202. A Bill for an Act to Amend and Re-enact Sections 15-4017 and 15-4018 of the North Dakota Revised Code of 1943.

Senate Bill No. 208. A Bill for an Act to Amend and Re-enact Section 15-0710 North Dakota Revised Code for 1943.

Senate Bill No. 211. A Bill for an Act Imposing a Motor Fuel Use Tax Upon Products Used for Propelling Motor

Vehicles on the Highways and Streets of This State Other Than Gasoline; Providing for the Licensing and Bonding of Users and for the Administration, Report and Payment of Such Tax and the Repeal of All Acts or Parts of Acts in Conflict With the Provisions of This Act.

Senate Bill No. 149. A Bill for an Act to Amend and Re-enact Subsection (c) of Section 51 of the Session Laws of North Dakota for the Year 1927, Providing for the Tilting of Motor Vehicle Headlights, and Declaring an Emergency.

Senate Concurrent Resolution "1-D." A Concurrent Resolution Requesting the Bank of North Dakota With the Approval of the Industrial Commission to Make Loans to the Public Welfare Board of North Dakota to Meet Emergencies for funds to Match Federal Grants Under the Social Security Programs or General Relief Requirements.

Senate Concurrent Resolution "1-G." Relating to Re-insurance in the State Bonding Fund.

Senate Concurrent Resolution "1-H." Approving Contracts for the Paper and for Printing and Binding North Dakota Revised Code of 1943.

Senate Concurrent Resolution "1-I." Authorizing the State Land Department to Make Loans for the Purchase of Farms at the Rate of Four Per Cent Per Annum.

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Senate Concurrent Resolution "1-K." Relating to Additional Pay to Myrtle Steen for Extra Services Rendered Other Than Committee Clerk.

Senate Concurrent Resolution "1-L." Providing for the Payment of Printing, Stenographic Services, Mileage and Expenses Incurred by Senate Committee Appointed to Investigate Facts, Figures and Charges Contained in the Report of A. J. Klaut, Special Investigating Commissioner.

Which the Speaker has signed.

W. M. SMART, Chief Clerk.

#### MESSAGE FROM THE SENATE

Senate Chamber

Bismarck, March 5, 1943

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 5. A Bill for an Act Making an Appropriation for the Operation, Maintenance and Miscellaneous Expenses of the Poultry Improvement Board.

Senate Bill No. 12. A Bill for an Act Making an Appropriation for Administration and Expenses for the Liquor Control Act.

Senate Bill No. 19. A Bill for an Act Making an Appropriation for Salaries and Expenses for the State Seed Department.

Senate Bill No. 20. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Re-

pairs, New Building and Equipment of the School for the Deaf at Devils Lake, North Dakota.

Senate Bill No. 21. 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. 22. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, New Building and Equipment for the Tuberculosis Sanatorium at San Haven, North Dakota.

Senate Bill No. 37. A Bill for an Act Amending and Re-enacting the Workmen's Compensation Act by Amending and Re-enacting Paragraphs 3 and 7 of Section 2 of Chapter 162 of the Session Laws of 1919 and Acts Amendatory Thereof; Subsections A, C, E, F, G, G-e, G-f, G-l, and G-m of Section 3 of Chapter 162 of the Session Laws of 1919 and Acts Amendatory Thereof; Subsection I of Section 4 of Chapter 162 of the Session Laws of 1919 and Acts Amendatory Thereof; Paragraphs 5 and 9 of Section 7 of Chapter 162 of the Session Laws of 1919 and Acts Amendatory Thereof; Paragraph 6 of Section 8 of Chapter 162 of the Session Laws of 1919 and Acts Amendatory Thereof; Section 10 of Chapter 162 of the Session Laws of 1919 and Acts Amendatory Thereof; and Section 11 of Chapter 162 of the Session Laws of 1919 and Acts Amendatory Thereof, All Constituting Parts of the Workmen's Compensation Act of the State of North Dakota and Relating to the Definition of the Term "Employee"; the Term "Injury"; Providing for Rehabilitation of Injured Persons; Fixing Awards Which May Be Made; Removing the Limitation of Awards; Fixing the Amount of Interest to Be Computed and Charged in Lump Sum Settlements; Providing for Schedules of Fees for Legal, Medical and Hospital Services; Providing for the Manner in Which a Surplus May Be Created and Maintained; Providing for the Payments of Awards in Case of Aggravation; Providing for the Collection of Premiums in Default and the Settlement of the Same; Providing Coverage for Elected Peace Officers in Cities and Villages; and Providing for Relief to Injured Employees of Non-complying Employer.

Senate Bill No. 55. A Bill for an Act to Amend and Re-enact Section 57 of Chapter 148 of the Session Laws of 1931, as Amended by Chapter 154 of the Session Laws of 1941 Giving the Governor Certain Powers Relative to Game and Fish, Limiting Such Power and Authorizing the Governor to Declare Foxes Predatory Animals in Certain Areas, and Dispensing with Licenses Relative to Foxes When Declared Predatory.

Senate Bill No. 77. A Bill for an Act Relating to the Public Health and the Control of Preventable Diseases; and to Authorize and Permit the Formation of District Health Units in the Several Counties of the State of North Dakota, Either Separately or in Conjunction and Cooperation With One or More Contiguous Counties, in Lieu of Local Health Units; to Establish and Maintain a District Board of Health to Operate in Cooperation With and Under the Direction of the State Department of Health; Providing for the Appointment of a District Board of Health, a Full Time District Health Officer and the Necessary Personnel of the

District Health Unit; and, Providing for Their Compensation; and Authorizing a Levy for the Maintenance of the District Board of Health.

Senate Bill No. 102. A Bill for an Act to Amend and Re-enact Section 172 of the Compiled Laws of North Dakota for the Year 1913, Relating to the Duties of the Commissioner of Insurance, and Declaring an Emergency.

Senate Bill No. 169. A Bill for an Act to Authorize the Industrial Commission of the State of North Dakota to Establish and Set Up a Research and Processing Unit for Soy Beans and Flax Seed at the State Mill and Elevator, and Making an Appropriation Therefor.

Senate Bill No. 175. A Bill for an Act Amending and Re-enacting Section 17 of Chapter 14 of the Session Laws of 1941 Relating to the State Seed Department.

Senate Bill No. 176. A Bill for an Act to Amend and Re-enact Sections, 1, 5, 7, 9, and 15 of Chapter 243 of the Session Laws of 1941 and Pertaining to Definitions, Eligibility for Assistance, Application for Assistance, Award of Assistance, and Disbursements of Aid to Dependent Children Fund.

Senate Bill No. 179. A Bill for an Act to Amend and Re-enact Section 17 of Chapter 97 of the Session Laws of 1933 Relating to the Expense of Burial of Indigent Persons and Declaring an Emergency.

Senate Bill No. 186. A Bill for an Act Relating to the Issuance of No Par Corporate Stock and to Amend and Re-enact Chapter 119, Session Laws of 1941.

Senate Bill No. 122. A Bill for an Act to Amend and Re-enact Sections 189c1 to 189c14 Inclusive of the 1925 Supplement to the Compiled Laws of 1925, as Amended by Chapter 153, Laws of 1935 and Chapter 149, Laws of 1937, Being Chapter 26 of the Title, Insurance in North Dakota, Revised Code for 1943, and to Provide for the Risks to Be Covered, the Method of Valuing the Same, the Types of Coverage, and the Conduct of the Business of the State Fire and Tornado Fund, and to Provide the Method of Paying Losses and Expense of Operation, to Prohibit the Insurance Commissioner from Writing, Soliciting or Brokering Any Insurance Coverages Other Than Those Specifically Authorized by Law, and Providing for the Cancellation of Re-insurance, and Repealing All Acts or Parts of Acts in Conflict Herewith.

Which the President has signed and your signature is respectfully requested.

W. J. TROUT, Secretary.

#### MESSAGES FROM THE SENATE

Senate Chamber

Bismarck, March 5, 1943

Mr. Speaker: I have the honor to return:

House Bill No. 1. 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. 9. A Bill for an Act Making an Appropriation for the Purpose of Paying a Bounty on Wolves, Coyotes, Magpies and Foxes.

House Bill No. 10. A Bill for an Act Making an Appropriation to the State Historical Society, for Salary and General Expenses and Maintenance of State Parks.

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. 42. A Bill for an Act to Amend and Re-enact Chapter 275 of the Session Laws of 1941, Relating to the Exemptions of Farm Machinery from Personal Property Taxes for the First Year After Its Purchase, on Which Sales or Use Tax Is Paid, and Declaring an Emergency.

House Bill No. 43. A Bill for an Act Providing for a Transfer of Certain School Land Situated in Bowman County, North Dakota, to the Game and Fish Commission of the State of North Dakota, to Be Used and Maintained Under the Direction of the Game and Fish Commission as a Public Park for Recreation Purposes, and Providing for an Appropriation to Reimburse the Permanent School Fund of the State of North Dakota; and Declaring an Emergency.

House Bill No. 47. A Bill for an Act to Amend and Re-enact Chapter 7 of the Session Laws of 1935, as Amended by Chapter 20 of the Session Laws of 1941, Relating to Wolf, Coyote and Fox Bounty and Declaring an Emergency.

House Bill No. 50. A Bill for an Act to Amend and Re-enact Sub-Section (e) (1) of Section Two of Chapter 194 of the Session Laws of North Dakota for the Year 1941, Said Sub-section (e) (1) of Section Two of Chapter 194 Being an Amendment to Sub-division (b) of Section 25 of Chapter 186 of the Session Laws of North Dakota for the Year 1931, as Amended by Chapter 161 of the Session Laws of North Dakota for the Year 1933, Providing for the Registration Fees for Trucks on a Gross Weight Basis, and Providing for the Classification of Special Auxiliary Equipment Used by Rural Mail Carriers in the Course of Their Duties, and Declaring an Emergency.

House Bill No. 65. A Bill for an Act to Amend and Re-enact Section 2596 of the Compiled Laws of North Dakota for 1913, and Sections 2602, 2603, 2604 and 2605, as Amended by Chapter 8 of the Session Laws of 1933, Relating to Cancellation and Re-recording Livestock Brands, Abolishing the Use of Single Figures or Single Letters as Livestock Brands, Providing for Publication and Distribution of Brand Books to Registered Owners of Brands, Making an Appropriation of \$12,600.00 to Carry Out the Provisions of this Act; and Repealing All Acts or Parts of Acts in Conflict Therewith.

House Bill No. 85. A Bill for an Act Making an Appropriation to Pay for a Portion of the Current Operating Expenses of Our Public School System as Provided in the State Equalization Fund Law.

House Bill No. 91. A Bill for an Act Relating to Taxation in School Districts, Providing That the Voters of School District May Authorize Levies in Excess of the Legal Limitations for Certain Periods, and Providing for the Time and Manner of Holding Such Elections, and Repealing That Portion of Section 13 of Chapter 235 of the Session Laws for North Dakota for 1929 Relating to School Districts, and All Other Acts or Parts of Acts in Conflict Herewith.

House Bill No. 94. A Bill for an Act Creating a Veteran's

Aid Commission, Specifying Its Powers and Duties; and Appropriating the Sum of \$100,000 as a Veteran's Aid Fund and Providing for the Manner of Its Use and Defining Those Entitled to Aid from Such Fund, and Declaring an Emergency.

House Bill No. 110. A Bill for an Act Fixing the Salaries or Compensation of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, Attorney General, Superintendent of Public Instruction, Commissioner of Insurance, Commissioner of Agriculture and Labor, and Each Commissioner of the Public Service Commission to Be Elected After the Effective Date of This Act and All Subsequent Elections and Amending and Re-enacting the Initiated Act Known as, Reduction Salaries of State Officials, Approved by the People of the State of North Dakota November 8, 1932.

House Bill No. 119. A Bill for an Act to Amend and Re-enact Sections 189b3, 189b5, 189b9, 189b15, of the 1925 Supplement to the Compiled Laws of the State of North Dakota for the Year 1913, as Amended by Chapter 137, Session Laws of North Dakota for 1933, Relating to the Operation of the State Hail Insurance Department, Defining the Duties of the Commissioner of Insurance, Defining the Crops to Be Insured, Relating to the Duty of Assessors, and the Indemnity to Be Paid for Hail Insurance Losses, Repealing Acts in Conflict Herewith, and Declaring an Emergency.

House Bill No. 130. A Bill for an Act to Amend and Re-enact Section 2 of Chapter 271 of the Session Laws of 1941, Relating to Tax Upon Cigarettes and Licensing Sale Thereof, and Declaring an Emergency.

House Bill No. 159. A Bill for an Act to Permit the State Food Commissioner and Chemist, With the Approval of the Governor, to Suspend by Regulation the Requirements of the Food and Drug Act, Being Article 40, Sections 2889b1 to 2889b25, Inclusive of the 1925 Supplement, as Amended by Chapter 132 of the Session Laws of North Dakota for the Year 1937, for the Duration of the Present War, and Declaring an Emergency.

House Bill No. 169. A Bill for an Act Authorizing the Bank of North Dakota as Agent for the State Treasurer of North Dakota as Trustee for the State of North Dakota to Sell Lands Belonging to the State Treasurer of North Dakota as Trustee for the State of North Dakota to Bona Fide Farmers; Fixing the Manner and Terms of Sale, Interest Rate on Deferred and Delinquent Payments, Publication of Notice of Sale, Method of Cancellation of Contract, Taxation of Land Sold, Redemption Rights of Tax Certificate Holders, and Providing for Rules and Regulations of the Industrial Commission.

House Bill No. 184. A Bill for an Act to Amend and Re-enact Subdivisions (a), (b) and (c) of Section 4, and Section 10 of Chapter 235 of the Session Laws of North Dakota for the Year 1929, as Amended by Chapter 288 of the Session Laws of North Dakota for the Year 1941, Relating to Limitations Upon the Rate of Tax Levies for General and Specific Purposes; Providing for Exceptions to Such Levies, Authorizing the Levy of Taxes for Emergency Purposes and Limiting the Use Thereof.



House Bill No. 199. A Bill for an Act Requiring All Property of the State Be Assessed at Full and True Value in Money Subject to Correction, Abatement and Refund; Providing for Notice by County Auditor When Local Equalization Boards Meet; Annual Meetings of State Board of Equalization, and Providing for Hearing Before Such Board; Prescribing the Time for Levy of State Taxes and Fixing Rate; When Taxes Became Due and Delinquent; Penalties; Discount for Payment of Taxes Before Delinquency; Repealing Chapter 269, Laws of 1941, and All Acts or Parts of Acts in Conflict Herewith.

House Bill No. 239. A Bill for an Act to Amend and Re-enact Section 1 of Chapter 211 of the Session Laws of 1937; Section 2 of Chapter 211 of the Session Laws of 1937 as Amended by Chapter 195 of the Session Laws of 1939; Section 9 of Chapter 211 of the Session Laws of 1937; Section 12 of Chapter 211 of the Session Laws of 1937; Section 21 of Chapter 211 of the Session Laws of 1937 as Amended by Chapter 244 of the Session Laws of 1941, Pertaining to Definitions, Payment for Benefit of Recipients, Eligibility for Assistance to the Needy Aged, Old Age Assistance Fund, and Recovery from Estate and Repeal of Section 15 of Chapter 211 of the Session Laws of 1937, Aid Exclusive of Other Aid; Funeral Expenses and Declaring an Emergency.

House Bill No. 244. A Bill for an Act to Permit the Purchase by the State, County, Township and Other Municipalities of North Dakota of Tax Exempt Gasoline for the Construction, Reconstruction or Maintenance of Highways, Public Roads, Streets and Airports; and Declaring an Emergency.

House Concurrent Resolution "T." Memorializing the Congress of the United States to Abandon Further Acquisition of Land and the Extension of Game Refuges in the State of North Dakota; Urging Legislation to Provide for Making Payments in Lieu of Taxes Where Refuges Are Located, or Providing for Return of Such Lands to Private Ownership; and Payment of Claims of Landowners in Locality of Such Game Refuges, Whose Crops Have Been Destroyed by Game Birds and Predatory Animals Found on Such Reserves.

House Concurrent Resolution "Y." Memorializing Congress of the United States to Ask the War Production Board to Lift Restrictions and Priorities on New Trucks and Pickups Used for and Necessary for Farmers and Residents in Rural Communities.

House Concurrent Resolution "1-A." Memorializing the Congress of the United States; His Excellency, the President of the United States; the Vice President of the United States; the Honorable, the Secretary of Agriculture of the United States; the Bureau of Animal Industry of the Department of Agriculture of the United States, and the Office of Price Administration of the United States, to Oppose any modification of the Existing Sanitary Pacts Provided for Embargo Against the Importation of Fresh and Frozen Meats from Countries Known to be Infested with Foot and Mouth Disease.

House Concurrent Resolution "1-F." A Resolution Providing for a Compilation and Complete Record in Pamphlet Form of Action Taken on Bills Introduced in the House and Senate of the Twenty-eighth Legislative Assembly.

House Concurrent Resolution "1-G." A Resolution Pro-

viding for Indexing of the Senate and House Journals of the Twenty-eighth Legislative Assembly.

House Concurrent Resolution "1-H". A Resolution Providing for Mailing and Proofreading of Senate and House Journals of the Last Days of Twenty-eighth Legislative Assembly.

House Concurrent Resolution "1-T." A Concurrent Resolution for the Payment of \$200 as Attorney Fees to Milton K. Higgins for Legal Services Rendered for the State Insurance Department, in the Senate Investigation of Charges in the Special Examining Commission Concerning State Insurance Department, to Be Paid Out of the Appropriation for the Special Examining Commissioner.

Which the President has signed.

W. J. TROUT, Secretary.  
Senate Chamber  
Bismarck, March 5, 1943

Mr. Speaker: I have the honor to return:

House Bill No. 27. 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. 28. 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. 33. A Bill for an Act Making an Appropriation for Salaries, Operation, Maintenance, General and Miscellaneous Expenses for the State Laboratories Department.

House Bill No. 37. 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. 72. A Bill for an Act Authorizing School Districts to Set Up and Maintain a Special Reserve Fund; Providing for the Expenditures Which May Be Made from Said Special Reserve Fund, Providing for the Transfer of Present Funds Into a Special Reserve Fund; and Authorizing a Three Mill Tax Levy for the Establishment and Maintenance of Said Special Reserve Fund; Repealing All Acts or Parts of Acts in Conflict; and Declaring an Emergency.

House Bill No. 77. A Bill for an Act Making an Appropriation Into the "Administrative Fund" for the State Water Conservation Commission for General Administration Expenses, Maintenance of Existing Dams and Drainage Channels, Construction of Needed Drainage Channels, Planning and Surveying Projects, and Expenses of State Compacts.

House Bill No. 90. A Bill for an Act to Amend and Reenact Section 7 of Chapter 297 of the Session Laws of North Dakota for 1941, Relating to the Confidential Character of Birth Records, and Who May Inspect the Same and to Whom Information Concerning the Same May Be Given.

House Bill No. 102. A Bill for an Act to Repeal Section 2

of Chapter 255 of the Session Laws of North Dakota for 1941, Relating to High School Correspondence Work, and to Amend and Re-enact Section 6 of Chapter 255 of the Session Laws of North Dakota for 1941, Relating to High School Tuition and Fixing the Amounts of Such Tuition.

House Bill No. 121. 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, and Declaring an Emergency.

House Bill No. 147. A Bill for an Act to Amend and Re-enact Sections 2 and 6 of Chapter 217 of the Session Laws of North Dakota for the Year 1941 to Extend the Time in Which the Development of Projects May Be Initiated Thereunder.

House Bill No. 165. A Bill for an Act to Amend and Re-enact Section 2486 of the 1925 Supplement Relating to Repairs of Existing Drains; and Providing for the Abandonment and Dissolution Thereof.

House Bill No. 189. A Bill for an Act Providing That a Course for Teachers in Cooperatives, Their History, Principles, Organization and Operation Shall Be Taught in the Teachers' Colleges of the State of North Dakota and in the Teachers' College at the University of the State of North Dakota.

House Bill No. 198. A Bill for an Act Authorizing and Permitting the Payment and Discharge of Delinquent Estate Taxes Where Such Estate Is of an Appraised Value of Less Than \$30,000.00 and Consists of at Least Two-Thirds in Value of Agricultural Lands and Farm Equipment and Livestock, or Products on Such Lands, and Where Such Estate Tax Shall Have Been Due and Payable Since Prior to July 1, 1939, by the Payment of the Principal of Such Original Estate Tax, With One Percent Per Annum Penalty Thereon from Date Such Estate Tax Became Due, and Declaring an Emergency.

House Bill No. 153. A Bill for an Act Making It a Felony for an Official or Employee in Any Penal, Correctional, or Eleemosynary Institution to Have Sexual Intercourse With an Inmate of Such Institution in Which Such Officer or Other Person Is Employed; Making It a Felony for a Guardian or Person Administering Public Relief or Welfare to Induce a Female Ward Under His Care to Have Illicit Sexual Intercourse With Him, by Threatening to Withhold from Such Female or Her Family, the Necessities of Life, or Threatening Physical Violence; Providing Penalty.

House Bill No. 202. A Bill for an Act to Amend and Re-enact Chapter 242 of the 1939 Session Laws of the State of North Dakota, as Amended and Re-enacted by Chapter 290 of the 1941 Session Laws of the State of North Dakota Relating to a Tax Upon Sales of Certain Alcoholic Beverages by Licensed Wholesale Liquor Dealers, Providing the Method of Taxing the Same, and Collecting, Distributing and Expending the Revenue from Said Tax, Providing for the Filing of a List of Said Wholesalers, Repealing All Acts and Parts of Acts in Conflict Herewith, Providing Penalties for

Violations of Said Act, Providing for a Saving Clause and Declaring an Emergency.

House Bill No. 213. A Bill for an Act Amending and Re-enacting Section 6762 of the Compiled Laws of North Dakota for 1913, as Amended by Chapter 175 of the Session Laws of 1927, as Amended by Chapter 168 of the Session Laws of 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 and Making the Same an Emergency Measure.

House Bill No. 228. A Bill for an Act Permitting Counties, Cities, Villages and Townships to Lease and Permit the Use of Public Buildings for Other Than Public Purposes, and Declaring an Emergency.

House Bill No. 229. A Bill for an Act Providing for the Organization and Regulation of Non-Profit Hospital Service Plan Corporations, and Declaring an Emergency.

House Bill No. 236. A Bill for an Act Providing for the Regulation of Private Trade Schools and Correspondence Schools, and Providing Penalties for Violation.

House Bill No. 240. A Bill for an Act to Amend and Re-enact Section 1 of Chapter 210 of the Session Laws of 1937 and Section 2 of the Session Laws of 1937 as Amended by Chapter 191 of the Session Laws of 1939 and Chapter 241 of the Session Laws of 1941 Pertaining to Definitions and Eligibility for Assistance to the Needy Blind and Repeal of Sections 15 and 19 of Chapter 210 of the Session Laws of 1937, and Declaring an Emergency.

House Bill No. 245. A Bill for an Act Suspending the Operation of Section 1 of Chapter 196 of the Session Laws of North Dakota for 1933 During the Biennium Beginning July 1, 1943 and Ending June 30, 1945, and Limiting Salary Increases to 25% of the Existing Limitations.

House Concurrent Resolution "O." A Concurrent Resolution for an Amendment to the Constitution of the State of North Dakota Permitting Liquor Stores.

House Concurrent Resolution "G." A Concurrent Resolution Providing for the Amendment of the Constitution of the State of North Dakota, Creating a State Equalization Fund, and Providing for a State Tax Levy for School Purposes.

House Concurrent Resolution "1-J." A Concurrent Resolution Memorializing the Congress of the United States to Provide for and Continue the Program of Incentive Payments to Farmers Who Increase Their Production in 1943 of the Crops Mentioned Therein to Insure Production of Food Essential to Victory.

House Concurrent Resolution "1-I." A Resolution Expressing Affection to the Men and Officers of the 164th Infantry for Their Achievements, and All Other Men and Women of North Dakota Engaged in Military Service of Our Country.

Which the President has signed.

W. J. TROUT, Secretary.

## REPORT OF STANDING COMMITTEE

The Committee on Enrollment and Engrossment respectfully reports that:

House Bill No. 84.

Was delivered to the Governor for his approval at the hour of 2:00 o'clock p. m., March 5, 1943.

REP. MORLAND, Chairman.

## MESSAGE TO THE SENATE

House of Representatives

Bismarck, March 5, 1943

Mr. President: I have the honor to transmit:

House Concurrent Resolution "1-A." Memorializing the Congress of the United States; His Excellency, the President of the United States; the Vice President of the United States; the Honorable, the Secretary of Agriculture of the United States; the Bureau of Animal Industry of the Department of Agriculture of the United States, and the Office of Price Administration of the United States, to Oppose any modification of the Existing Sanitary Pacts Provided for Embargo Against the Importation of Fresh and Frozen Meats from Countries Known to be Infested with Foot and Mouth Disease.

House Concurrent Resolution "Y." Memorializing Congress of the United States to Ask the War Production Board to Lift Restrictions and Priorities on New Trucks and Pickups Used for and Necessary for Farmers and Residents in Rural Communities.

House Concurrent Resolution "1-F." A Resolution Providing for a Compilation and Complete Record in Pamphlet Form of Action Taken on Bills Introduced in the House and Senate of the Twenty-eighth Legislative Assembly.

House Concurrent Resolution "1-H." A Resolution Providing for Mailing and Proofreading of Senate and House Journals of the Last Days of Twenty-eighth Legislative Assembly.

House Concurrent Resolution "T." Memorializing the Congress of the United States to Abandon Further Acquisition of Land and the Extension of Game Refuges in the State of North Dakota; Urging Legislation to Provide for Making Payments in Lieu of Taxes Where Refuges Are Located, or Providing for Return of Such Lands to Private Ownership; and Payment of Claims of Landowners in Locality of Such Game Refuges, Whose Crops Have Been Destroyed by Game Birds and Predatory Animals Found on Such Reserves.

House Concurrent Resolution "1-T." A Concurrent Resolution for the Payment of \$200 as Attorney Fees to Milton K. Higgins for Legal Services Rendered for the State Insurance Department, in the Senate Investigation of Charges in the Special Examining Commission Concerning State Insurance Department, to Be Paid Out of the Appropriation for the Special Examining Commissioner.

House Concurrent Resolution "1-G." A Resolution Providing for Indexing of the Senate and House Journals of the Twenty-eighth Legislative Assembly.

House Bill No. 110. A Bill for an Act Fixing the Salaries or Compensation of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, Attorney

General, Superintendent of Public Instruction, Commissioner of Insurance, Commissioner of Agriculture and Labor, and Each Commissioner of the Public Service Commission to Be Elected After the Effective Date of This Act and All Subsequent Elections and Amending and Re-enacting the Initiated Act Known as, Reduction Salaries of State Officials, Approved by the People of the State of North Dakota November 8, 1932.

House Bill No. 42. A Bill for an Act to Amend and Re-enact Chapter 275 of the Session Laws of 1941, Relating to the Exemptions of Farm Machinery from Personal Property Taxes for the First Year After Its Purchase, on Which Sales or Use Tax Is Paid, and Declaring an Emergency.

House Bill No. 9. A Bill for an Act Making an Appropriation for the Purpose of Paying a Bounty on Wolves, Coyotes, Magpies and Foxes.

House Bill No. 85. A Bill for an Act Making an Appropriation to Pay for a Portion of the Current Operating Expenses of Our Public School System as Provided in the State Equalization Fund Law.

House Bill No. 50. A Bill for an Act to Amend and Re-enact Sub-Section (e) (1) of Section Two of Chapter 194 of the Session Laws of North Dakota for the Year 1941, Said Sub-section (e) (1) of Section Two of Chapter 194 Being an Amendment to Sub-division (b) of Section 25 of Chapter 186 of the Session Laws of North Dakota for the Year 1931, as Amended by Chapter 161 of the Session Laws of North Dakota for the Year 1933, Providing for the Registration Fees for Trucks on a Gross Weight Basis, and Providing for the Classification of Special Auxiliary Equipment Used by Rural Mail Carriers in the Course of Their Duties, and Declaring an Emergency.

House Bill No. 91. A Bill for an Act Relating to Taxation in School Districts, Providing That the Voters of School District May Authorize Levies in Excess of the Legal Limitations for Certain Periods, and Providing for the Time and Manner of Holding Such Elections, and Repealing That Portion of Section 13 of Chapter 235 of the Session Laws for North Dakota for 1929 Relating to School Districts, and All Other Acts or Parts of Acts in Conflict Herewith.

House Bill No. 10. A Bill for an Act Making an Appropriation to the State Historical Society, for Salary and General Expenses and Maintenance of State Parks.

House Bill No. 47. A Bill for an Act to Amend and Re-enact Chapter 7 of the Session Laws of 1935, as Amended by Chapter 20 of the Session Laws of 1941, Relating to Wolf, Coyote and Fox Bounty and Declaring an Emergency.

House Bill No. 169. A Bill for an Act Authorizing the Bank of North Dakota as Agent for the State Treasurer of North Dakota as Trustee for the State of North Dakota to Sell Lands Belonging to the State Treasurer of North Dakota as Trustee for the State of North Dakota to Bona Fide Farmers; Fixing the Manner and Terms of Sale, Interest Rate on Deferred and Delinquent Payments, Publication of Notice of Sale, Method of Cancellation of Contract, Taxation of Land Sold, Redemption Rights of Tax Certificate Holders, and Providing for Rules and Regulations of the Industrial Commission.

House Bill No. 244. A Bill for an Act to Permit the Purchase by the State, County, Township and Other Municipalities of North Dakota of Tax Exempt Gasoline for the Construction, Reconstruction or Maintenance of Highways, Public Roads, Streets and Airports; and Declaring an Emergency.

House Bill No. 119. A Bill for an Act to Amend and Re-enact Sections 189b3, 189b5, 189b9, 189b15, of the 1925 Supplement to the Compiled Laws of the State of North Dakota for the Year 1913, as Amended by Chapter 137, Session Laws of North Dakota for 1933, Relating to the Operation of the State Hail Insurance Department, Defining the Duties of the Commissioner of Insurance, Defining the Crops to Be Insured, Relating to the Duty of Assessors, and the Indemnity to Be Paid for Hail Insurance Losses, Repealing Acts in Conflict Herewith, and Declaring an Emergency.

House Bill No. 1. 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 Providing for a Transfer of Certain School Land Situated in Bowman County, North Dakota, to the Game and Fish Commission of the State of North Dakota, to Be Used and Maintained Under the Direction of the Game and Fish Commission as a Public Park for Recreation Purposes, and Providing for an Appropriation to Reimburse the Permanent School Fund of the State of North Dakota; and Declaring an Emergency.

House Bill No. 65. A Bill for an Act to Amend and Re-enact Section 2596 of the Compiled Laws of North Dakota for 1913, and Sections 2602, 2603, 2604 and 2605, as Amended by Chapter 8 of the Session Laws of 1933, Relating to Cancellation and Re-recording Livestock Brands, Abolishing the Use of Single Figures or Single Letters as Livestock Brands, Providing for Publication and Distribution of Brand Books to Registered Owners of Brands, Making an Appropriation of \$12,600.00 to Carry Out the Provisions of this Act; and Repealing All Acts or Parts of Acts in Conflict Therewith.

House Bill No. 199. A Bill for an Act Requiring All Property of the State Be Assessed at Full and True Value in Money Subject to Correction, Abatement and Refund; Providing for Notice by County Auditor When Local Equalization Boards Meet; Annual Meetings of State Board of Equalization, and Providing for Hearing Before Such Board; Prescribing the Time for Levy of State Taxes and Fixing Rate; When Taxes Became Due and Delinquent; Penalties; Discount for Payment of Taxes Before Delinquency; Repealing Chapter 269, Laws of 1941, and All Acts or Parts of Acts in Conflict Herewith.

House Bill No. 130. A Bill for an Act to Amend and Re-enact Section 2 of Chapter 271 of the Session Laws of 1941, Relating to Tax Upon Cigarettes and Licensing Sale Thereof, and Declaring an Emergency.

House Bill No. 239. A Bill for an Act to Amend and Re-enact Section 1 of Chapter 211 of the Session Laws of 1937; Section 2 of Chapter 211 of the Session Laws of 1937 as Amended by Chapter 195 of the Session Laws of 1939; Sec-

tion 9 of Chapter 211 of the Session Laws of 1937; Section 12 of Chapter 211 of the Session Laws of 1937; Section 21 of Chapter 211 of the Session Laws of 1937 as Amended by Chapter 244 of the Session Laws of 1941, Pertaining to Definitions, Payment for Benefit of Recipients, Eligibility for Assistance to the Needy Aged, Old Age Assistance Fund, and Recovery from Estate and Repeal of Section 15 of Chapter 211 of the Session Laws of 1937, Aid Exclusive of Other Aid; Funeral Expenses and Declaring an Emergency.

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. 184. A Bill for an Act to Amend and Re-enact Subdivisions (a), (b) and (c) of Section 4, and Section 10 of Chapter 235 of the Session Laws of North Dakota for the Year 1929, as Amended by Chapter 288 of the Session Laws of North Dakota for the Year 1941, Relating to Limitations Upon the Rate of Tax Levies for General and Specific Purposes; Providing for Exceptions to Such Levies, Authorizing the Levy of Taxes for Emergency Purposes and Limiting the Use Thereof.

House Bill No. 159. A Bill for an Act to Permit the State Food Commissioner and Chemist, With the Approval of the Governor, to Suspend by Regulation the Requirements of the Food and Drug Act, Being Article 40, Sections 2889b1 to 2889b25, Inclusive of the 1925 Supplement, as Amended by Chapter 132 of the Session Laws of North Dakota for the Year 1937, for the Duration of the Present War, and Declaring an Emergency.

Which the Speaker has signed and your signature is respectfully requested.

W. M. SMART, Chief Clerk.

#### REPORT OF STANDING COMMITTEES

The committee on Enrollment and Engrossment respectfully reports that:

House Concurrent Resolution "O".  
 House Concurrent Resolution "G".  
 House Concurrent Resolution "1-J".  
 House Concurrent Resolution "1-I".  
 House Concurrent Resolution "T".  
 House Concurrent Resolution "Y".  
 House Concurrent Resolution "1-A".  
 House Concurrent Resolution "1-F".  
 House Concurrent Resolution "1-G".  
 House Concurrent Resolution "1-H".  
 House Concurrent Resolution "1-T".  
 House Memorial Resolution.  
 House Resolution "1-R".

Were delivered to the Secretary of State at the hour of 2:00 o'clock P. M., March 5, 1943.

REP. MORLAND, Chairman.

The committee on Enrollment and Engrossment respectfully reports that:

House Bill No. 27.  
 House Bill No. 28.  
 House Bill No. 33.  
 House Bill No. 37.  
 House Bill No. 72.  
 House Bill No. 77.



House Bill No. 90.  
 House Bill No. 102.  
 House Bill No. 121.  
 House Bill No. 147.  
 House Bill No. 165.  
 House Bill No. 189.  
 House Bill No. 198.  
 House Bill No. 153.  
 House Bill No. 202.  
 House Bill No. 213.

Were delivered to the Governor for his approval at the hour of 2:00 o'clock P. M., March 5, 1943.

REP. MORLAND, Chairman.

The committee on Enrollment and Engrossment respectfully reports that:

House Bill No. 228.  
 House Bill No. 229.  
 House Bill No. 236.  
 House Bill No. 240.  
 House Bill No. 245.

Were delivered to the Governor for his approval at the hour of 2:00 o'clock P. M., March 5, 1943.

REP. MORLAND, Chairman.

The committee on Enrollment and Engrossment respectfully reports that:

House Bill No. 1.  
 House Bill No. 9.  
 House Bill No. 10.  
 House Bill No. 31.  
 House Bill No. 42.  
 House Bill No. 43.  
 House Bill No. 47.  
 House Bill No. 50.  
 House Bill No. 65.  
 House Bill No. 85.  
 House Bill No. 91.  
 House Bill No. 94.  
 House Bill No. 110.  
 House Bill No. 119.  
 House Bill No. 130.  
 House Bill No. 159.  
 House Bill No. 109.

Were delivered to the Governor for his approval at the hour of 2:00 o'clock P. M., March 5, 1943.

REP. MORLAND, Chairman.

The committee on Enrollment and Engrossment respectfully reports that:

House Bill No. 169.  
 House Bill No. 184.  
 House Bill No. 199.  
 House Bill No. 239.  
 House Bill No. 244.

Were delivered to the Governor for his approval at the hour of 2:00 o'clock P. M., March 5, 1943.

REP. MORLAND, Chairman.

#### MESSAGES TO THE SENATE

House of Representatives

Bismarck, March 5, 1943

Mr. President: I have the honor to transmit:

House Bill No. 87. A Bill for an Act Making an Appropriation for the Purpose of Returning to the State Hail Insurance Fund the Balance of the Money, Amounting to \$900,000 (Nine Hundred Thousand Dollars) Diverted Therefrom by Chapter 155 of the Session Laws for 1935, With Interest Thereon, and Repealing All Acts or Parts of Acts in Conflict Herewith.

Which the Speaker has signed and your signature is respectfully requested.

W. M. SMART, Chief Clerk.  
House of Representatives  
Bismarck, March 5, 1943

Mr. President: I have the honor to return:

Senate Concurrent Resolution "W." A Concurrent Resolution Providing for the Amendment of Section 45 of the Constitution of the State of North Dakota.

Which the House has indefinitely postponed.

W. M. SMART, Chief Clerk.

Rep. Johnson of Richland moved that a committee of three be appointed to notify the Senate that the House has completed its business and is about to adjourn sine die, which motion prevailed.

The Speaker appointed Reps. Johnson of Richland, Graham and Lillehaugen.

Rep. Bergesen moved that a committee of three be appointed to notify the Governor that the House has completed its business and is about to adjourn sine die, which motion prevailed.

The Speaker appointed Reps. Bergesen, Hovey and Wolf of Morton.

Rep. Bergesen moved that the House stand on the Eighth Order of Business, which motion prevailed.

A committee from the Senate notified the House that the Senate had completed its business and was about to adjourn sine die.

Rep. Johnson of Richland reported to the House that the Committee appointed to notify the Senate that the House had completed its business and was ready to adjourn sine die had performed its mission and moved that the committee be discharged, which motion prevailed and the committee was discharged.

Rep. Bergesen reported to the House that the committee appointed to notify the Governor that the House had completed its business and was ready to adjourn sine die had performed its mission and moved that the committee be discharged, which motion prevailed.

The Speaker called Rep. Twichell to the chair.

Speaker Beede: Is there any more business to come before this Legislative Assembly?

Mr. Twichell: The business is completed.

Speaker Beede: I move that the House of Representatives of the Twenty-eighth Legislative Assembly do now adjourn sine die.

Which motion prevailed.

And the Twenty-eighth Legislative Assembly stood adjourned.

W. M. SMART, Chief Clerk.

# INDEX

## GENERAL INDEX

### ADJOURNMENT:

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## WELDER

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# RECORD OF HOUSE BILLS IN THE HOUSE

## House Bill No. 1—(Committee on Appropriations)

Referred to Committee on Appropriations.

House Bill No. 1. 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.

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Signed by Speaker, 1180.

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## House Bill No. 2—(Committee on Appropriations)

Referred to Committee on Appropriations.

House Bill No. 2. A Bill for an Act Making an Appropriation for the North Dakota Soldiers' Home at Lisbon, North Dakota; Providing for Reports and Deductions.

Introduction, first reading, 59.

Reference, 64.

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## House Bill No. 3—(Committee on Appropriations)

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House Bill No. 3. A Bill for an Act Making an Appropriation to Provide Funds for the Arrest and Return of Fugitives from Justice.

Introduction, first reading, 59.

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**House Bill No. 4—Committee on Appropriations)**

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House Bill No. 4. A Bill for an Act Making an Appropriation for the Purpose of Paying Premiums on Bonds of State Officials.

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**House Bill No. 5—(Committee on Appropriations)**

Referred to Committee on Appropriations.

House Bill No. 5. 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 1913, the Same Being Sections 283c1 to 283c6, Inclusive, and Section 283c10 of the Supplement to the 1913 Compiled Laws of North Dakota.

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**House Bill No. 6—(Committee on Appropriations)**

Referred to Committee on Appropriations.

House Bill No. 6. A Bill for an Act Making an Appropriation for the Purpose of Paying Insurance Tax to the Various Fire Departments of the State.

Introduction, first reading, 59.  
 Reference, 64.



Reported back, 186.  
 Second reading, 214.  
 Passed, 215.  
 Forwarded to Senate, 251.  
 Returned by Senate, 456.  
 Senate action, 456.  
 Enrolled, 505.  
 Signed by Speaker, 508.  
 Forwarded to Governor, 613.  
 Approved by Governor, 695.

**House Bill No. 7—(Committee on Appropriations)**

Referred to Committee on Appropriations.

House Bill No. 7. A Bill for an Act Making an Appropriation for the Crippled Children's School at Jamestown, North Dakota, for the Care and Education of Crippled Children, Providing the Methods of Expenditure and Audit Thereof; Supervision and Inspection Therefor.

Introduction, first reading, 60.  
 Reference, 64.  
 Reported back, 331.  
 Second reading, 349.  
 Passed, 350.  
 Forwarded to Senate, 370.  
 Indefinitely postponed, S. J. 582.

**House Bill No. 8—(Committee on Appropriations)**

Referred to Committee on Appropriations.

House Bill No. 8. A Bill for an Act Making an Appropriation to the Livestock Sanitary Board, for Its Operating and Maintenance Expense and for Indemnifying Owners of Animals, to the Bangs Disease Fund and to the Bovine Tuberculosis Fund.

Introduction, first reading, 60.  
 Reference, 64.  
 Reported back, 158.  
 Amended, 158.  
 General orders, 182.  
 Engrossed, 187.  
 Second reading, 192.  
 Passed, 193.  
 Forwarded to Senate, 202.  
 Returned by Senate, 778.  
 Senate action, 778.  
 Enrolled, 832.  
 Signed by Speaker, 879.  
 Forwarded to Governor, 1073.

**House Bill No. 9—(Committee on Appropriations)**

Referred to Committee on Appropriations.

House Bill No. 9. A Bill for an Act Making an Appropriation for the Purpose of Paying a Bounty on Wolves, Coyotes, Magpies and Foxes.

Introduction, first reading, 60.  
 Reference, 64.  
 Reported back, 500, 558.  
 Amended, 558, 941, 1172.

General orders, 541, 605.  
 Engrossed, 613, 1219.  
 Second reading, 639, 1172.  
 Passed, 639, 1173.  
 Conference Committee, 941, 1172.  
 Forwarded to Senate, 655.  
 Returned by Senate, 932.  
 Senate action, 933.  
 Enrolled, 1216.  
 Signed by Speaker, 1180.  
 Forwarded to Governor, 1238.

**House Bill No. 10—(Committee on Appropriations)**

Referred to Committee on Appropriations.

House Bill No. 10. A Bill for an Act Making an Appropriation to the State Historical Society, for Salary and General Expenses and Maintenance of State Parks.

Introduction, first reading, 60.  
 Reference, 64.  
 Reported back, 134.  
 Amended, 134, 135, 1145.  
 General orders, 155.  
 Engrossed, 159, 1219.  
 Second reading, 164, 1145.  
 Passed, 165, 1146.  
 Conference Committee, 835.  
 Forwarded to Senate, 189.  
 Returned by Senate, 824.  
 Senate action, 825.  
 Enrolled, 1216.  
 Signed by Speaker, 1180.  
 Forwarded to Governor, 1238.

**House Bill No. 11—(Committee on Appropriations)**

Referred to Committee on Appropriations.

House Bill No. 11. A Bill for an Act Making an Appropriation to Pay the Expenses of the State Board of Veterinary Medical Examiners as Authorized Under Sections 2711 to 2720, Inclusive, of the Compiled Laws of North Dakota for the Year 1913.

Introduction, first reading, 60.  
 Reference, 64.  
 Reported back, 93.  
 Second reading, 98.  
 Passed, 99.  
 Forwarded to Senate, 110.  
 Returned by Senate, 456.  
 Senate action, 456.  
 Enrolled, 505.  
 Signed by Speaker, 508.  
 Forwarded to Governor, 613.  
 Approved by Governor, 695.

**House Bill No. 12—(Committee on Appropriations)**

Referred to Committee on Appropriations.

House Bill No. 12. A Bill for an Act Making an Appropriation for the Purpose of Refunding Money Erroneously Paid Into or Credited to the General Fund.

Introduction, first reading, 60.  
Reference, 64.  
Reported back, 93.  
Second reading, 99.  
Passed, 100.  
Forwarded to Senate, 110.  
Returned by Senate, 360.  
Senate action, 360.  
Enrolled, 398.  
Signed by Speaker, 402.  
Forwarded to Governor, 613.  
Approved by Governor, 552.

**House Bill No. 13—(Committee on Appropriations)**

Referred to Committee on Appropriations.

House Bill No. 13. 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.

Introduction, first reading, 60.  
Reference, 64.  
Reported back, 272.  
Amended, 272.  
General orders, 312.  
Engrossed, 340.  
Second reading, 343.  
Passed, 344.  
Forwarded to Senate, 370.  
Returned by Senate, 778.  
Senate action, 778.  
Enrolled, 832.  
Signed by Speaker, 879.  
Forwarded to Governor, 1073.  
Approved by Governor, 1212.

**House Bill No. 14—(Committee on Appropriations)**

Referred to Committee on Appropriations.

House Bill No. 14. A Bill for an Act Making an Appropriation for the Care of Feeble Minded Whose Residence Cannot Be Determined and Whose Care Must Be Borne by the State.

Introduction, first reading, 60.  
Reference, 64.  
Reported back, 93.  
Second reading, 100.  
Passed, 101.  
Forwarded to Senate, 110.  
Returned by Senate, 360.  
Senate action, 360.  
Enrolled, 398.  
Signed by Speaker, 402.  
Forwarded to Governor, 613.  
Approved by Governor, 552.

**House Bill No. 15—Committee on Appropriations)**

House Bill No. 15. A Bill for an Act Making an Appropriation for the Care of Insane Patients Whose Residence

**Cannot Be Determined and Whose Care Must Be Borne by the State.**

Introduction, first reading, 61.  
 Reference, 64.  
 Reported back, 76.  
 Second reading, 82.  
 Passed, 83.  
 Forwarded to Senate, 87.  
 Returned by Senate, 360.  
 Senate action, 360.  
 Enrolled, 398.  
 Signed by Speaker, 402.  
 Forwarded to Governor, 613.  
 Approved by Governor, 552.

**House Bill No. 16—(Committee on Appropriations)**

Referred to Committee on Appropriations.

House Bill No. 16. A Bill for an Act Making an Appropriation for the Operating and Maintenance Expenses of the Public Health Department, Public Health Laboratories and Division of Child Hygiene.

Introduction, first reading, 61.  
 Reference, 64.  
 Reported back, 185.  
 Amended, 185, 224.  
 General orders, 224.  
 Engrossed, 227, 833.  
 Second reading, 241, 832.  
 Passed, 242, 833.  
 Forwarded to Senate, 262.  
 Returned by Senate, 777.  
 Senate action, 777.  
 Enrolled, 984.  
 Signed by Speaker, 983.  
 Forwarded to Governor, 1200.

**House Bill No. 17—(Committee on Appropriations)**

Referred to Committee on Appropriations.

House Bill No. 17. A Bill for an Act Making an Appropriation for the Purpose of Paying Salary, Clerkhire and General Expenses of the Department of Coal Mine Inspection and Coal Mine Safety Work.

Introduction, first reading, 61.  
 Reference, 64.  
 Reported back, 156.  
 Amended, 156.  
 General orders, 169.  
 Engrossed, 177.  
 Second reading, 180.  
 Passed, 181.  
 Forwarded to Senate, 203.  
 Returned by Senate, 456.  
 Senate action, 456.  
 Enrolled, 505.  
 Signed by Speaker, 508.  
 Forwarded to Governor, 613.  
 Approved by Governor, 695.

**House Bill No. 18—(Committee on Appropriations)**

Referred to Committee on Appropriations.

House Bill No. 18. 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.

Introduction, first reading, 61.

Reference, 64.

Reported back, 331.

Second reading, 350.

Passed, 351.

Forwarded to Senate, 370.

Senate postponed, S.J. 583.

**House Bill No. 19—(Committee on Appropriations)**

Referred to Committee on Appropriations.

House Bill No. 19. 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.

Introduction, first reading, 61.

Reference, 64.

Reported back, 331.

Second reading, 351.

Passed, 352.

Forwarded to Senate, 370.

Indefinitely postponed by Senate, S.J. 583.

**House Bill No. 20—(Committee on Appropriations)**

Referred to Committee on Appropriations.

House Bill No. 20. A Bill for an Act Making an Appropriation for Poor and Destitute Persons, Providing the Method of Expenditure and Audit Thereof; Supervision and Inspection Therefor.

Introduction, first reading, 61.

Reference, 64.

Reported back, 331.

Second reading, 352.

Passed, 353.

Forwarded to Senate, 370.

Indefinitely postponed by Senate, S.J. 583.

**House Bill No. 21—(Committee on Appropriations)**

Referred to Committee on Appropriations.

House Bill No. 21. 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.

Introduction, first reading, 61.

Reference, 64.

Reported back, 332.

Second reading, 353.

Passed, 353.

Forwarded to Senate, 371.

Indefinitely postponed by Senate, S.J. 583.

**House Bill No. 22—(Committee on Appropriations)**

Referred to Committee on Appropriations.

House Bill No. 22. A Bill for an Act Making an Appropriation for St. John's Orphanage of Fargo, North Dakota, Providing the Methods of Expenditure and Audit Thereof; Supervision and Inspection Therefor,

Introduction, first reading, 62.

Reference, 64.

Reported back, 332.

Second reading, 353.

Passed, 354.

Forwarded to Senate, 371.

Indefinitely postponed by Senate, S.J. 583.

**House Bill No. 23—(Committee on Appropriations)**

Referred to Committee on Appropriations.

House Bill No. 23. A Bill for an Act Making an Appropriation to the North Dakota Firemen's Association.

Introduction, first reading, 62.

Reference, 64.

Reported back, 106.

Second reading, 115.

Passed, 116.

Forwarded to Senate, 126.

Returned by Senate, 231.

Senate action, 231.

Enrolled, 246.

Signed by Speaker, 252.

Forwarded to Governor, 315.

Approved by Governor, 374.

**House Bill No. 24—(Committee on Appropriations)**

Referred to Committee on Appropriations.

House Bill No. 24. A Bill for an Act to Provide for the Payment of the Expenses of Auditing and Examining the Affairs of the State Industrial Institutions, and the Special Departments and Its Subdivisions, of the State of North Dakota, Designating and Appropriating the Funds from Which Paid; Providing for the Payment of Said Collection Into the Special Fund in the State Treasury; Providing for Repeal of Acts.

Introduction, first reading, 62.

Reference, 64.

Reported back, 197.

Amended, 197.

General orders, 224.

Engrossed, 227.

Second reading, 240.

Passed, 241.

Forwarded to Senate, 262.

Returned by Senate, 456.

Senate action, 456.

Enrolled, 505.

Signed by Speaker, 508.

Forwarded to Governor, 613.

Approved by Governor, 988.

**House Bill No. 25—(Committee on Appropriations)**

Referred to Committee on Appropriations.

House Bill No. 25. 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, 62.

Reference, 64.

Reported back, 118.

Amended, 118.

General orders, 132.

Engrossed, 134, 743.

Second reading, 144, 708.

Passed, 145, 709.

Forwarded to Senate, 150.

Returned by Senate, 696.

Senate action, 696.

Enrolled, 743.

Signed by Speaker, 747.

Forwarded to Governor, 845.

Approved by Governor, 987.

**House Bill No. 26—(Committee on Appropriations)**

Referred to Committee on Appropriations.

House Bill No. 26. 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, 62.

Reference, 64.

Reported back, 173.

General orders, 204.

Second reading, 237.

Passed, 238.

Other action, 192.

Forwarded to Senate, 251.

Returned by Senate, 821.

Senate action, 821.

Enrolled, 883.

Signed by Speaker, 878.

Forwarded to Governor, 1073.

Approved by Governor, 1212.

**House Bill No. 27—(Committee on Appropriations)**

Referred to Committee on Appropriations.

House Bill No. 27. A Bill for an Act Making an Appropriation Out of the Motor Patrol Fund in the State Treasury, for the Operation, Maintenance, Equipment, Supplies, Outfitting of Patrolmen, Travel and Miscellaneous Expenses for the Motor Patrol Branch.

Introduction, first reading, 62.

Reference, 64.

Reported back, 118.

Amended, 1030.

Engrossed, 1074.

Second reading, 130, 1031.

Passed, 131, 1032.

Other action, 153.  
 Forwarded to Senate, 137.  
 Returned by Senate, 957.  
 Senate action, 957.  
 Enrolled, 1075.  
 Signed by Speaker, 1181.  
 Forwarded to Governor, 1237.

**House Bill No. 28—(Committee on Appropriations)**

Referred to Committee on Appropriations.

House Bill No. 28. A Bill for an Act Making an Appropriation for the Purpose of Defraying the Expenses of the Maintenance and Operation of the Workmen's Compensation Bureau.

Introduction, first reading, 62.  
 Reference, 64.  
 Reported back, 176.  
 Amended, 177, 790.  
 General orders, 195.  
 Engrossed, 198.  
 Second reading, 217, 1060.  
 Passed, 218, 1061.  
 Conference Committee, 791, 1060.  
 Forwarded to Senate, 231.  
 Returned by Senate, 779.  
 Senate action, 779.  
 Enrolled, 1200.  
 Signed by Speaker, 1181.  
 Forwarded to Governor, 1237.

**House Bill No. 29—(Committee on Appropriations)**

Referred to Committee on Appropriations.

House Bill No. 29. A Bill for an Act Making an Appropriation for the Purpose of Defraying the Expenses of the Maintenance and Operation of the Game and Fish Department.

Introduction, first reading, 62.  
 Reference, 64.  
 Reported back, 112.  
 Second reading, 122.  
 Passed, 123.  
 Forwarded to Senate, 130.  
 Returned by Senate, 427.  
 Senate action, 427.  
 Enrolled, 462.  
 Signed by Speaker, 463.  
 Forwarded to Governor, 613.  
 Approved by Governor, 695.

**House Bill No. 30—(Committee on Appropriations)**

Referred to Committee on Appropriations.

House Bill No. 30. A Bill for an Act Making an Appropriation and an Additional 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 Declaring an Emergency.

Introduction, first reading, 63.  
 Reference, 64, 127.  
 Reported back, 118, 156.  
 Amended, 119, 156.  
 General orders, 169.  
 Engrossed, 177.  
 Second reading, 181.  
 Passed, 181.  
 Forwarded to Senate, 203.  
 Returned by Senate, 821.  
 Senate action, 821.  
 Enrolled, 883.  
 Signed by Speaker, 878.  
 Forwarded to Governor, 1073.  
 Approved by Governor, 1212.

**House Bill No. 31—(Committee on Appropriations)**

Referred to 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.

Introduction, first reading, 63.  
 Reference, 64.  
 Reported back, 76.  
 Amended, 1048.  
 Engrossed, 1219.  
 Second reading, 83, 1048.  
 Passed, 84, 1049.  
 Forwarded to Senate, 87.  
 Returned by Senate, 957.  
 Enrolled, 1215.  
 Signed by Speaker, 1180.  
 Forwarded to Governor, 1238.

**House Bill No. 32—(Committee on Appropriations)**

Referred to Committee on Appropriations.

House Bill No. 32. A Bill for an Act Making an Appropriation for Inquest and Burial of Penal Inmates, Headstones for Soldiers and Sailors, Actions to Release Insane and List of New Taxable Lands.

Introduction, first reading, 63.  
 Reference, 64.  
 Reported back, 77.  
 Second reading, 84.  
 Passed, 85.  
 Forwarded to Senate, 88.  
 Returned by Senate, 360.  
 Senate action, 360.  
 Enrolled, 398.  
 Signed by Speaker, 402.  
 Forwarded to Governor, 613.  
 Approved by Governor, 572.

**House Bill No. 33—(Committee on Appropriations)**

Referred to Committee on Appropriations.

House Bill No. 33. A Bill for an Act Making an Appropriation for Salaries, Operation, Maintenance, General and

**Miscellaneous Expenses for the State Laboratories Department.**

Introduction, first reading, 63.  
 Reference, 64.  
 Reported back, 172.  
 Amended, 172, 942.  
 General orders, 195.  
 Engrossed, 198, 1029.  
 Second reading, 216, 942.  
 Passed, 217, 943.  
 Forwarded to Senate, 231.  
 Returned by Senate, 933.  
 Senate action, 933.  
 Enrolled, 1074.  
 Signed by Speaker, 1181.  
 Forwarded to Governor, 1237.

**House Bill No. 34—(Committee on Appropriations)**

Referred to Committee on Appropriations.

House Bill No. 34. A Bill for an Act Making an Appropriation for the Financing of the Operations of the State Soil Conservation Committee or the Activities of the State Soil Conservation Districts.

Introduction, first reading, 63.  
 Reference, 64.  
 Reported back, 148.  
 Second reading, 162.  
 Passed, 163.  
 Forwarded to Senate, 178.  
 Returned by Senate, 456.  
 Senate action, 456.  
 Enrolled, 505.  
 Signed by Speaker, 508.  
 Forwarded to Governor, 613.  
 Approved by Governor, 695.

**House Bill No. 35—(Committee on Appropriations)**

Referred to Committee on Appropriations.

House Bill No. 35. 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.

Introduction, first reading, 63.  
 Reference, 64.  
 Withdrawn, 87.

**House Bill No. 36—(Committee on Appropriations)**

Referred to Committee on Appropriations.

House Bill No. 36. A Bill for an Act Making an Appropriation to Pay the Expenses and Per Diem of Presidential Electors.

Introduction, first reading, 63.  
 Reference, 64.  
 Reported back, 93.  
 Second reading, 100.

Passed, 100.  
Forwarded to Senate, 110.  
Returned by Senate, 360.  
Senate action, 360.  
Enrolled, 398.  
Signed by Speaker, 402.  
Forwarded to Governor, 613.  
Approved by Governor, 552.

**House Bill No. 37—(Committee on Appropriations)**

Referred to Committee on Appropriations.

House Bill No. 37. 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.

Introduction, first reading, 64.  
Reference, 64.  
Reported back, 148.  
Amended, 148.  
General orders, 169.  
Engrossed, 177.  
Second reading, 179.  
Passed, 180.  
Forwarded to Senate, 202.  
Returned by Senate, 949.  
Senate action, 949.  
Enrolled, 1074.  
Signed by Speaker, 1181.  
Forwarded to Governor, 1237.

**House Bill No. 38—(Reps. Shure, Myers, Boulden and Schnell)**

Referred to Committee on Judiciary.

House Bill No. 38. A Bill for an Act to Amend and Re-enact Sections 5631 and 5632 of the Compiled Laws of North Dakota for the Year 1913, as Amended by Chapter 236 of the Session Laws of 1941, Relating to Homestead Estate, Its Exemption from Debts and Declaring an Emergency.

Introduction, first reading, 80.  
Reference, 80.  
Reported back, 112.  
Second reading, 123.  
Passed, 124.  
Forwarded to Senate, 130.  
Returned by Senate, 314.  
Senate action, 314.  
Enrolled, 340.  
Signed by Speaker, 340.  
Forwarded to Governor, 401.  
Approved by Governor, 497.

**House Bill No. 39—(Reps. Shure and Hovey)**

Referred to Committee on Cities and Municipal Corporations.

House Bill No. 39. A Bill for an Act to Amend and Re-enact Section 6 of Chapter 235 of the Session Laws of the State of North Dakota for the Year 1929 as Amended by Chapter 176 of the Session Laws of 1939 and Further Amended by Chapter 206 of the Session Laws of 1941, Relating to Park

**District Tax Levies and Providing a Method for Raising Money by the Park District for Specific Purposes in Excess of the Amount Allowed by Law and Providing for a Levy by Park Districts Owning and Maintaining Airports, Purchasing or Acquiring Lands for Airports and for Operating and Maintaining the Same.**

Introduction, first reading, 86.  
 Reference, 86.  
 Reported back, 127.  
 Second reading, 140.  
 Passed, 141.  
 Forwarded to Senate, 150.  
 Returned by Senate, 231.  
 Senate action, 231.  
 Enrolled, 246.  
 Signed by Speaker, 252.  
 Forwarded to Governor, 315.  
 Approved by Governor, 374.

**House Bill No. 40—(Rep. Braun)**

Referred to Committee on Education.

**House Bill No. 40. A Bill for an Act to Amend and Re-enact Section 2 of Chapter 238, Session Laws of 1931, Providing for the Letting of Contract to Furnish Vehicular Transportation to School District to the Lowest Bidder; Requiring a Bond; and Fixing the Qualifications of the Operators of Such Vehicle and the Requirements of Such Vehicle.**

Introduction, first reading, 86.  
 Reference, 86.  
 Withdrawn, 129.

**House Bill No. 41—(Committee on Appropriations)**

Referred to Committee on Appropriations.

**House Bill No. 41. A Bill for an Act to Provide for the Completion of Code Revision by the Code Revision Commission, Reappropriating Moneys Heretofore Appropriated, Making an Additional Appropriation and Declaring an Emergency.**

Introduction, first reading, 89.  
 Reference, 89.  
 Reported back, 112.  
 Second reading, 124.  
 Passed, 125.  
 Forwarded to Senate, 130.  
 Returned by Senate, 203.  
 Senate action, 203.  
 Enrolled, 206.  
 Signed by Speaker, 206.  
 Forwarded to Governor, 283.  
 Approved by Governor, 374.

**House Bill No. 42—(Reps. Hogoboom, Morland and Olson of Bowman)**

Referred to Committee on Tax and Tax Laws.

**House Bill No. 42. A Bill for an Act to Amend and Re-enact Chapter 275 of the Session Laws of 1941, Relating to the Exemptions of Farm Machinery from Personal Property**

**Taxes for the First Year After Its Purchase, on Which Sales or Use Tax Is Paid, and Declaring an Emergency.**

Introduction, first reading, 89.  
 Reference, 89, 155.  
 Reported back, 171.  
 Amended, 194, 741, 806.  
 General orders, 172.  
 Engrossed, 198, 831.  
 Second reading, 215, 834, 1144.  
 Passed, 216, 1145.  
 Indefinitely postponed, 835.  
 Other action, 741, 878, 1118.  
 Conference Committee, 747, 750, 806, 834.  
 Forwarded to Sentae, 231.  
 Returned by Senate, 718.  
 Senate action, 718, 741.  
 Enrolled, 1215.  
 Signed by Speaker, 1180.  
 Forwarded to Governor, 1238.

**House Bill No. 43—(Reps. Olson of Bowman, Morland, Hogo-boom)**

Referred to Committee on School and Public Lands.

House Bill No. 43. A Bill for an Act Providing for a Transfer of Certain School Land Situated in Bowman County, North Dakota, to the Game and Fish Commission of the State of North Dakota, to Be Used and Maintained Under the Direction of the Game and Fish Commission as a Public Park for Recreation Purposes, and Providing for an Appropriation to Reimburse the Permanent School Fund of the State of North Dakota; and Declaring an Emergency.

Introduction, first reading, 89.  
 Reference, 89.  
 Reported back, 184, 549.  
 Amended, 549.  
 General orders, 604.  
 Engrossed, 613, 1219.  
 Second reading, 636, 1050.  
 Passed, 637, 1050.  
 Forwarded to Senate, 655.  
 Returned by Senate, 957.  
 Senate action, 957.  
 Enrolled, 1215.  
 Signed by Speaker, 1180.  
 Forwarded to Governor, 1238.

**House Bill No. 44—(Reps. Johnson of Richland, Collette, Fitch and Crockett)**

Referred to Committee on Game and Fish.

House Bill No. 44. A Bill for an Act to Amend and Re-enact Section 10322a27 of the 1925 Supplement to the Compiled Laws of North Dakota of 1913, as Amended by Chapter 117 of the Session Laws of North Dakota for 1933, Relative to the Use of Hunting Dogs.

Introduction, first reading, 89.  
 Reference, 89.  
 Reported back, 429.

Second reading, 477.  
 Passed, 477.  
 Forwarded to Senate, 505.  
 Returned by Senate, 933.  
 Senate action, 934.  
 Enrolled, 986.  
 Signed by Speaker, 1027.  
 Forwarded to Governor, 1200.

**House Bill No. 45—(Reps. Kolpin and Fuglestad)**

Referred to Committee on Appropriations.

House Bill No. 45. A Bill for an Act Making an Appropriation to Reimburse Griggs County in the Sum of Nine Thousand Eight Hundred Forty-nine and 85/100 (\$9,849.85) Dollars, Penalty and Interest Belonging to Griggs County, But Erroneously and Inadvertently Remitted to the State and Declaring an Emergency

Introduction, first reading, 95.  
 Reference, 95.  
 Reported back, 127.  
 Amended, 127.  
 General orders, 146.  
 Engrossed, 149.  
 Second reading, 153.  
 Passed, 154.  
 Forwarded to Senate, 178.  
 Returned by Senate, 456.  
 Senate action, 456.  
 Enrolled, 505.  
 Signed by Speaker, 508.  
 Forwarded to Governor, 613.  
 Approved by Governor, 695.

**House Bill No. 46—(Reps. Graham and Bymers)**

Referred to Committee on Appropriations.

House Bill No. 46. A Bill for an Act Making an Appropriation to Reimburse Dickey County in the Sum of Eleven Thousand Nine Hundred Sixty-six and no/100 (\$11,966.00) Dollars, Penalty and Interest Belonging to Dickey County, But Erroneously and Inadvertently Remitted to the State and Declaring an Emergency.

Introduction, first reading, 95.  
 Reference, 95.  
 Reported back, 128.  
 Amended, 128.  
 General orders, 146.  
 Engrossed, 149.  
 Second reading, 154.  
 Passed, 155.  
 Forwarded to Senate, 178.  
 Returned by Senate, 456.  
 Senate action, 456.  
 Enrolled, 505.  
 Signed by Speaker, 508.  
 Forwarded to Governor, 613.  
 Approved by Governor, 695.

**House Bill No. 47—(Reps. Bymers, Fraser, Morland, Halvorson, Moe and Severson)**

Referred to Committee on Game and Fish.

House Bill No. 47. A Bill for an Act to Amend and Re-enact Chapter 7 of the Session Laws of 1935, as Amended by Chapter 20 of the Session Laws of 1941, Relating to Wolf, Coyote and Fox Bounty and Declaring an Emergency.

Introduction, first reading, 95.

Reference, 95, 452, 462.

Reported back, 432, 519.

Amended, 519, 1151.

General orders, 432, 569.

Engrossed, 613.

Second reading, 641.

Passed, 642.

Conference Committee, 1151, 1172.

Forwarded to Senate, 655.

Returned by Senate, 1133.

Senate action, 1133.

Enrolled, 1216.

Signed by Speaker, 1180.

Forwarded to Governor, 1238.

**House Bill No. 48—(Rep. Bauer)**

Referred to Committee on Public Health.

House Bill No. 48. A Bill for an Act to Amend and Re-enact Section 436 and 437 Compiled Laws of 1913 Relating to the Area Which Shall Comprise a Registration District, for the Purpose of Registering Vital Statistics, Designating the Registrar, and Prescribing the Duties of the Local Registrar of Such Registration Districts, Defining Their Powers and Authorizing the Appointment of Sub-Registrars, and Declaring an Emergency.

Introduction, first reading, 103.

Reference, 103, 132.

Reported back, 118, 226.

Amended, 118, 226.

General Orders, 132, 254, 263.

Engrossed, 274.

Second reading, 281.

Passed, 281.

Forwarded to Senate, 318.

Returned by Senate, 933.

Senate action, 934.

Enrolled, 1030.

Signed by Speaker, 1027.

Forwarded to Governor, 1200.

**House Bill No. 49—(Committee on Judiciary)**

Referred to Committee on Judiciary.

House Bill No. 49. A Bill for an Act for the Adoption of the Revised Code of North Dakota for 1943, Consisting of Sixty-five Titles, as a Complete Body of Laws, and Repealing All Laws Not Specifically Excepted.

Introduction, first reading, 113.

Reference, 114.

Reported back, 118.

Second reading, 126 to 368.  
 Passed, 369.  
 Forwarded to Senate, 370.  
 Returned by Senate, 625.  
 Senate action, 625.  
 Enrolled, 648 errata.  
 Signed by Speaker, 719.  
 Forwarded to Governor, 809.  
 Approved by Governor, 986.

**House Bill No. 50—(Reps. Bjella, Dahlen and Forseth)**

Referred to Committee on Highways and Bridges.

House Bill No. 50. A Bill for an Act to Amend and Re-enact Sub-Section (e) (1) of Section Two of Chapter 194 of the Session Laws of North Dakota for the Year 1941, Said Sub-section (e) (1) of Section Two of Chapter 194 Being an Amendment to Sub-division (b) of Section 25 of Chapter 186 of the Session Laws of North Dakota for the Year 1931, as Amended by Chapter 161 of the Session Laws of North Dakota for the Year 1933, Providing for the Registration Fees for Trucks on a Gross Weight Basis, and Providing for the Classification of Special Auxiliary Equipment Used by Rural Mail Carriers in the Course of Their Duties, and Declaring an Emergency.

Introduction, first reading, 107.  
 Reference, 107.  
 Reported back, 523.  
 Amended, 523, 1151, 1152, 1153, 1181, 1197.  
 General orders, 569.  
 Engrossed, 578, 1219.  
 Second reading, 600, 1182, 1198.  
 Passed, 601, 1183, 1199.  
 Other action, 332.  
 Conference Committee, 1153, 1169, 1181, 1197.  
 Forwarded to Senate, 616.  
 Returned by Senate, 1129.  
 Senate action, 1129.  
 Enrolled, 1216.  
 Signed by Speaker, 1180.  
 Forwarded to Governor, 1238.

**House Bill No. 51—(Rep. Bymers, Haugen, Fugelstad and Dalzell)**

Referred to Committee on Ways and Means.

House Bill No. 51. A Bill for an Act to Amend and Re-enact Sections 2, 4, 7 and 8 of Chapter 181, Session Laws of 1941, Relating to the Licensing and Regulation of Coin-Operated Amusement Devices, and Appropriating a Portion of the Revenue Derived Therefrom.

Introduction, first reading, 107.  
 Reference, 107.  
 Reported back, 498.  
 Second reading, 522.  
 Passed, 523.  
 Forwarded to Senate, 576.  
 Returned by Senate, 931.  
 Indefinitely postponed by Senate, 931.



**House Bill No. 52—(Committee on Drainage and Irrigation)**

Referred to Committee on Drainage and Irrigation.

House Bill No. 52. A Bill for an Act to Amend and Re-enact Section 8270 of the Compiled Laws of North Dakota for the Year 1913, Relating to the Appropriation of Water by the United States, Repealing All Acts and Parts of Acts in Conflict With the Provisions of This Act and Declaring an Emergency.

Introduction, first reading, 107.

Reference, 107.

Withdrawn, 122.

**House Bill No. 53—(Reps. Drovdal, Anderson and Myers)**

Referred to Committee on Tax and Tax Laws.

House Bill No. 53. A Bill for an Act to Amend and Re-enact Chapter 240 of the Session Laws of North Dakota for 1937, as Amended by Chapter 227 of the Session Laws of North Dakota for the Year 1939, as Amended by Chapter 273 of the Session Laws of North Dakota for the Year 1941, Providing for an Adjustment of Delinquent Taxes for 1941 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, 107.

Reference, 107.

Indefinitely postponed, 316.

**House Bill No. 54—(Committee on Game and Fish)**

Referred to Committee on Game and Fish.

House Bill No. 54. A Bill for an Act to Amend and Re-enact Section 26 of Chapter 148 of the Session Laws of 1931 as Amended by Chapter 157 of the Session Laws of 1941; Providing for Permits and Fees.

Introduction, first reading, 108.

Reference, 108.

Reported back, 128.

Amended, 143.

Engrossed, 149.

Second reading, 143.

Passed, 144.

Forwarded to Senate, 161.

Returned by Senate, 201.

Senate action, 201.

Enrolled, 206.

Signed by Speaker, 206.

Forwarded to Governor, 283.

Approved by Governor, 374.

**House Bill No. 55—(Committee on Game and Fish)**

Referred to Committee on Game and Fish.

House Bill No. 55. A Bill for an Act to Amend and Re-enact Section 1 of Chapter 160 of the Session Laws of 1941

**Providing for Retention by County Auditors of a Part of the Resident and Non-Resident Hunting, Fishing and Trapping Licenses Fees.**

Introduction, first reading, 108.  
 Reference, 108.  
 Reported back, 128.  
 Amended, 142.  
 Engrossed, 142.  
 Second reading, 142.  
 Passed, 143.  
 Forwarded to Senate, 161.  
 Returned by Senate, 932.  
 Indefinitely postponed by Senate, 932.

**House Bill No. 56—(Committee on Appropriations)**

Referred to Committee on Appropriations.

**House Bill No. 56. A Bill for an Act Making an Appropriation for the Payment of Salaries, Postage, Office Supplies and Printing in the State Department of Health, and Declaring an Emergency.**

Introduction, first reading, 108.  
 Reference, 108.  
 Reported back, 186.  
 Second reading, 213.  
 Passed, 214.  
 Forwarded to Senate, 250.  
 Returned by Senate, 360.  
 Senate action, 360.  
 Enrolled, 398.  
 Signed by Speaker, 402.  
 Forwarded to Governor, 613.  
 Approved by Governor, 552.

**House Bill No. 57—(Rep. Anderson and Drovdal)**

Referred to Committee on Livestock.

**House Bill No. 57. A Bill for an Act to Amend and Re-enact Section 12, Chapter 106, Session Laws of 1935, Prescribing the Time, Place and Manner of Election of Officers of Cooperative Grazing Association.**

Introduction, first reading, 114.  
 Reference, 114.  
 Reported back, 460, 515, 549.  
 Amended, 460.  
 General orders, 515.  
 Indefinitely postponed, 549.

**House Bill No. 58—(Rep. Starck)**

Referred to Committee on Game and Fish.

**House Bill No. 58. A Bill For an Act to Amend and Re-enact Chapter 156 of the Session Laws of 1941, Making It a Misdemeanor for Any Person to Hunt and Pursue Any Wild Life With the Aid of a Spot Light or Any Other Kind of Artificial Light, Except Under Certain Conditions.**

Introduction, first reading, 114.  
 Reference, 114.  
 Reported back, 135.  
 Amended, 135.

General orders, 156.  
 Engrossed, 159.  
 Second reading, 165, 412.  
 Passed, 166, 412.  
 Forwarded to Senate, 189.  
 Returned by Senate, 396.  
 Senate action, 396.  
 Enrolled, 432.  
 Signed by Speaker, 442.  
 Forwarded to Governor, 536.  
 Approved by Governor, 626.

**House Bill No. 59—(Rep. Starck)**

Referred to Committee on Game and Fish.

House Bill No. 59. A Bill for an Act to Amend and Re-enact Subsection 4 of Section 32 of Chapter 148 of the Session Laws of 1931, Providing for an Open Season on Mink, Weasel, Raccoon and Fox.

Introduction, first reading, 114.  
 Reference, 114.  
 Reported back, 158.  
 Engrossed, 673.  
 Second reading, 660, 178.  
 Passed, 661, 179.  
 Forwarded to Senate, 202.  
 Returned by Senate, 524.  
 Enrolled, 707.  
 Signed by Speaker, 719.  
 Forwarded to Governor, 809.  
 Approved by Governor, 1030.

**House Bill No. 60—Reps. Bubel and Rohde)**

Referred to Committee on School and Public Lands.

House Bill No. 60. A Bill for an Act to Amend and Re-enact Section 363 of the 1913 Compiled Laws of North Dakota, as Amended and Re-enacted by Chapter 231 of the Session Laws of North Dakota for 1931, as Amended and Re-enacted by Chapter 223 of the Session Laws of North Dakota for 1933, Relating to the Fixing and Collecting and Distribution of Fees at the Leasing and Sale of School Lands.

Introduction, first reading, 114.  
 Reference, 114.  
 Reported back, 396.  
 Indefinitely postponed, 396.

**House Bill No. 61—(Committee on Judiciary)**

Referred to Committee on Judiciary.

House Bill No. 61. A Bill for an Act Providing for the Filing in Duplicate of Certain Instruments in the County Court, Providing a Method for Preserving the Original Instrument, and Repealing Paragraph (3) of Section 8540 of the Compiled Laws of North Dakota for the Year 1913; Repealing All Acts or Parts of Acts in Conflict Herewith.

Introduced, first reading, 120.  
 Reference, 120.  
 Reported back, 210.  
 Second reading, 236, 302.

Passed, 302.  
 Indefinitely postponed, 237.  
 Forwarded to Senate, 342.  
 Returned by Senate, 823.  
 Indefinitely postponed by senate, 824.

**House Bill No. 62—(Reps. Bergesen and Ohnstad)**

Referred to Committee on Judiciary.

House Bill No. 62. A Bill for an Act to Amend and Re-enact Sections 10770 and 10396 of the Compiled Laws of North Dakota for 1913 Relating to Trial by Jury and Waiver of Trial by Jury in Criminal Cases.

Introduction, first reading, 121.  
 Reference, 121.  
 Withdrawn, 212.

**House Bill No. 63—(Rep. Dahlen and Drovdal)**

Referred to Committee on Livestock.

House Bill No. 63. A Bill for an Act to Amend and Re-enact Section 2 of Chapter 237 of the Session Laws of 1939 to Permit Longer Leases to Cooperative Grazing Associations, Soil Conservation Districts, Mutual Aid Corporations and Individuals, and Providing for the Option to Renew Such Leases, and to Declare an Emergency.

Introduction, first reading, 128.  
 Reference, 128.  
 Reported back, 261, 520.  
 Indefinitely postponed, 261, 520.  
 Other action. 332.

**House Bill No. 64—(Reps. Anderson, Bergesen and Graham)**

Referred to Committee on State Affairs.

House Bill No. 64. A Bill for an Act to Amend and Re-enact Chapter 109 of the Session Laws of 1941, by Providing a Penalty for Non-compliance Therewith.

Introduction, first reading, 128.  
 Reference, 128, 253.  
 Reported back, 226, 316.  
 Amended, 316.  
 General orders, 357.  
 Engrossed, 376.  
 Second reading, 385.  
 Passed, 386.  
 Forwarded to Senate, 433.  
 Returned by Senate, 880.  
 Senate action, 880.  
 Enrolled, 984.  
 Signed by Speaker, 983.  
 Forwarded to Governor, 1200.

**House Bill No. 65—(Committee on Livestock)**

Referred to Committee on Livestock.

House Bill No. 65. A Bill for an Act to Amend and Re-enact Section 2596 of the Compiled Laws of North Dakota for 1913, and Sections 2602, 2603, 2604 and 2605, as Amended by Chapter 8 of the Session Laws of 1933, Relating to Can-

cellation and Re-recording Livestock Brands, Abolishing the Use of Single Figures or Single Letters as Livestock Brands, Providing for Publication and Distribution of Brand Books to Registered Owners of Brands, Making an Appropriation of \$12,600.00 to Carry Out the Provisions of this Act; and Repealing All Acts or Parts of Acts in Conflict Therewith.

Introduction, first reading, 128.

Reference, 128, 246.

Reported back, 158, 246.

Amended, 246.

General orders, 263.

Engrossed, 274, 340.

Second reading, 280.

Passed, 280.

Other action, 179.

Forwarded to Senate, 342.

Returned by Senate, 1129.

Enrolled, 1215.

Signed by Speaker, 1180.

Forwarded to Governor, 1238.

**House Bill No. 66—(Rep. Braun)**

Referred to Committee on Education.

House Bill No. 66. A Bill for an Act to Amend and Re-enact Section 2 of Chapter 238, Session Laws of 1931, Providing for the Letting of Contracts to Furnish Vehicular Transportation to School Districts to the Lowest Bidder; Requiring a Bond; and Fixing the Qualifications of the Operators of Such Vehicles and the Requirements of Such Vehicle.

Introduction, first reading, 128.

Reference, 128, 150.

Second reading, 163.

Passed, 164.

Other action, 361, 365.

Forwarded to Senate, 189, 365.

Returned by Senate, 336.

Indefinitely postponed by Senate, 336, 395.

**House Bill No. 67—(Reps. Allen of Grand Forks and Boulden)**

Referred to Committee on Tax and Tax Laws.

House Bill No. 67. A Bill for an Act to Amend and Re-enact Subsection two (2) of Section one (1) of Chapter 280 of the Session Laws of North Dakota for the Year 1941, Amending Section 2093 of the 1925 Supplement to the Compiled Laws of North Dakota for 1913, as Amended by Chapter 229 of the Session Laws for the Year 1939, Relating to Time for Listing and Assessing Personal Property. Repealing All Acts or Parts of Acts in Conflict Therewith.

Introduction, first reading, 129.

Reference, 129.

Reported back, 316.

Indefinitely postponed, 316.

**House Bill No. 68—Rep. Johnson of Cass)**

Referred to Committee on Highways and Bridges.

House Bill No. 68. A Bill for an Act Removing Statutory Limitations on Salaries to Be Paid to the State Highway

Commissioner, Chief Engineer, Engineers, Assistant Engineers and Draftsmen in the Highway Department Between July 1, 1943 and June 30, 1945; Repealing All Acts and Parts of Acts in Conflict Herewith.

Introduction, first reading, 135.  
 Reference, 135.  
 Reported back, 354.  
 Second reading, 402.  
 Passed, 403.  
 Other action, 332.  
 Forwarded to Senate, 433.  
 Returned by Senate, 880.  
 Senate action, 880.  
 Enrolled, 946.  
 Signed by Speaker, 983.  
 Forwarded to Governor, 1200.

**House Bill No. 69—(Committee on Drainage and Irrigation)**

Referred to Committee on Drainage and Irrigation.

House Bill No. 69. A Bill for an Act to Repeal Section 8270, Compiled Laws of North Dakota for 1913, Providing for the Appropriation of Water by the Proper Officers of the United States; and Declaring an Emergency.

Introduction, first reading, 135.  
 Reference, 135.  
 Reported back, 171.  
 Second reading, 190.  
 Passed, 190.  
 Forwarded to Senate, 210.  
 Returned by Senate, 456.  
 Senate action, 456.  
 Enrolled, 505.  
 Signed by Speaker, 508.  
 Forwarded to Governor, 613.  
 Approved by Governor, 696.

**House Bill No. 70—(Reps. Ostgulen, Hofstrand, Marks and Dalzell)**

Referred to Committee on Insurance.

House Bill No. 70. A Bill for an Act Requiring Owners of Certain Motor Vehicles and Trailers to Furnish Security for Their Civil Liability on Account of Personal Injuries and Property Damage Caused by Their Motor Vehicles and Trailers.

Introduction, first reading, 135.  
 Reference, 135.  
 Reported back, 337.  
 Indefinitely postponed, 338.

**House Bill No. 71—(Reps. Welder and Haag)**

Referred to Committee on Ways and Means.

House Bill No. 71. A Bill for an Act to License Roller Skating Rinks; Defining the Same; Requiring an Application to Be Made and Fixing the License Fee; Granting the Right to Revoke the License; Providing the Policing of the Same; Permitting Roller Skating Rinks to Operate on the

**First Day of the Week Under Certain Conditions; and Providing a Penalty.**

- Introduction, first reading, 136.
- Reference, 136.
- Reported back, 459.
- Indefinitely postponed, 459.

**House Bill No. 72—(Committee on Education)**

Referred to Committee on Tax and Tax Laws.

House Bill No. 72. A Bill for an Act Authorizing School Districts to Set Up and Maintain a Special Reserve Fund; Providing for the Expenditures Which May Be Made from Said Special Reserve Fund, Providing for the Transfer of Present Funds Into a Special Reserve Fund; and Authorizing a Three Mill Tax Levy for the Establishment and Maintenance of Said Special Reserve Fund; Repealing All Acts or Parts of Acts in Conflict; and Declaring an Emergency.

- Introduction, first reading, 136.
- Reference, 136.
- Reported back, 207.
- Second reading, 235.
- Passed, 236.
- Forwarded to Senate, 250.
- Returned by Senate, 949.
- Senate action, 949.
- Enrolled, 1074.
- Signed by Speaker, 1181.
- Forwarded to Governor, 1237.

**House Bill No. 73—(Reps. Saumur, Braun, Sandness, Wolf of McIntosh, Benno, Johnson of Cass)**

Referred to Committee on State Affairs.

House Bill No. 73. A Bill for an Act to Repeal Chapter 196 of the Session Laws of 1933, Relating to Salaries of Appointive State Officers and Declaring an Emergency.

- Introduction, first reading, 136.
- Reference, 136, 316.
- Reported back, 316, 339.
- Indefinitely postponed, 339.

**House Bill No. 74—(Rep. Bauer)**

Referred to Committee on Agriculture.

House Bill No. 74. A Bill for an Act to Amend and Re-enact Sub-section (9) of Section 3 Chapter 9, Session Laws of 1937; Sub-division (a) of Section 6 of Chapter 9, Session Laws of 1937 as Amended by Section 2 of Chapter 6, Session Laws of 1939; Sub-division (b) of Section 6 of Chapter 9 Session Laws of 1937; Relating to Soil Conservation Districts; Defining "Land Occupier", or "Occupier of Land"; the Election, Qualification and Tenure of Supervisors Thereof; Placing Duties Upon the County Commissioners; Locating Soil Conservation District Records and Making Them Available for Public Inspection; and Declaring an Emergency.

- Introduction, first reading, 173.
- Reference, 173, 340.
- Reported back, 300, 500.

Second reading, 329.  
 Indefinitely postponed, 330, 500.  
 Other action, 340.

**House Bill No. 75—(Committee on Appropriations)**

Referred to Committee on Appropriations.

House Bill No. 75. 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.

Introduction, first reading, 149.  
 Reference, 149.  
 Reported back, 198.  
 Second reading, 212.  
 Passed, 213.  
 Forwarded to Senate, 250.  
 Returned by Senate, 821.  
 Senate action, 821.  
 Enrolled, 883.  
 Signed by Speaker, 878.  
 Forwarded to Governor, 1073.  
 Approved by Governor, 1212.

**House Bill No. 76—(Reps. Schwartz and Hegge)**

Referred to Committee on Tax and Tax Laws.

House Bill No. 76. A Bill for an Act to Amend and Re-enact Section 3 of Chapter 242 of the 1939 Session Laws for North Dakota, as Amended and Re-enacted by Section 2 of Chapter 290 of the 1941 Session Laws of North Dakota, Relating to the Filing of Quarterly Price Lists by the Wholesale Liquor Dealers, and Declaring an Emergency.

Introduction, first reading, 149.  
 Reference, 149, 450.  
 Reported back, 582.  
 Amended, 583.  
 General orders, 620.  
 Second reading, 667.  
 Passed, 668.  
 Forwarded to Senate, 670.  
 Returned by Senate, 1129.  
 Indefinitely postponed by Senate, 1129.

**House Bill No. 77—(Committee on Appropriations)**

Referred to Committee on Appropriations.

House Bill No. 77. A Bill for an Act Making an Appropriation Into the "Administrative Fund" for the State Water Conservation Commission for General Administration Expenses, Maintenance of Existing Dams and Drainage Channels, Construction of Needed Drainage Channels, Planning and Surveying Projects, and Expenses of State Compacts.

Introduction, first reading, 149.  
 Reference, 149.  
 Reported back, 226.  
 Amended, 226, 348, 349.  
 General Orders, 254, 313.  
 Engrossed, 261, 340, 376.  
 Second reading, 348.



Passed, 349.  
 Other action, 348.  
 Forwarded to Senate, 401.  
 Returned by Senate, 949.  
 Senate action, 949.  
 Enrolled, 1074.  
 Signed by Speaker, 1181.  
 Forwarded to Governor, 1237.

**House Bill No. 78—(Committee on Drainage and Irrigation)**  
 Referred to Committee on Education.

House Bill No. 78. A Bill for an Act Requiring the Teaching of the Conservation of Natural Resources in the Public Schools of the State of North Dakota.

Introduction, first reading, 149.  
 Reference, 149.  
 Reported back, 273.  
 Amended, 896.  
 Engrossed, 947.  
 Second reading, 307, 896.  
 Passed, 308, 897.  
 Forwarded to Senate, 342.  
 Returned by Senate, 882.  
 Senate action, 882.  
 Enrolled, 986.  
 Signed by Speaker, 1027.  
 Forwarded to Governor, 1200.

**House Bill No. 79—(Rep. Bauer)**

Referred to Committee on Ways and Means.

House Bill No. 79. A Bill for an Act to Amend and Re-enact Sections 5 and 9 of Chapter 111 Session Laws of 1941, Relating to the Disposition of and Bounty Paid for Rattlesnake Tails and Making an Appropriation for the Payment of Bounty.

Introduction, first reading, 159.  
 Reference, 159.  
 Reported back, 460.  
 Indefinitely postponed, 460.

**House Bill No. 80—(Reps. Dahlen, Severson, Bergesen, Welk and Starck)**

Referred to Committee on Judiciary.

House Bill No. 80. A Bill for an Act to Amend and Re-enact Section 17 of Chapter 162 of the Session Laws of North Dakota for the Year 1919, as Amended and Re-enacted by Section 6 of Chapter 286 of the Session Laws of North Dakota for the Year 1935, Relating to Decisions of the Workmen's Compensation Bureau, and Providing for Appeals from Such Decisions.

Introduction, first reading, 159.  
 Reference, 159.  
 Reported back, 251.  
 Second reading, 300.  
 Passed, 301.  
 Forwarded to Senate, 319.  
 Returned by Senate, 745.  
 Indefinitely postponed by Senate, 745.

**House Bill No. 81—(Reps. Anderson and Rohde)**

Referred to Committee on School and Public Lands.

House Bill No. 81. A Bill for an Act Authorizing the Board of University and School Lands to Sell and Dispose of Both Dead and Standing Timber Grown Upon Lands Belonging to the Permanent School and Institutional Funds of the State of North Dakota for Fuel, Fence Posts, or Lumber, If and When, in the Discretion of Such Board, Such Sale Shall Be for the Best Interests of Such Funds; and Authorizing Said Board to Make Rules and Regulations Necessary to Effect the Purposes of This Act.

Introduction, first reading, 159.

Reference, 159.

Reported back, 184.

Second reading, 204.

Passed, 205.

Forwarded to Senate, 231.

Returned by Senate, 1033.

Indefinitely postponed by Senate, 1033.

**House Bill No. 82—(Committee on Drainage and Irrigation)**

Referred to Committee on Drainage and Irrigation.

House Bill No. 82. A Bill for an Act to Ratify and Approve the Compact Between the States of Montana, North Dakota and Wyoming, Providing for an Equitable Apportionment of the Waters in the Yellowstone River Basin Among Said States.

Introduction, first reading, 159.

Reference, 159.

Reported back, 176.

Second reading, 193.

Passed, 194.

Forwarded to Senate, 210.

Returned by Senate, 496.

Senate action, 496.

Enrolled, 559.

Signed by Speaker, 603.

Forwarded to Governor, 708.

**House Bill No. 83—(Reps. Hofstrand, Langley, Heckman, Dahlen, Starck and Bagge)**

Referred to Committee on Tax and Tax Laws.

House Bill No. 83. A Bill for an Act to Equalize Taxation and Replace in Part the Tax on Property; to Provide the Public Revenue to Be Used for Such Replacement by Imposing a Tax on the Gross Receipts from Retail Sales as Defined Herein; to Provide for the Collection of Such Tax, the Distribution and Use of the Revenue Derived Therefrom, and the Administration of Said Law; to Provide for Certain Deductions and Exemptions; Establishing a Lien for the Payment of Such Tax; to Fix Fines and Penalties for the Violation of the Provisions of This Act; to Repeal All Laws or Parts of Laws in Conflict Herewith, and Declaring an Emergency.

Introduction, first reading, 159.

Reference, 160.

Reported back, 317.

Second reading, 345.  
 Passed, 346.  
 Forwarded to Senate, 371.  
 Returned by Senate, 524.  
 Senate action, 524.  
 Enrolled, 617.  
 Signed by Speaker, 617.  
 Forwarded to Governor, 708.  
 Approved by Governor, 988.

**House Bill No. 84—(Rep. Johnson of Cass)**

Referred to Committee on State Affairs.

House Bill No. 84. A Bill for an Act Amending and Re-enacting Section 4 of Chapter 168 of the Laws of 1919 and Acts Amendatory Thereof, Pertaining to Salary of Coal Mine Inspector and Compensation for Clerical Help.

Introduction, first reading, 160.  
 Reference, 160.  
 Reported back, 316.  
 Amended, 316, 894.  
 General orders, 357.  
 Engrossed, 376.  
 Second reading, 386.  
 Passed, 387.  
 Other action, 894.  
 Forwarded to Senate, 433, 931.  
 Returned by Senate, 718.  
 Senate action, 718.  
 Enrolled, 743.  
 Signed by Speaker, 747.  
 Forwarded to Governor, 845.

**House Bill No. 85—(Committee on Education)**

Referred to Committee on Appropriations.

House Bill No. 85. A Bill for an Act Making an Appropriation to Pay for a Portion of the Current Operating Expenses of Our Public School System as Provided in the State Equalization Fund Law.

Introduction, first reading, 160.  
 Reference, 160, 214, 313.  
 Reported back, 186, 273, 438.  
 Amended, 273, 438, 1056.  
 General orders, 313, 452, 516.  
 Engrossed, 520, 1219.  
 Second reading, 535, 1056.  
 Passed, 536, 1057.  
 Forwarded to Senate, 578.  
 Returned by Senate, 957.  
 Senate action, 957.  
 Enrolled, 1216.  
 Signed by Speaker, 1180.  
 Forwarded to Governor, 1238.

**House Bill No. 86—(Reps. Anderson, Ostgulen and Callahan)**

Referred to Committee on Judiciary.

House Bill No. 86. A Bill for an Act to Amend and Re-enact Section 10248 of the 1925 Supplement to the 1913 Com-

piled Laws of North Dakota Relating to the Removal, Concealing, Selling or Disposing of Chattels Subject to Liens.

Introduction, first reading, 160.  
 Reference, 160.  
 Reported back, 339.  
 Amended, 339.  
 General orders, 356.  
 Engrossed, 376.  
 Second reading, 382.  
 Indefinitely postponed, 383.

**House Bill No. 87—(Rep. Bauer)**

Referred to Committee on Appropriations.

House Bill No. 87. A Bill for an Act Making an Appropriation for the Purpose of Returning to the State Hail Insurance Fund the Balance of the Money, Amounting to \$900,000 (Nine Hundred Thousand Dollars) Diverted Therefrom by Chapter 155 of the Session Laws for 1935, With Interest Thereon, and Repealing All Acts or Parts of Acts in Conflict Herewith.

Introduction, first reading, 160.  
 Reference, 160.  
 Reported back, 575.  
 Second reading, 627.  
 Passed, 628.  
 Other action, 630, 963.  
 Forwarded to Senate, 654.  
 Returned by Senate, 933.  
 Senate action, 934, 962.  
 Enrolled, 986.  
 Signed by Speaker, 1027.  
 Not signed in Senate.

**House Bill No. 88—(Reps. Saumur and Bergesen)**

Referred to Committee on Tax and Tax Laws.

House Bill No. 88. A Bill for an Act to Amend and Re-enact Section 2346a18 of the 1925 Supplement to the Compiled Laws of North Dakota, as Amended by Section 4 of Chapter 283, Session Laws of 1931, as Further Amended by Section 2 of Chapter 241, Session Laws of 1937, and as Further amended by Section 1 of Chapter 228, Session Laws of 1939; Providing for Net Operating Loss Carry-over and Additional Deductions in Computing Net Income for Income Tax Purposes; Repealing All Acts or Parts of Acts in Conflict Herewith, and Declaring an Emergency.

Introduction, first reading, 160.  
 Reference, 161, 212, 313.  
 Reported back, 197, 272, 394.  
 Amended, 272, 273, 394.  
 General orders, 313, 424, 541, 569.  
 Engrossed, 578.  
 Second reading, 601.  
 Indefinitely postponed, 602.  
 Other action, 441.

**House Bill No. 89**—(Reps. Schnell, Bymers, Kolpin and Anderson)

Referred to Committee on Appropriations.

House Bill No. 89. A Bill for an Act to Appropriate the Sum of \$5,000.00 (Five Thousand Dollars) or so Much Thereof as May Be Needed, for the Purpose of Paying the Per Diem and Expenses of Investigators and Employees, the Per Diem and Mileage of Witnesses and Expenses for Printing and Supplies, to Be Incurred by the Special Committee of the House of Representatives Appointed Under the Authority and Provisions of House Resolution "H" of the 28th Legislative Assembly of the State of North Dakota, to Investigate the North Dakota State Taxpayers Association.

Introduction, first reading, 161.

Reference, 161.

Reported back, 332.

Indefinitely postponed, 332.

**House Bill No. 90**—(Reps. Fitch and Dahlen)

Referred to Committee on Ways and Means.

House Bill No. 90. A Bill for an Act to Amend and Re-enact Section 7 of Chapter 297 of the Session Laws of North Dakota for 1941, Relating to the Confidential Character of Birth Records, and Who May Inspect the Same and to Whom Information Concerning the Same May Be Given.

Introduction, first reading, 173.

Reference, 173.

Reported back, 460.

Second reading, 511.

Passed, 512.

Forwarded to Senate, 577.

Returned by Senate, 948.

Senate action, 948.

Enrolled, 1074.

Signed by Speaker, 1181.

Forwarded to Governor, 1238.

**House Bill No. 91**—(Committee on Education)

Referred to Committee on Tax and Tax Laws.

House Bill No. 91. A Bill for an Act Relating to Taxation in School Districts, Providing That the Voters of School District May Authorize Levies in Excess of the Legal Limitations for Certain Periods, and Providing for the Time and Manner of Holding Such Elections, and Repealing That Portion of Section 13 of Chapter 235 of the Session Laws for North Dakota for 1929 Relating to School Districts, and All Other Acts or Parts of Acts in Conflict Herewith.

Introduction, first reading, 173.

Reference, 173.

Reported back, 338.

Second reading, 365.

Passed, 366.

Forwarded to Senate, 371.

Returned by Senate, 1166.

Senate action, 1166.

Enrolled, 1216.  
Signed by Speaker, 1180.  
Forwarded to Governor, 1238.

**House Bill No. 92—(Reps. Levin and Halvorson)**

Referred to Committee on Agriculture.

House Bill No. 92. A Bill for an Act to Establish a State Program of Chemurgic Research: Providing for the Administration and Maintenance Thereof, and Making an Appropriation Therefor.

Introduction, first reading, 173.  
Reference, 173.  
Reported back, 502, 572.  
Amended, 502, 503, 504, 572 to 575.  
General orders, 618.  
Indefinitely postponed, 618.

**House Bill No. 93—(Rep. Olson of Bowman)**

Referred to Committee on Ways and Means.

House Bill No. 93. A Bill for an Act to Amend and Re-enact Section 1390a of the Supplement to the 1913 Compiled Laws of North Dakota, Providing for the Erection and Equipping of Teacherages and Dormitories, and Repealing All Acts or Parts of Acts in Conflict Herewith.

Introduction, first reading, 173.  
Reference, 174.  
Withdrawn, 269.

**House Bill No. 94—(Committee on Appropriations)**

Referred to Committee on Appropriations.

House Bill No. 94. A Bill for an Act Creating a Veteran's Aid Commission, Specifying Its Powers and Duties; and Appropriating the Sum of \$100,000 as a Veteran's Aid Fund and Providing for the Manner of Its Use and Defining Those Entitled to Aid from Such Fund, and Declaring an Emergency.

Introduction, first reading, 174.  
Reference, 174.  
Reported back, 299.  
Amended, 1051.  
Engrossed, 1219.  
Second reading, 327, 1051.  
Passed, 328, 1052.  
Forwarded to Senate, 362.  
Returned by Senate, 957.  
Senate action, 957.  
Enrolled, 1215.  
Signed by Speaker, 1181.  
Forwarded to Governor, 1238.

**House Bill No. 95—(Committee on Appropriations)**

Referred to Committee on Appropriations.

House Bill No. 95. A Bill for an Act Creating a Veterans' Emergency Fund, and Providing an Appropriation Therefor, and Providing for the Use of Such Fund by the Veterans' Service Commissioner, and the Manner of Its Disbursement.

Introduction, first reading, 174.  
Reference, 174.

Reported back, 271.  
Amended, 741, 807.  
Engrossed, 831.  
Second reading, 306, 807.  
Passed, 306, 808.  
Other action, 741.  
Conference Committee, 741, 807.  
Forwarded to Senate, 342.  
Returned by Senate, 718.  
Senate action, 718.  
Enrolled, 883.  
Signed by Speaker, 878.  
Forwarded to Governor, 1073.  
Approved by Governor, 1212.

**House Bill No. 96—(Reps. Welder, Wolf of McIntosh and Devlin)**

Referred to Committee on State Affairs.

House Bill No. 96. A Bill for an Act to Prohibit the Operation of Motion Picture Theaters Which Are Owned, Controlled, Managed, or Operated, in Whole or in Part, by Producers or Distributors of Motion Picture Films, or in Which Such Producers or Distributors Have Any Interest.

Introduction, first reading, 174.  
Reference, 174.  
Reported back, 398.  
Indefinitely postponed, 398.

**House Bill No. 97—(Reps. Bjella and Dahlen)**

Referred to Committee on Insurance.

House Bill No. 97. A Bill for an Act to Amend and Re-enact Section 189b7 of the 1925 Supplement to the Compiled Laws, as Amended by Section 3 of Chapter 137 of the 1933 Session Laws, Relating to State Hail Insurance, and Providing for the Collection of Hail Indemnity Insurance, and Giving Notice of Priority of Hail Indemnity Tax Liens; Providing for Certain Exemptions from Such Priority of Hail Tax Liens.

Introduction, first reading, 174.  
Reference, 174.  
Reported back, 439.  
Indefinitely postponed, 439.

**House Bill No. 98—(Reps. Belzer and Dahlen)**

Referred to Committee on Education.

House Bill No. 98. A Bill for an Act to Provide for Participation in the North Dakota Teachers' Insurance and Retirement Fund by Members of the Armed Forces of the United States During the Period of Their Service, and Fixing the Period Within Which Such Persons May Withdraw from Participation and Receive Refund.

Introduction, first reading, 174.  
Reference, 174.  
Reported back, 274.  
Amended, 835.  
Engrossed, 883.  
Second reading, 308, 835.  
Passed, 309, 836.

Forwarded to Senate, 342.  
 Returned by Senate, 824.  
 Senate action, 825.  
 Enrolled, 984.  
 Signed by Speaker, 983.  
 Forwarded to Governor, 1200.

**House Bill No. 99—(Committee on Military Affairs)**

Referred to Committee on Appropriations.

House Bill No. 99. A Bill for an Act Making an Appropriation to Provide Funds for the Maintenance of the North Dakota State Guard, as Provided for Under Chapter 230 of the North Dakota Session Laws of 1941, and to Meet Other Requirements Prescribed by the Federal Statutes, and Declaring an Emergency.

Introduction, first reading, 174.  
 Reference, 174.  
 Reported back, 299.  
 Second reading, 328.  
 Passed, 329.  
 Forwarded to Senate, 362.  
 Returned by Senate, 778.  
 Senate action, 778.  
 Enrolled, 832.  
 Signed by Speaker, 879.  
 Forwarded to Governor, 1073.  
 Approved by Governor, 1212.

**House Bill No. 100—(Committee on Military Affairs)**

Referred to Committee on Appropriations.

House Bill No. 100. A Bill for an Act Creating a Veterans' Post-War Rehabilitation Reserve Fund, and Providing for the Transfer of Monies Thereto and for the Maintenance and Investment Thereof.

Introduction, first reading, 175.  
 Reference, 175.  
 Reported back, 271.  
 Amended, 271, 837.  
 General orders, 312.  
 Engrossed, 340, 883.  
 Second reading, 340, 837.  
 Passed, 341, 838.  
 Forwarded to Senate, 371.  
 Returned by Senate, 824.  
 Senate action, 825.  
 Enrolled, 984.  
 Signed by Speaker, 983.  
 Forwarded to Governor, 1200.

**House Bill No. 101—(Committee on Military Affairs)**

Referred to Committee on Military Affairs.

House Bill No. 101. A Bill for an Act Relating to National and State Defense, Granting Emergency War Powers to the Governor and the Political Subdivisions of the State, Authorizing the Creation of State and Local Defense Agencies, and Making an Appropriation Therefor.

Introduction, first reading, 175.  
 Reference, 175, 261.



Reported back, 246, 501.  
 Amended, 378.  
 General orders, 423.  
 Engrossed, 462.  
 Indefinitely postponed, 501.  
 Other action, 332.

**House Bill No. 102—(Committee on Education)**

Referred to Committee on Education.

House Bill No. 102. A Bill for an Act to Repeal Section 2 of Chapter 255 of the Session Laws of North Dakota for 1941, Relating to High School Correspondence Work, and to Amend and Re-enact Section 6 of Chapter 255 of the Session Laws of North Dakota for 1941, Relating to High School Tuition and Fixing the Amounts of Such Tuition.

Introduction, first reading, 175.  
 Reference, 175.  
 Reported back, 273.  
 Amended, 836.  
 Engrossed, 1030.  
 Second reading, 306, 892.  
 Passed, 307, 893.  
 Conference Committee, 837, 932.  
 Forwarded to Senate, 319.  
 Returned by Senate, 824.  
 Senate action, 825.  
 Enrolled, 1074.  
 Signed by Speaker, 1181.  
 Forwarded to Governor, 1238.

**House Bill No. 103—(Reps. Twichell, Crockett, Shure, Levin and Blair.)**

Referred to Committee on Judiciary.

House Bill No. 103. A Bill for an Act to Repeal Chapter 229 of the Session Laws for the Year 1941 Relating to the Establishment and Government of a Correctional Institution, to Be Known as the North Dakota State Farm.

Introduction, first reading, 188.  
 Reference, 188.  
 Reported back, 552.  
 Indefinitely postponed, 552.

**House Bill No. 104—(Reps. Sellens, Fleck and Falconer)**

Referred to Committee on State Affairs.

House Bill No. 104. A Bill for an Act to Provide for the Payment of a Pension to State Employees.

Introduction, first reading, 188.  
 Reference, 188.  
 Reported back, 398.  
 Indefinitely postponed, 398.

**House Bill No. 105—(Reps. Ohnstad and Pyle)**

Referred to Committee on Judiciary.

House Bill No. 105. A Bill for an Act to Amend and Re-enact Section 9115 of the Compiled Laws of North Dakota

for 1913, Relating to the Issuance of Executions on Judgments in Justice Court.

Introduction, first reading, 188.  
 Reference, 188.  
 Reported back, 430.  
 Second reading, 481.  
 Passed, 482.  
 Forwarded to Senate, 526.  
 Returned by Senate, 778.  
 Senate action, 778.  
 Enrolled, 832.  
 Signed by Speaker, 879.  
 Forwarded to Governor, 1073.  
 Approved by Governor, 1213.

**House Bill No. 106—(Rep. Crockett)**

Referred to Committee on State Affairs.

House Bill No. 106. A Bill for an Act to Amend and Re-enact Section 1 of Chapter 220 of the Session Laws of North Dakota for the Year 1935, Relating to Expense Accounts of Public Officers, Specifying the Amount to Be Allowed for Personal Sustenance of Officers, Agents and Employees, Exempting the Governor, of the State of North Dakota, or of Any of Its Subdivisions, While Upon Public Expense Account, Repealing All Acts or Parts of Acts in Conflict Herewith, and Declaring an Emergency.

**Introduction, first reading, 188.**

Reference, 188.  
 Reported back, 260.  
 Amended, 796.  
 Engrossed, 831.  
 Second reading, 276, 797.  
 Passed, 277, 797.  
 Forwarded to Senate, 319.  
 Returned by Senate, 777.  
 Senate action, 777.  
 Enrolled, 832.  
 Signed by Speaker, 879.  
 Forwarded to Governor, 1073.

**House Bill No. 107—(Reps. Callahan and Crockett)**

Referred to Committee on Tax and Tax Laws.

House Bill No. 107. A Bill for an Act to Amend and Re-enact Subsections 1 and 2 of Section 1, Chapter 273, Session Laws of North Dakota for the Year 1941; Providing for an Adjustment of Delinquent Taxes for 1939 and Prior Years, and Repealing All Acts or Parts of Acts in Conflict Therewith Including Certain Exceptions, and Declaring an Emergency.

Introduction, first reading, 188.  
 Reference, 188.  
 Reported back, 315.  
 Amended, 315, 791.  
 General orders, 357.  
 Engrossed, 376, 831.  
 Second reading, 384, 791.  
 Passed, 385, 792.  
 Forwarded to Senate, 401.

Returned by Senate, 779.  
 Sentae action, 779.  
 Enrolled, 832.  
 Signed by Speaker, 879.  
 Forwarded to Governor, 1073.

**House Bill No. 108—(Reps. Aker and Blair)**

Referred to Committee on Banks and Banking.

House Bill No. 108. A Bill for an Act to Amend and Re-enact Subdivision 8 of Section 7 of Chapter 94 of the Session Laws of 1931, as Amended by Chapter 78 of the Session Laws of 1933, Relating to Building and Loan Associations of the State of North Dakota, and Voiding Provisions for Withdrawals Made by Means Other Than By-Laws.

Introduction, first reading, 189.  
 Reference, 189.  
 Reported back, 397.  
 Indefinitely postponed, 397.  
 Other action, 369.

**House Bill No. 109—(Reps. Haugland and Hovey)**

Referred to Committee on Cities and Municipal Corporations.

House Bill No. 109. A Bill for an Act to Amend and Re-enact Section 3610 of Article 7, of Chapter 44 of the 1913 Compiled Laws, by Adding Thereto a Provision that in Cities that Have Adopted the City Manager Form of Government, the City Manager Shall Appoint and Remove the City Treasurer with the Approval of the City Council, and that in Cities Having Adopted the Provisions of Chapter 173 of the Session Laws of North Dakota for the Year 1937, Known as the Civil Service Act, the City Treasurer Shall Be Appointed as Other Full-time City Employees, and Providing that Such City Treasurer May Be Included Within and Under the Provisions of the Civil Service Act, and Repealing All Acts and Parts of Acts in Conflict Herewith.

Introduction, first reading, 189.  
 Reference, 189.  
 Reported back, 260.  
 Second reading, 277.  
 Passed, 278.  
 Forwarded to Senate, 319.  
 Returned by Senate, 821.  
 Senate action, 821.  
 Enrolled, 883.  
 Signed by Speaker, 878.  
 Forwarded to Governor, 1238.

**House Bill No. 110—(Reps. Fitch and Schnell)**

Referred to Committee on State Affairs.

House Bill No. 110. A Bill for an Act Fixing the Salaries or Compensation of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, Attorney General, Superintendent of Public Instruction, Commissioner of Insurance, Commissioner of Agriculture and Labor, and Each Commissioner of the Public Service Commission to Be Elected After the Effective Date of This Act and All Sub-

sequent Elections and Amending and Re-enacting the Initiated Act Known as, Reduction Salaries of State Officials, Approved by the People of the State of North Dakota November 8, 1932.

Introduction, first reading, 198.  
 Reference, 198.  
 Reported back, 396.  
 Amended, 838, 1201, 1213, 1214.  
 Engrossed, 1219.  
 Second reading, 466, 1214.  
 Passed, 467, 1202, 1215.  
 Other action, 449, 984, 985, 994.  
 Conference Committee, 838, 984, 994, 1096, 1097, 1169, 1170, 1184, 1200, 1201, 1213.  
 Forwarded to Senate, 505.  
 Returned by Senate, 824.  
 Senate action, 825.  
 Enrolled, 1216.  
 Signed by Speaker, 1180.  
 Forwarded to Governor, 1238.

**House Bill No. 111—(Reps. Fleck, Graham and Twichell)**

Referred to Committee on State Affairs.

House Bill No. 111. A Bill for an Act to Amend and Re-enact Section 2 of Chapter 177, Laws of North Dakota for 1927, as Amended by Chapter 182, Laws of North Dakota for 1931, as Amended by Chapter 146, Laws of North Dakota for 1935, Relating to the Coloring of Gasoline by the use of Harmless Dye, and Permitting the State Food Commissioner and Chemist by Regulation to Lower Such Requirements for the Duration of the War, and Declaring an Emergency.

Introduction, first reading, 198.  
 Reference, 199.  
 Reported back, 499.  
 Second reading, 525.  
 Indefinitely postponed, 525.

**House Bill No. 112—(Reps. Williams of Richland, Lillehaugen, Halcrow and Langley)**

Referred to Committee on Temperance.

House Bill No. 112. A Bill for an Act Prohibiting the Advertising of Intoxicating Liquors Within the State of North Dakota.

Introduction, first reading, 199.  
 Reference, 199.  
 Reported back, 333, 334.  
 Indefinitely postponed, 335.  
 Other action, 340.

**House Bill No. 113—(Reps. Mollet, Rohde, Morland and Sticka)**

Referred to Committee on Cities and Municipal Corporations.

House Bill No. 113. A Bill for an Act to Repeal Sections 1903, 1904, 1905, 1906, 1907, 1908, 1909 and 1910 of the Compiled Laws of North Dakota for 1913, and Sections 1905 and

1906 of the 1925 Supplement to the Compiled Laws of North Dakota for 1913, and Chapter 245 of the Session Laws of North Dakota for 1933, Relating to the Duties of Assessors in Taking and Furnishing Statistics.

Introduction, first reading, 199.

Reference, 199.

Indefinitely postponed, 261.

**House Bill No. 114—(Reps. Fitch and Bergesen)**

Referred to Committee on Ways and Means.

House Bill No. 114. A Bill for an Act, Providing for Reimbursement for Additional and Extraordinary Expenses of the Justices of the Supreme Court and District Judges and Elective Officials of the State in the Discharge of Their Official Duties; and Making an Appropriation Therefor.

Introduction, first reading, 199.

Reference, 199.

Reported back, 457, 557.

Laid on table, 558.

Other action, 558.

**House Bill No. 115—(Rep. Fitch)**

Referred to Committee on Ways and Means.

House Bill No. 115. A Bill for an Act to Amend and Re-enact Section 4B of Chapter 286 of the Session Laws of 1935, Fixing the Length of Terms and Salaries of Commissioners of the Workmen's Compensation Bureau.

Introduction, first reading, 207.

Reference, 207.

Reported back, 459.

Amended, 511.

Engrossed, 523.

Second reading, 601.

Indefinitely postponed, 601.

Other action, 511.

**House Bill No. 116—(Rep. Bauer)**

Referred to Committee on Public Safety.

House Bill No. 116. A Bill for an Act to Prohibit the Use of Tobacco by Smoking in Hotel Beds, Cots or Other Equipment Used, or Useful for Sleeping Purposes and Fixing the Responsibility for Damages Caused by Smoking, and Providing Penalty.

Introduction, first reading, 207.

Reference, 207.

Reported back, 300.

Indefinitely postponed, 300.

**House Bill No. 117—(Reps. Bubel, Rohde and Sellens)**

Referred to Committee on Election and Election Privileges.

House Bill No. 117. A Bill for an Act to Amend and Re-enact Section 964 of the Compiled Laws of North Dakota for 1913, Relating to Election Supplies, and Repealing That Portion of the Section Requiring the Posting of Sample Ballots.

Introduction, first reading, 207.

Reference, 207, 463.

Reported back, 571.

Amended, 571.  
 General orders, 618.  
 Engrossed, 648.  
 Second reading, 649, 444.  
 Passed, 650.  
 Lost, 444.  
 Other action, 369.  
 Forwarded to Senate, 655.  
 Returned by Senate, 881.  
 Indefinitely postponed by Senate, 882.

**House Bill No. 118—(Reps. Bubel and Rohde)**

Referred to Committee on School and Public Lands.

House Bill No. 118. A Bill for an Act to Amend and Re-enact Section 363 of the 1913 Compiled Laws of North Dakota, as Amended and Re-enacted by Chapter 231 of the Session Laws of North Dakota for 1931, as Amended and Re-enacted by Chapter 223 of the Session Laws of North Dakota for 1933, Relating to the Fixing and Collecting and Distribution of Fees at the Leasing and Sale of School Lands.

Introduction, first reading, 207.  
 Reference, 207.  
 Reported back, 394.  
 Second reading, 446.  
 Passed, 446.  
 Forwarded to Senate, 526.  
 Returned by Senate, 778.  
 Senate action, 778.  
 Enrolled, 832.  
 Signed by Speaker, 879.  
 Forwarded to Governor, 1073.

**House Bill No. 119—(Reps. Anderson, Starck, Mortenson and Forseth)**

Referred to Committee on Insurance.

House Bill No. 119. A Bill for an Act to Amend and Re-enact Sections 189b3, 189b5, 189b9, 189b15, of the 1925 Supplement to the Compiled Laws of the State of North Dakota for the Year 1913, as Amended by Chapter 137, Session Laws of North Dakota for 1933, Relating to the Operation of the State Hail Insurance Department, Defining the Duties of the Commissioner of Insurance, Defining the Crops to Be Insured, Relating to the Duty of Assessors, and the Indemnity to Be Paid for Hail Insurance Losses, Repealing Acts in Conflict Herewith, and Declaring an Emergency.

Introduction, first reading, 208.  
 Reference, 208.  
 Reported back, 338.  
 Amended, 338, 379, 1052, 1149.  
 General orders, 355.  
 Engrossed, 376, 379, 398, 1219.  
 Second reading, 379, 1149.  
 Passed, 380, 1150.  
 Other action, 1199.  
 Conference Committees, 1053, 1148, 1149.  
 Forwarded to Senate, 401, 1199.  
 Returned by Senate, 957, 1215.  
 Senate action, 1199, 1215.

Enrolled, 1216.  
Signed by Speaker, 1180.  
Forwarded to Governor, 1238.

**House Bill No. 120—(Rep. Bauer)**

Referred to Committee on Game and Fish.

House Bill No. 120. A Bill for an Act to Amend and Re-enact Sub-sections (3) and (4) of Section 32, Chapter 148, Session Laws of 1931, Relating to the Taking and Trapping of Skunk, Badger, Mink, Weasel, Raccoon and Fox.

Introduction, first reading, 208.

Reference, 208.

General orders, 623.

Indefinitely postponed, 623.

Other action, 614.

**House Bill No. 121—(Reps. Fitch, Anderson and Drovdal)**

Referred to Committee on Ways and Means.

House Bill No. 121. 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, and Declaring an Emergency

Introduction, first reading, 208.

Reference, 208.

Reported back, 498.

Amended, 498, 664.

General orders, 620.

Engrossed, 648, 673.

Second reading, 664.

Passed, 665.

Forwarded to Senate, 672.

Returned by Senate, 1033.

Senate action, 1033.

Enrolled, 1084.

Signed by Speaker, 1180.

Forwarded to Governor, 1238.

**House Bill No. 122—(Reps. Bergesen and Severson)**

Referred to Committee on Judiciary.

House Bill No. 122. A Bill for an Act Providing for Acknowledgments by Persons in Military or Naval Service, and Declaring an Emergency.

Introduction, first reading, 227.

Reference, 227.

Reported back, 361.

Second reading, 387.

Passed, 388.

Forwarded to Senate, 433.

Returned by Senate, 823.

Indefinitely postponed by Senate, 824.

**House Bill No. 123—(Reps. Bergesen and Severson)**

Referred to Committee on Military Affairs.

House Bill No. 123. A Bill for an Act to Amend and Re-enact Section 1782 of the 1925 Supplement to the Compiled

Laws of North Dakota, Relating to Appointment of Commandant and Subordinate Officers of the Soldiers' Home, and Declaring an Emergency.

Introduction, first reading, 227.  
 Reference, 227.  
 Reported back, 378.  
 Second reading, 411.  
 Passed, 412.  
 Forwarded to Senate, 453.  
 Returned by Senate, 779.  
 Senate action, 779.  
 Enrolled, 832.  
 Signed by Speaker, 879.  
 Forwarded to Governor, 1073.

**House Bill No. 124—(Reps. Bergesen and Severson)**

Referred to Committee on Military Affairs.

House Bill No. 124. A Bill for an Act to Amend and Re-enact Section 1779 of the Supplement to the Compiled Laws, 1913, as Amended by Chapter 200 of the Session Laws, 1933; Board of Trustees of North Dakota Soldiers' Home, and Declaring an Emergency.

Introduction, first reading, 227.  
 Reference, 227.  
 Reported back, 378.  
 Second reading, 410.  
 Passed, 411.  
 Forwarded to Senate, 453.  
 Returned by Senate, 779.  
 Senate action, 779.  
 Enrolled, 832.  
 Signed by Speaker, 1879.  
 Forwarded to Governor, 1073.

**House Bill No. 125—(Rep. Devlin)**

Referred to Committee on Counties.

House Bill No. 125. A Bill for an Act Providing for Cutting of Weeds and Grasses Along Township Highways by Owners of Land Adjoining Such Highways, Excepting from the Provisions of This Act County, State and Federal Highways.

Introduction, first reading, 227.  
 Reference, 227.  
 Reported back, 374.  
 Amended, 450.  
 Second reading, 470.  
 Indefinitely postponed, 470.

**House Bill No. 126—(Reps. Rohde, Callahan, Myers and Mallet)**

Referred to Committee on Tax and Tax Laws.

House Bill No. 126. A Bill for an Act to Amend and Re-enact Section 2 of Chapter 237 of the 1939 Session Laws, Relating to the Terms of Lease by Counties of Real Property Acquired by Tax-Deed, and Declaring an Emergency.

Introduction, first reading, 228.  
 Reference, 228.



Reported back, 339.  
Amended, 339, 356.  
General orders, 356.  
Engrossed, 376.  
Second reading, 381.  
Passed, 382.  
Forwarded to Senate, 433.  
Returned by Senate, 821.  
Senate action, 821.  
Enrolled, 832, errata.  
Signed by Speaker, 878.  
Forwarded to Governor, 1073.

**House Bill No. 127—(Reps. Rohde, Callahan, Myers and Mollet)**

Referred to Committee on Tax and Tax Laws.

House Bill No. 127. A Bill for an Act to Amend and Re-enact Sections 18, 19, and 20 of Chapter 286 of the 1941 Session Laws, Relating to the Terms of Private Sale and Redemption and Repurchase of County Tax Deed Land, Distribution of the Proceeds, Rights of Owner to Repurchase, Disposition of Rental and Landlord's Share of the Crop, Time of Assessment for Taxation, and Declaring an Emergency.

Introduction, first reading, 228.

Reference, 228.

Reported back, 338.

Amended, 338, 838, 839.

General orders, 355.

Engrossed, 376, 883.

Second reading, 380, 839.

Passed, 381, 840.

Forwarded to Senate, 401.

Returned by Senate, 824.

Senate action, 825.

Enrolled, 986.

Signed by Speaker, 1027.

Forwarded to Governor, 1200.

**House Bill No. 128—(Reps. Rohde, Callahan, Myers and Mollet)**

Referred to Committee on Tax and Tax Laws.

House Bill No. 128. A Bill for an Act to Amend and Re-enact Subdivision One (1) of Section 1 of Chapter 280 of the 1941 Session Laws, Relating to Manner and Time of Listing and Assessing Real Property and Declaring an Emergency.

Introduction, first reading, 228.

Reference, 228.

Withdrawn, 490.

**House Bill No. 129—(Reps. Rohde, Callahan, Myers and Mollet)**

Referred to Committee on Tax and Tax Laws.

House Bill No. 129. A Bill for an Act to Amend and Re-enact Chapter 380 of the 1931 Session Laws, Relating to the Correction of Errors in the Assessment of Property, Relating to the Placing of Omitted Property Including Tax Deed Land

When Sold, Repurchased, or Contracted to Be Sold or Repurchased, or Redeemed After May 31st, or Property Which Has Escaped Taxation, Upon the Tax List and Declaring an Emergency.

Introduction, first reading, 228.  
Reference, 228.  
Withdrawn, 490.

**House Bill No. 130**—(Reps. Fitch, Crockett, Wolf of McIntosh and Bolmeier)

Referred to Committee on State Affairs.

**House Bill No. 130.** A Bill for an Act to Amend and Re-enact Section 2 of Chapter 271 of the Session Laws of 1941, Relating to Tax Upon Cigarettes and Licensing Sale Thereof, and Declaring an Emergency.

Introduction, first reading, 228.  
Reference, 228.  
Reported back, 260, 274.  
Amended, 1053.  
Engrossed, 1219.  
Second reading, 309, 1053.  
Passed, 310, 1054.  
Forwarded to Senate, 319.  
Returned by Senate, 958.  
Senate action, 958.  
Enrolled, 1215.  
Signed by Speaker, 1180.  
Forwarded to Governor, 1238.

**House Bill No. 131**—(Committee on Public Health)

Referred to Committee on Public Health.

**House Bill No. 131.** A Bill for an Act Regulating the Practice of Naturopathy in the State of North Dakota.

Introduction, first reading, 228.  
Reference, 228.  
Reported back, 274.  
Second reading, 310.  
Indefinitely postponed, 311.

**House Bill No. 132**—(Reps. Rettke, Welk, Schwartz and Morrison)

Referred to Committee on Judiciary.

**House Bill No. 132.** A Bill for an Act Making It Unlawful to Give a Mortgage on a Homestead Except for the Purchase Price, Repair or Improvement Thereof; Permitting the Giving of a Renewal Mortgage Thereon, and Permitting the Giving of a Mortgage Thereon to Another Party Other Than the Seller Who Has Furnished All or a Portion of Such Purchase Price, or the Giving of a Mortgage for the Repair or Improvement Thereof, Providing a Penalty, and Repealing All Acts or Parts of Acts in Conflict Herewith.

Introduction, first reading, 228.  
Reference, 228.  
Reported back, 361.  
Indefinitely postponed, 361.

**House Bill No. 133—(Reps. Bubel and Haugen)**

Referred to Committee on Cities and Municipal Corporations.

House Bill No. 133. A Bill for an Act to Provide a Uniform Method of Selling or Disposing of Publicly Owned Personal Property; Providing for Notice of Sale, and the Disposition of the Proceeds; and Permitting the Trading in of Property.

Introduction, first reading, 229.

Reference, 229.

Reported back, 555.

Indefinitely postponed, 555.

**House Bill No. 134—(Reps. Rohde and Mollet)**

Referred to Committee on Cities and Municipal Corporations.

House Bill No. 134. A Bill for an Act Amending and Re-enacting Chapter 200 of the Session Laws of 1931 Making It Unlawful to Remove Buildings from Lots in Municipal Corporations Unless the Taxes and Special Assessments and Outstanding Bond Issued Thereon Are Paid, Fixing a Penalty for the Violation Thereof and Declaring an Emergency.

Introduction, first reading, 229.

Reference, 229.

Reported back, 517.

Amended, 517.

General orders, 568.

Engrossed, 578.

Second reading, 594.

Lost, 594.

**House Bill No. 135—(Rep. Welder)**

Referred to Committee on Agriculture.

House Bill No. 135. A Bill for an Act Relating to the Registration of Brands on Dairy Product Containers and to the Use and Possession of Said Containers, Repealing Section 2863a1 of the 1925 Supplement to the 1913 Compiled Laws of North Dakota, and Repealing All Acts or Parts of Acts in Conflict Therewith; Providing for the Enforcement of the Provisions of This Act and for Penalties for the Violation Thereof and Declaring an Emergency.

Introduction, first reading, 229.

Reference, 229.

Reported back, 377.

Amended, 377.

General orders, 423.

Second reading, 472.

Passed, 473.

Forwarded to Senate, 505.

Returned by Senate, 823.

Indefinitely postponed by Senate, 824.

**House Bill No. 136—(Reps. Collette, Bureau and Olson of Barnes)**

Referred to Committee on Counties.

House Bill No. 136. A Bill for an Act to Amend and Re-enact Subsection 31 of Section 3514 of the 1913 Compiled

**Laws, Relating to the Fees to Be Charged by Sheriffs for Boarding Prisoners, and Declaring an Emergency.**

Introduction, first reading, 229.  
 Reference, 229.  
 Reported back, 315.  
 Amended, 315, 383.  
 General orders, 357.  
 Engrossed, 376, 398, 462.  
 Second reading, 383.  
 Passed, 384.  
 Forwarded to Senate, 401.  
 Returned by Senate, 719.  
 Senate action, 719.  
 Enrolled, 743.  
 Signed by Speaker, 747.  
 Forwarded to Governor, 845.  
 Approved by Governor, 987.

**House Bill No. 137—(Reps. Fitch, Forseth and Belzer)**

Referred to Committee on Agriculture.

House Bill No. 137. A Bill for an Act to Amend and Re-enact Section 2839, Compiled Laws of 1913, Defining the Powers and Duties of the State Dairy Commissioner; Authorizing the Promulgation of Rules for the Regulation of the Manufacture of Dairy Products, and the Determination of the Minimum Butterfat Content of Same; Repealing All Acts or Parts of Acts in Conflict Herewith, and Declaring an Emergency.

Introduction, first reading, 229.  
 Reference, 229.  
 Reported back, 498.  
 Amended, 499.  
 General orders, 540.  
 Engrossed, 555.  
 Second reading, 585.  
 Passed, 586.  
 Forwarded to Senate, 616.  
 Returned by Senate, 932.  
 Indefinitely postponed by Senate, 932.

**House Bill No. 138—(Reps. Myers, Graham and Haugen)**

Referred to Committee on Judiciary.

House Bill No. 138. A Bill for an Act to Amend and Re-enact Sections 5 and 8 of Chapter 165 of the Session Laws of 1939, as Amended and Re-enacted by Sections 1 and 2 of Chapter 190 of the Session Laws of 1941 of the State of North Dakota, 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 Providing that the Act Shall Not Be Applicable in Certain Cases Set Forth in This Act; and Repealing All Acts Inconsistent Herewith.

Introduction, first reading, 229.  
Reference, 230.  
Reported back, 502.  
Amended, 566, 793.  
Second reading, 567, 634, 793.  
Passed, 635, 794.  
Lost, 567.  
Other action, 584.  
Forwarded to Senate, 654.  
Returned by Senate, 779.  
Senate action, 779.  
Engrossed, 831.

**House Bill No. 139—(Reps. Johnson of Cass and Sandness)**

Referred to Committee on State Affairs.

House Bill No. 139. A Bill for an Act to Regulate the Practice of Professional Engineering; Creating a State Board of Registration for Professional Engineers; Defining Its Powers and Duties; Providing for Registration of Professional Engineers; Fixing Fees Therefor; Imposing Certain Duties Upon the State and the Political Subdivisions Thereof in Connection with Public Works; and Providing Penalties for Violation of Its Provisions.

Introduction, first reading, 230.  
Reference, 230, 412.  
Reported back, 339.  
Amended, 339.  
General orders, 356, 426.  
Engrossed, 376, 462.  
Second reading, 474.  
Passed, 474.  
Other action, 412.  
Forwarded to Senate, 506.  
Returned by Senate, 821.  
Senate action, 821.  
Enrolled, 883.  
Signed by Speaker, 878.  
Forwarded to Governor, 1073.

**House Bill No. 140—(Rep. Graham)**

Referred to Committee on Judiciary.

House Bill No. 140. A Bill for an Act to Amend and Re-enact Section 4398, of the 1925 Supplement Relating to the Residence Requirements for Dissolution of Marriage and Declaring an Emergency.

Introduction, first reading, 247.  
Reference, 247.  
Reported back, 339.  
Amended, 794.  
Engrossed, 831.  
Second reading, 366, 794.  
Passed, 367, 795.  
Forwarded to Senate, 401.  
Returned by Senate, 779.  
Senate action, 779.  
Enrolled, 832.  
Signed by Speaker, 879.  
Forwarded to Governor, 1073.

**House Bill No. 141—(Rep. Bauer)**

Referred to Committee on Ways and Means.

House Bill No. 141. A Bill for an Act to Regulate Firearms Carried or Possessed by Non-Residents of the State, and Providing a Penalty.

Introduction, first reading, 247.

Reference, 247.

Reported back, 459.

Indefinitely postponed, 459.

**House Bill No. 142—(Rep. Peterson of Ransom)**

Referred to Committee on Public Health.

House Bill No. 142. A Bill for an Act to Amend and Re-enact Section 1, Session Laws of 1931, as Amended and Re-enacted by Chapter 130, Session Laws of 1933, Chapter 142, Session Laws of 1935, and Chapter 133, Session Laws of 1937, Defining Imitation Ice Cream; Permitting the State Food Commissioner and Chemist by Regulation to Lower Such Requirements for the Duration of the War; and Declaring an Emergency.

Introduction, first reading, 247.

Reference, 247, 491.

Reported back, 572.

Second reading, 464.

Indefinitely postponed, 572.

Other action, 444.

**House Bill No. 143—(Reps. Hegge and Mittag)**

Referred to Committee on Education.

House Bill No. 143. A Bill for an Act Providing for the Furnishing of a Bond by a School Teacher in the State of North Dakota, With the Exception of the Teacher Employed in the Institutions of Higher Learning.

Introduction, first reading, 247.

Reference, 247.

Reported back, 274.

Indefinitely postponed, 274.

**House Bill No. 144—(Reps. Fleck, Sailer and Burau)**

Referred to Committee on State Affairs.

House Bill No. 144. A Bill for an Act to Regulate the Sale of Anti-Freeze; to Provide for the Inspection Thereof; to Prevent Fraud and Deception in the Sale of Anti-Freeze; to Prevent Adulteration and Misbranding Thereof; to Provide for the Enforcement of the Provisions of the Act; to Provide Licensing, Payment and Disposition of License Fees; and Provide Penalties for Violation Thereof.

Introduction, first reading, 247.

Reference, 247.

Reported back, 316.

Second reading, 344.

Passed, 344.

Forwarded to Senate, 362.

Returned by Senate, 822.

Senate action, 822.

Enrolled, 883.

Signed by Speaker, 878.  
Forwarded to Governor, 1073.

**House Bill No. 145—(Reps. Haugen, Jennings and Braun)**

Referred to Committee on Cities and Municipal Corporations.

House Bill No. 145. A Bill for an Act to Provide for the Dissolution of Village Park Districts, and Outlining the Procedure to Be Followed.

Introduction, first reading, 247.  
Reference, 247.  
Reported back, 338.  
Second reading, 364.  
Passed, 365.  
Forwarded to Senate, 401.  
Returned by Senate, 822.  
Senate action, 822.  
Enrolled, 883.  
Signed by Speaker, 878.  
Forwarded to Governor, 1073.

**House Bill No. 146—(Reps. Fitch and Bauer)**

Referred to Committee on Ways and Means.

House Bill No. 146. A Bill for an Act to Provide for the Regulation and Licensing of Horse Racing in the State of North Dakota; to Legalize and Permit the Pari-Mutuel or Certificate Method of Wagering on the Results of Horse Races at Licensed Racing Meeting in Said State, for the Purpose of Assisting in Raising Funds for the Promotion of the Agricultural, Livestock and Fair Expositions Conducted by the State and Counties of North Dakota, and Authorizing Such Fairs, and Expositions to Permit the Wagering Upon the Results of Horse Races Through the Pari-Mutuel or Certificate Method; and to Render Inapplicable Certain Acts in Conflict Hereof, and Declaring an Emergency.

Introduction, first reading, 247.  
Reference, 248, 459.  
Reported back, 579.  
Second reading, 648.  
Indefinitely postponed, 649.

**House Bill No. 147—(Committee on Military Affairs)**

Referred to Committee on Federal Relations.

House Bill No. 147. A Bill for an Act to Amend and Re-enact Sections 2 and 6 of Chapter 217 of the Session Laws of North Dakota for the Year 1941 to Extend the Time in Which the Development of Projects May Be Initiated Thereunder.

Introduction, first reading, 248.  
Reference, 248.  
Reported back, 393.  
Second reading, 444.  
Passed, 445.  
Forwarded to Senate, 526.  
Returned by Senate, 948.  
Senate action, 948.

Enrolled, 1074.  
Signed by Speaker, 1181.  
Forwarded to Governor, 1238.

**House Bill No. 148—(Rep. Fitch)**

Referred to Committee on Education.

House Bill No. 148. A Bill for an Act Requiring Instruction in Military Training at the University and Agricultural College, and Repealing Chapter 234 of the Session Laws of North Dakota for 1937 and All Acts or Parts of Acts in Conflict Herewith.

Introduction, first reading, 256.  
Reference, 256, 269.  
Reported back, 441.  
Second reading, 491.  
Passed, 492.  
Forwarded to Senate, 526.  
Returned by Senate, 880.  
Senate action, 881.  
Enrolled, 946.  
Signed by Speaker, 983.  
Forwarded to Governor, 1200.

**House Bill No. 149—(Rep. Mittag)**

Referred to Committee on Livestock.

House Bill No. 149. A Bill for an Act to Amend and Re-enact Section 1 of Chapter 11, Session Laws of 1939, as Amended by Chapter 16, Session Laws of 1941, 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, and Providing for the Compulsory Bang's Testing of Townships in Counties in Which Seventy-Five Per Cent of the Townships Are Completely Bang's Tested and Providing Exceptions Thereto.

Introduction, first reading, 256.  
Reference, 256.  
Reported back, 439.  
Indefinitely postponed, 439.

**House Bill No. 150—(Reps. Benno, Haugland and Hovey)**

Referred to Committee on Judiciary.

House Bill No. 150. A Bill for an Act to Amend and Re-enact Section 1 of Chapter 207, Session Laws of 1935, as Amended by Section 1 of Chapter 209, Session Laws of 1941, Relating to Refunding Special Improvement Warrants, Validating Proceedings Heretofore Taken for Such Refunding and Warrants Issued Thereunder, and Declaring an Emergency.

Introduction, first reading, 256.  
Reference, 256.  
Reported back, 339.  
Second reading, 367.  
Passed, 368.  
Forwarded to Senate, 401.  
Returned by Senate, 719.



Senate action, 719.  
Enrolled, 743.  
Signed by Speaker, 746.  
Forwarded to Governor, 845.  
Approved by Governor, 987.

**House Bill No. 151—(Committee on Judiciary)**

Referred to Committee on State Affairs.

House Bill No. 151. A Bill for an Act Providing for the Retirement of Supreme and District Court Judges, Providing the Manner of Making Application, Compensation in Case of Retirement, Method of Filling Such Vacancy, and Declaring an Emergency.

Introduction, first reading, 256.  
Reference, 257.  
Reported back, 499.  
Second reading, 528.  
Passed, 529.  
Forwarded to Senate, 577.  
Returned by Senate, 823.  
Indefinitely postponed by Senate, 824.

**House Bill No. 152—(Reps. Graham, Haugland and Ohnstad)**

Referred to Committee on Judiciary.

House Bill No. 152. A Bill for an Act to Establish a Uniform Conditional Sales Law.

Introduction, first reading, 257.  
Reference, 257, 300, 332.  
Reported back, 548.  
Amended, 548.  
General orders, 604.  
Indefinitely postponed, 609.

**House Bill No. 153—(Reps. Nelson, Wolf of Morton and Starck)**

Referred to Committee on Judiciary.

House Bill No. 153. A Bill for an Act Making It a Felony for an Official or Employee in Any Penal, Correctional, or Eleemosynary Institution to Have Sexual Intercourse With an Inmate of Such Institution in Which Such Officer or Other Person Is Employed; Making It a Felony for a Guardian or Person Administering Public Relief or Welfare to Induce a Female Ward Under His Care to Have Illicit Sexual Intercourse With Him, by Threatening to Withhold from Such Female or Her Family, the Necessities of Life, or Threatening Physical Violence; Providing Penalty.

Introduction, first reading, 257.  
Reference, 257.  
Reported back, 431.  
Amended, 431, 840.  
General orders, 451.  
Engrossed, 504, 947, 1030.  
Second reading, 492, 895.  
Passed, 493, 896.  
Other action, 841.  
Forwarded to Senate, 526.  
Returned by Senate, 824.

Senate action, 825.  
 Enrolled, 1075.  
 Signed by Speaker, 1181.  
 Forwarded to Governor, 1238.

**House Bill No. 154—(Rep. Bauer)**

Referred to Committee on Game and Fish.

House Bill No. 154. A Bill for an Act Providing for the Control and Eradication of Harmful, Destructive and Poisonous Reptiles; the Appointment of a Warden to Accomplish This Purpose; Providing for His Compensation and Expenses and the Supplying of Necessary Equipment; Outlining the Duties of the Warden.

Introduction, first reading, 257.  
 Reference, 257.  
 Reported back, 584.  
 Second reading, 633.  
 Passed, 634.  
 Forwarded to Senate, 654.  
 Returned by Senate, 745.  
 Indefinitely postponed by Senate, 745.

**House Bill No. 155—(Reps. Moe and Halcrow)**

Referred to Committee on State Affairs.

House Bill No. 155. A Bill for an Act Making Unlawful the Use of Force or Violence or Threats Thereof to Prevent or Attempt to Prevent Any Person from Engaging in Any Lawful Vocation and Providing Penalties for the Violation Thereof; Making It Unlawful for Any Person Acting in Concert With Other Persons to Assemble and Prevent or Attempt to Prevent by Force or Violence Any Person from Engaging in a Lawful Vocation and Making It Unlawful to Encourage and Aid Such Unlawful Assemblage and Providing Penalties for the Violation Thereof; Defining the Term "Labor Dispute"; Making the Provisions of This Act Cumulative of Existing Laws; and Providing a Severance or Saving Clause; and Declaring an Emergency.

Introduction, first reading, 257.  
 Reference, 257.  
 Reported back, 362.  
 Indefinitely postponed, 362.

**House Bill No. 156—(Rep. Sellens)**

Referred to Committee on Election and Election Privileges.

House Bill No. 156. A Bill for an Act to Amend and Re-enact Section 909A1 of the 1925 Supplement to the Compiled Laws of 1913, Being Section 1 of Chapter 117 of the Session Laws for the Year 1919 So as to Provide for a No-Party Nomination and Election of All Elective State and County Officers and Members of the Legislative Assembly.

Introduction, first reading, 257.  
 Reference, 257.  
 Reported back, 435.  
 Indefinitely postponed, 435.  
 Other action, 369.

**House Bill No. 157—(Reps. Schwartz and Crockett)**

Referred to Committee on Livestock.

House Bill No. 157. A Bill for an Act to Amend and Re-enact Section 1 of Chapter 140 of the Session Laws of 1919, Being Section 2618 of the Supplement to the Compiled Laws of 1913 as Amended by Chapter 4 of the Session Laws of 1931, as Amended by Chapter 17 of the Session Laws of 1941, Relating to Herd Law Suspension.

Introduction, first reading, 257.

Reference, 258.

Reported back, 430.

Second reading, 483.

Passed, 484.

Forwarded to Senate, 505.

Returned by Senate, 823.

Indefinitely postponed by Senate, 824.

**House Bill No. 158—(Rep. Johnson of Cass)**

Referred to Committee on Highways and Bridges.

House Bill No. 158. A Bill for an Act to Amend and Re-enact Subsections 1a and 1b of Section 1 of Chapter 185 of the Session Laws of North Dakota for the Year 1935, Prescribing the Powers and Duties of Officers in Connection With the Enforcement of Laws Relating to the Size and Load Weights of Motor Vehicles and Prescribing Penalties for the Violation Thereof.

Introduction, first reading, 258.

Reference, 258.

Reported back, 612.

Second reading, 644.

Passed, 645.

Forwarded to Senate, 655.

Returned by Senate, 1128.

Indefinitely postponed by Senate, 1128.

**House Bill No. 159—(Reps. Sandness, Falconer, Schnell and Twichell)**

Referred to Committee on Public Health.

House Bill No. 159. A Bill for an Act to Permit the State Food Commissioner and Chemist, With the Approval of the Governor, to Suspend by Regulation the Requirements of the Food and Drug Act, Being Article 40, Sections 2889b1 to 2889b25, Inclusive of the 1925 Supplement, as Amended by Chapter 132 of the Session Laws of North Dakota for the Year 1937, for the Duration of the Present War, and Declaring an Emergency.

Introduction, first reading, 264.

Reference, 264.

Reported back, 393.

Amended, 1955.

Second reading, 463, 1055.

Passed, 464, 1056.

Other action, 444.

Forwarded to Senate, 506.

Returned by Senate, 958.

Senate action, 958.

Enrolled, 1215.  
Signed by Speaker, 1180.  
Forwarded to Governor, 1238.

**House Bill No. 160—(Reps. Johnson of Cass and Boulden)**

Referred to Committee on Highways and Bridges.

House Bill No. 160. A Bill for an Act to Amend and Re-enact Section 41 of Chapter 162 of the Session Laws of North Dakota for 1927 as Amended and Re-enacted by Chapter 141 of the Session Laws of North Dakota for 1929 as Amended and Re-enacted by Chapter 140 of the Session Laws of North Dakota for 1937, Authorizing the State Highway Commissioner and Local Authorities to Prohibit or Restrict the Use of Highways, and Declaring an Emergency.

Introduction, first reading, 264.  
Reference, 264.  
Reported back, 613.  
Amended, 613.  
General orders, 623.  
Engrossed, 648.  
Second reading, 666.  
Passed, 667.  
Forwarded to Senate, 670.  
Returned by Senate, 1128.  
Indefinitely postponed by Senate, 1128.

**House Bill No. 161—(Rep. Boulden)**

Referred to Committee on Public Welfare.

House Bill No. 161. A Bill for an Act to Prescribe the Duties of the State Treasurer as to Making Deductions from the Five-Twelfths of the Proceeds of All Sales Taxes Covered Into the State Treasury and Allocated to General Relief, Needy Aged and Needy Blind and Dependent Children, Deductions to Be Made, Time of Making Same, Appropriating the Balance Among Counties of the State According to Their Respective Populations as Determined by the Last Preceding Census and Paying Into Each County Its Proportionate Share of Such Balance, Requiring Each County to Cover the Sales Tax Moneys Thus Received Into Its General Relief Fund and Providing the Same Be Expended Only for Relieving the Distress of Destitute and Necessitous Persons and Their Families and Dependents Who Are Qualified Residents of the County.

Introduction, first reading, 264.  
Reference, 265.  
Reported back, 536.  
Indefinitely postponed, 536.

**House Bill No. 162—(Rep. Fitch)**

Referred to Committee on Military Affairs.

House Bill No. 162. A Bill for an Act Concerning the Guardianship of Incompetent Veterans, and Other Incompetent and Minor Beneficiaries of the Veterans Administration, and Concerning Commitment to the Veterans Administration or Other Agency of the United States of Persons

**Eligible for Care or Treatment and to Make Uniform the Law With Reference Thereto, and Declaring an Emergency.**

Introduction, first reading, 265.  
 Reference, 265.  
 Reported back, 378.  
 Second reading, 409.  
 Passed, 410.  
 Forwarded to Senate, 454.  
 Returned by Senate, 932.  
 Indefinitely postponed by Senate, 932.

**House Bill No. 163—(Reps. Forseth, Anderson, Schwartz, Larson of Ward and Morland)**

Referred to Committee on Highways and Bridges.

House Bill No. 163. A Bill for an Act to Amend and Re-enact Subsection (c) and (e), Section 36, Chapter 162 of the Session Laws of North Dakota for the Year 1927, as Amended by Chapter 190 of the Session Laws of North Dakota for the Year 1931, as Amended by Chapter 163 of the Session Laws of North Dakota for the Year 1933, as Amended by Chapter 185 of the Session Laws of North Dakota for the Year 1935, as Amended by Chapter 194 of the Session Laws of North Dakota for the Year 1941, Prescribing and Relating to the Size of Motor Vehicles and Loads of Motor Vehicles Upon the Highway; and Amending and Re-enacting Subsection (b) of Section 25 of Chapter 179 of the Session Laws of North Dakota for the Year 1927, as Amended by Section 5 of Chapter 186 of the Session Laws of North Dakota for the Year 1931, as Amended by Subsection (b) of Section 1 of Chapter 161 of the Session Laws of North Dakota for the Year 1933, as Amended by Subsection (b) (1) of Section 2 of Chapter 194 of the Session Laws of North Dakota for the Year 1941, Providing for Registration Fees for Trucks on a Gross Weight Basis, and Declaring an Emergency.

Introduction, first reading, 284.  
 Reference, 284.  
 Reported back, 559.  
 Amended, 559.  
 Engrossed, 613.  
 Second reading, 639, 670.  
 Passed, 671.  
 Lost, 641.  
 Other action, 670.  
 Forwarded to Senate, 672.  
 Returned by Senate, 932.  
 Indefinitely postponed by Senate, 932.

**House Bill No. 164—(Reps. Rettke, Mollet and Heckman)**

Referred to Committee on Game and Fish.

House Bill No. 164. A Bill for an Act Relating to Wild Birds and Wild Animals Declaring the Ownership Thereof, Regulating the Taking, Killing, Trapping and Hunting of the Same, Providing the Fee to Be Charged Therefor and Providing Penalties for Violation Thereof and Repealing All Acts or Parts of Acts in Conflict Therewith.

Introduction, first reading, 265.

Reference, 265.  
 Reported back, 583.  
 Indefinitely postponed, 583.

**House Bill No. 165—(Rep. Halcrow)**

Referred to Committee on Drainage and Irrigation.

House Bill No. 165. A Bill for an Act to Amend and Re-enact Section 2486 of the 1925 Supplement Relating to Repairs of Existing Drains; and Providing for the Abandonment and Dissolution Thereof.

Introduction, first reading, 265.  
 Reference, 265.  
 Reported back, 460.  
 Amended, 512.  
 Amended, 512.  
 Engrossed, 523.  
 Second reading, 512.  
 Passed, 513.  
 Forwarded to Senate, 577.  
 Returned by Senate, 948.  
 Senate action, 948.  
 Enrolled, 1074.  
 Signed by Speaker, 1181.  
 Forwarded to Governor, 1238.

**House Bill No. 166—(Reps. Johnson of Cass, Runck and Morland)**

Referred to Committee on Judiciary.

House Bill No. 166. A Bill for an Act Authorizing Employers to Pay to the Surviving Spouse of a Deceased Employee, Wages Owing to the Deceased Employee for Work, Labor or Services Performed for the Employer to the Extent of Four Hundred Dollars (\$400.00) When No Executor or Administrator Has Been Appointed, and Providing for the Discharge of the Employer from Such Obligation by and to the Extent of Such Payment, and Providing That Such Payment Shall Apply in Diminution of Allowance to Family Under Section 8725 Compiled Laws of North Dakota, 1913.

Introduction, first reading, 265.  
 Reference, 265.  
 Reported back, 430.  
 Amended, 795.  
 Engrossed, 832.  
 Second reading, 480, 795.  
 Passed, 481, 796.  
 Forwarded to Senate, 526.  
 Returned by Senate, 780.  
 Senate action, 780.  
 Enrolled, 832.  
 Signed by Speaker, 879.  
 Forwarded to Governor, 1073.

**House Bill No. 167—(Committee on Livestock)**

Referred to Committee on Livestock.

House Bill No. 167. A Bill for an Act to Amend and Re-enact Section 5, Chapter 5 of the Session Laws of the State of North Dakota for the Year 1937, Relating to Dealers in

**Livestock; Authorizing the Public Service Commission to Appoint Inspectors With Powers of Peace Officers for the Enforcement of the Provisions of Said Act.**

Introduction, first reading, 265.  
 Reference, 265.  
 Reported back, 374.  
 Second reading, 404.  
 Passed, 405.  
 Forwarded to Senate, 433.  
 Returned by Senate, 822.  
 Senate action, 822.  
 Enrolled, 883.  
 Signed by Speaker, 878.  
 Forwarded to Governor, 1073.

**House Bill No. 168—(Committee on Livestock)**

Referred to Committee on Livestock.

House Bill No. 168. A Bill for an Act Requiring Owners of Dogs to Keep Them Under Control at Any and All Times when Such Dogs Are Away from the Premises of the Owner Outside the Limits of Cities or Villages; Defining Stray Dogs, and Premises, as Used in This Act; Declaring Stray Dogs a Predatory Animal and Allowing the Killing of Same, and Declaring an Emergency.

Introduction, first reading, 266.  
 Reference, 266.  
 Reported back, 374.  
 Amended, 515.  
 General orders, 515.  
 Engrossed, 523.  
 Second reading, 405, 534.  
 Passed, 535.  
 Lost, 406.  
 Other action, 437, 438.  
 Forwarded to Senate, 577.  
 Returned by Senate, 823.  
 Indefinitely postponed by Senate, 824.

**House Bill No. 169—(Reps. Haugen, Hofstrand and Stair)**

Referred to Committee on School and Public Land.

House Bill No. 169. A Bill for an Act Authorizing the Bank of North Dakota as Agent for the State Treasurer of North Dakota as Trustee for the State of North Dakota to Sell Lands Belonging to the State Treasurer of North Dakota as Trustee for the State of North Dakota to Bona Fide Farmers; Fixing the Manner and Terms of Sale, Interest Rate on Deferred and Delinquent Payments, Publication of Notice of Sale, Method of Cancellation of Contract, Taxation of Land Sold, Redemption Rights of Tax Certificate Holders, and Providing for Rules and Regulations of the Industrial Commission.

Introduction, first reading, 266.  
 Reference, 266.  
 Reported back, 394.  
 Amended, 1173, 1174, 1175.  
 General orders, 452.  
 Engrossed, 520, 1219.  
 Second reading, 508, 1175.

Passed, 509, 1176.  
 Forwarded to Senate, 577.  
 Returned by Senate, 1173.  
 Senate action, 1174.  
 Enrolled, 1216.  
 Signed by Speaker, 1180.  
 Forwarded to Governor, 1238.

**House Bill No. 170—(Rep. Fitch)**

Referred to Committee on Military Affairs.

House Bill No. 170. A Bill for an Act to Amend and Re-enact Chapter 262, Laws of 1941, Relating to the Preservation of the Right to Benefits Under the North Dakota Unemployment Compensation Law for Persons Entering the Military or Naval Service During the Period of Such Service, Extending the Provisions Thereof to Members of the Auxiliary Military or Naval Services, Extending and Limiting the Time of Preservation of Such Rights, Providing Necessary Definitions, Authorizing the Unemployment Compensation Division to Receive and Disburse Funds Provided by the United States Government for Any Special Unemployment Compensation Programs, Repealing the Inconsistent Provisions and Declaring an Emergency.

Introduction, first reading, 266.  
 Reference, 266.  
 Reported back, 437.  
 Second reading, 488.  
 Passed, 489.  
 Forwarded to Senate, 526.  
 Returned by Senate, 779.  
 Senate action, 779.  
 Enrolled, 832.  
 Signed by Speaker, 879.  
 Forwarded to Governor, 1073.

**House Bill No. 171—(Rep. Olson of Bowman)**

Referred to Committee on Education.

House Bill No. 171. A Bill for an Act to Amend and Re-enact Section 1390a of the Supplement to the 1913 Compiled Laws of North Dakota, Authorizing the Erection and Equipping of Teacherages and Dormitories, and Providing Boarding Facilities at Cost, and Repealing All Acts or Parts of Acts in Conflict Herewith, and Declaring an Emergency.

Introduction, first reading, 266.  
 Reference, 266.  
 Reported back, 375.  
 Amended, 897.  
 Engrossed, 947.  
 Second reading, 406, 897.  
 Passed, 407, 898.  
 Forwarded to Senate, 454.  
 Returned by Senate, 882.  
 Senate action, 882.  
 Enrolled, 1030.  
 Signed by Speaker, 1027.  
 Forwarded to Governor, 1200.



**House Bill No. 172—(Rep. Starck)**

Referred to Committee on Game and Fish.

House Bill No. 172. A Bill for an Act to Amend and Re-enact Section 10322a27 of the 1925 Supplement to the Compiled Laws of North Dakota of 1913, as Amended by Chapter 117 of the Session Laws of North Dakota for 1933, Relative to the Use of Hunting Dogs.

Introduction, first reading, 266.

Reference, 266.

Withdrawn, 490.

**House Bill No. 173—(Reps. Graham and Bergesen)**

Referred to Committee on Corporations other than Municipal.

House Bill No. 173. A Bill for an Act Regulating the Transfer of Shares of Stock in Corporations, Repealing All Acts or Parts of Acts in Conflict Herewith, and Making Certain Exceptions Thereto.

Introduction, first reading, 267.

Reference, 267, 490.

Reported back, 430, 549.

Amended, 549.

General orders, 604.

Engrossed, 613.

Second reading, 484, 635.

Passed, 485, 636.

Forwarded to Senate, 655.

Returned by Senate, 880.

Senate action, 881.

Enrolled, 984.

Signed by Speaker, 983.

Forwarded to Goevrnor, 1200.

**House Bill No. 174—(Committee on Education)**

Referred to Committee on Cities and Municipal Corporations.

House Bill No. 174. A Bill for an Act to Amend and Re-enact Section 1321a2 of the 1925 Supplement to the Compiled Laws of North Dakota, Providing for Annual School Election for the City of Fargo; the Number of Polling Places, Election Officials, and Hours of Election, and Declaring an Emergency.

Introduction, first reading, 267.

Reference, 267.

Reported back, 338.

Second reading, 363.

Passed, 364.

Forwarded to Senate, 402.

Returned by Senate, 880.

Senate action, 880.

Enrolled, 946.

Signed by Speaker, 984.

Forwarded to Governor, 1200.

**House Bill No. 175—(Committee on Education)**

Referred to Committee on Education.

House Bill No. 175. A Bill for an Act to Amend and Re-enact Section 1179 of the Compiled Laws for 1913, as

Amended by Chapter 257 of the Session Laws of 1941, Relating to Powers of School Districts to Admit Pupils from Other Districts, Providing for Payment of Tuition and Transportation, and Repealing All Acts and Parts of Acts in Conflict Herewith.

Introduction, first reading, 267.  
 Reference, 267.  
 Reported back, 375.  
 Amended, 898.  
 Engrossed, 947.  
 Second reading, 407, 898.  
 Passed, 408, 899.  
 Forwarded to Senate, 454.  
 Returned by Senate, 882.  
 Senate action, 882.  
 Enrolled, 1030.  
 Signed by Speaker, 1027.  
 Forwarded to Governor, 1200.

**House Bill No. 176—(Reps. Forseth, Kolpin, Dahlen and Bjella)**

Referred to Committee on Judiciary.

House Bill No. 176. A Bill for an Act to Amend and Re-enact Section 2212, of the Supplement to the Compiled Laws of 1913, of the State of North Dakota, as Amended by Chapter 271 of the Laws of 1927, as Amended by Chapter 121 of the Laws of 1931, as Amended by Chapter 139 of the Laws of 1941, Relating to the Duty of the County Auditor and Requirements of the Transfer of Real Property as to Taxes, Deeds, Mineral Deeds and Other Instruments of Conveyances, and Declaring an Emergency.

Introduction, first reading, 267.  
 Reference, 267.  
 Reported back, 437.  
 Indefinitely postponed, 437.

**House Bill No. 177—(Reps. Bjella and Dahlen)**

Referred to Committee on Judiciary.

House Bill No. 177. A Bill for an Act to Amend and Re-enact Section 1 of Chapter 159 of the Session Laws of 1937, Relating to Deficiency Judgments in Foreclosure of Real Estate Mortgages and Land Contracts and Providing What Judgments Shall Contain.

Introduction, first reading, 267.  
 Reference, 267.  
 Reported back, 502.  
 Indefinitely postponed, 502.

**House Bill No. 178—(Reps. Dahlen, Bjelle and Drovdal)**

Referred to Committee on Counties.

House Bill No. 178. A Bill for an Act to Amend and Re-enact Section 3246 of the Compiled Laws of North Dakota for 1913 Establishing the Boundary of McKenzie County, North Dakota, and Declaring an Emergency.

Introduction, first reading, 267.  
 Reference, 267.  
 Reported back, 434.  
 Indefinitely postponed, 434.

**House Bill No. 179—(Rep. Dahlen)**

Referred to Committee on Cities and Municipal Corporations.

House Bill No. 179. A Bill for an Act Authorizing Certain Cities and Villages to Provide for Payment of Matured Sidewalk Special Fund Warrants by Tax Levies and for Extending the Maturities of and Reducing Interest Rates on Such Warrants:

Introduction, first reading, 267.

Reference, 268.

Reported back, 375.

Indefinitely postponed, 375.

**House Bill No. 180—(Reps. Johnson of Richland, Bolmeier, Saumur, Devlin and Lillehaugen)**

Referred to Committee on Public Printing.

House Bill No. 180. A Bill for an Act to Amend and Re-enact Chapter 186 of the Session Laws of North Dakota for 1937, as Amended by Chapter 219 of the Session Laws of North Dakota for 1941, Relating to the Introduction and Printing of Bills and Providing What a Bill for Amendment of Statute Shall Contain and Providing for an Official Seal for Each Branch of the Legislative Assembly.

Introduction, first reading, 268.

Reference, 268.

Second reading, 475.

Lost, 475.

**House Bill No. 181—(Rep. Olson of Barnes and Bureau)**

Referred to Committee on State Affairs.

House Bill No. 181. A Bill for an Act to Amend and Re-enact Section 10169a5 of the 1925 Supplement to the Compiled Laws of North Dakota for 1913, as Amended and Re-enacted by Section 2 of Chapter 104 of the Session Laws for 1939, of the North Dakota Beverage Inspection Act, and Fixing the License Fee Required to Be Paid, and Declaring an Emergency.

Introduction, first reading, 268.

Reference, 268.

Reported back, 397.

Indefinitely postponed, 397.

**House Bill No. 182—(Reps. Sharpe and Nystrom)**

Referred to Committee on Education.

House Bill No. 182. A Bill for an Act Authorizing School Districts to Transfer Certain Portions of the General Fund Into Sinking Funds, and Providing for the Time, Manner and Amount of Such Transfers, Repealing All Acts or Parts of Acts in Conflict Herewith and Declaring an Emergency.

Introduction, first reading, 268.

Reference, 268.

Reported back, 438.

Second reading, 489.

Passed, 490.

Forwarded to Senate, 527.

Returned by Senate, 881.

Senate action, 881.

Enrolled, 984.  
Signed by Speaker, 984.  
Forwarded to Governor, 1200.

**House Bill No. 183—(Rep. Holm)**

Referred to Committee on Livestock.

House Bill No. 183. A Bill for an Act Prohibiting the Sale of Unregistered Cattle Herd Sires by Livestock Dealers and Defining Who Are Dealers; Providing Penalty for Violation.

Introduction, first reading, 268.  
Reference, 268.  
Reported back, 430.  
Second reading, 482.  
Lost, 483.

**House Bill No. 184—(Reps. McInnes, Bymers, Bagge, Callahan, Falconer and Kolpin)**

Referred to Committee on Tax and Tax Laws.

House Bill No. 184. A Bill for an Act to Amend and Re-enact Subdivisions (a), (b) and (c) of Section 4, and Section 10 of Chapter 235 of the Session Laws of North Dakota for the Year 1929, as Amended by Chapter 288 of the Session Laws of North Dakota for the Year 1941, Relating to Limitations Upon the Rate of Tax Levies for General and Specific Purposes; Providing for Exceptions to Such Levies, Authorizing the Levy of Taxes for Emergency Purposes and Limiting the Use Thereof.

Introduction, first reading, 268.  
Reference, 269.  
Reported back, 519.  
Amended, 519, 1114.  
General orders, 568.  
Engrossed, 578, 1219.  
Second reading, 596, 1114.  
Passed, 597, 1115.  
Forwarded to Senate, 615.  
Returned by Senate, 1112.  
Senate action, 1112.  
Enrolled, 1215.  
Signed by Speaker, 1180.  
Forwarded to Governor, 1238.

**House Bill No. 185—(Rep. Bauer)**

Referred to Committee on State Affairs.

House Bill No. 185. A Bill for an Act to Amend and Re-enact Section 548a1 of the 1925 Supplement, Relating to the Licensing of Pool Halls, Billiard Rooms, Bowling and Pin Alleys, Dance Halls, Roller Skating Rinks, Theaters, Moving Picture Shows, Public Halls Used for Private Purposes, and Private Halls Used for Public Purposes, Taxicabs, Auto Livery, Places Where Soft Drinks Are Retailled, Whether by Vending Machine or Otherwise, and Places Where Cigars and Tobacco Are Sold.

Introduction, first reading, 269.  
Reference, 269.  
Reported back, 396.  
Second reading, 449.  
Lost, 450.

**House Bill No. 186—(Rep. Crockett)**

Referred to Committee on Ways and Means.

House Bill No. 186. A Bill for an Act to Authorize the Commissioner of Agriculture and Labor to Permit Females to Be Employed for Hours in Excess of Those Otherwise Prescribed by Law, Under Certain Conditions, for Temporary Periods in Time of War; Defining "War Work"; Providing for Conditions for Granting Temporary Permits and for Keeping Records of Same; Declaring a Penalty.

Introduction, first reading, 285.

Reference, 285.

Reported back, 498.

Indefinitely postponed, 498.

**House Bill No. 187—(Reps. Bergesen and Hofstrand)**

Referred to Committee on Education.

House Bill No. 187. A Bill for an Act Relating to Transportation of Pupils in Common School Districts Providing That School Boards in Common School Districts of This State Shall Pay Compensation for Transportation of Children Therein in Accordance With the Provisions of Chapter 238 of the Session Laws of 1927 and Repealing Chapter 236 of the Session Laws of 1933.

Introduction, first reading, 285.

Reference, 285.

Reported back, 548.

Indefinitely postponed, 548.

**House Bill No. 188—(Rep. Fitch)**

Referred to Committee on State Affairs.

House Bill No. 188. A Bill for an Act Amending and Re-enacting the Initiated Act Approved by the Electors of North Dakota on November 8, 1932, Which Act Amended and Re-enacted Section 769a9 of the 1925 Supplement to the Compiled Laws of North Dakota for 1913, Relating to the Salaries of the Judges of the Districts of the State of North Dakota; and Providing for an Increase of Salaries of Said District Judges from \$3,500.00 a Year to \$4,000.00 a Year, and Providing for the Payment of His Actual Travelling Expenses and Subsistence While Holding Court Inside of Their Districts But Outside the Counties in Which They Reside.

Introduction, first reading, 285.

Reference, 285.

Reported back, 396.

Second-reading, 467.

Passed, 468.

Other action, 449.

Forwarded to Senate, 506.

Returned by Senate, 881.

Senate action, 881.

Enrolled, 946.

Signed by Speaker, 984.

Forwarded to Governor, 1200.

**House Bill No. 189—(Reps. Forseth, Monson, Sandness, Schnell and Haugland)**

Referred to Committee on Education.

House Bill No. 189. A Bill for an Act Providing That a Course for Teachers in Cooperatives, Their History, Prin-

principles, Organization and Operation Shall Be Taught in the Teachers' Colleges of the State of North Dakota and in the Teachers' College at the University of the State of North Dakota.

Introduction, first reading, 285.  
 Reference, 285.  
 Reported back, 375.  
 Amended, 375, 1063.  
 General orders, 423.  
 Engrossed, 462, 1199.  
 Second reading, 471, 1064.  
 Passed, 471, 1065.  
 Conference Committees, 900, 1063.  
 Forwarded to Senate, 506.  
 Returned by Senate, 882.  
 Senate action, 882.  
 Enrolled, 1200.  
 Signed by Speaker, 1181.  
 Forwarded to Governor, 1238.

**House Bill No. 190**—(Reps. Bergesen and Hofstrand).

Referred to Committee on Education.

House Bill No. 190. A Bill for an Act Relating to Transportation of Pupils in All School Districts in This State Having Consolidated Schools Providing That the School Boards Thereof Shall Pay Compensation for Transportation or Furnish Vehicular Transportation by Public Conveyance or Furnish the Equivalent of Such Payment in Lodging or Tuition at Some Other School in Accordance With the Schedule Provided by Chapter 208 of the Session Laws of 1939, Repealing All Acts or Parts of Acts in Conflict Therewith.

Introduction, first reading, 285.  
 Reference, 285.  
 Reported back, 548.  
 Indefinitely postponed, 548.

**House Bill No. 191**—(Reps. Bergesen and Graham)

Referred to Committee on Public Welfare.

House Bill No. 191. A Bill for an Act to Amend and Re-enact Section 21 of Chapter 211, Session Laws of 1937, as Amended by Section 3 of Chapter 244, Session Laws of 1941, Providing That Attorney Fees in Estates of Old Age Assistance Recipients Be Determined by the Court, and Repealing All Acts or Parts of Acts in Conflict Herewith.

Introduction, first reading, 286.  
 Reference, 286.  
 Reported back, 521.  
 Indefinitely postponed, 521.

**House Bill No. 192**—(Reps. Bergesen and Graham)

Referred to Committee on Cities and Municipal Corporations.

House Bill No. 192. A Bill for an Act to Amend and Re-enact Section 5 of Chapter 204, Session Laws of 1941, Relating to the Funding and Refunding of Existing Indebtedness of Municipalities, Authorizing Legal Expense Under Certain Conditions, and Declaring an Emergency.

Introduction, first reading, 286.

Reference, 286.  
Reported back, 375.  
General orders, 425, 426.  
Engrossed, 462.  
Second reading, 473.  
Passed, 474.  
Other action, 408.  
Forwarded to Senate, 527.  
Returned by Senate, 881.  
Senate action, 881.  
Enrolled, 984.  
Signed by Speaker, 984.  
Forwarded to Governor, 1200.

**House Bill No. 193—(Reps. Marks, Burau and Ostgulen)**

Referred to Committee on Ways and Means.

House Bill No. 193. A Bill for an Act to Amend and Re-enact Section 544 of the Compiled Laws of 1913 as Amended by Chapter 141 of the 1931 Session Laws Relating to the Practice and Profession of Embalming or Preparing Human Bodies for Burial or Shipment, and Providing for Penalties for the Violations of This Act.

Introduction, first reading, 286.  
Reference, 286.  
Reported back, 514.  
Indefinitely postponed, 515.

**House Bill No. 194—(Reps. Blair, Bolmeier, Saumur and Callahan)**

Referred to Committee on State Affairs.

House Bill No. 194. A Bill for an Act to Preserve Priority of Liens on Real Estate Held by the United States Government and Its Agencies, Authorizing the Enforcement of Such Liens, and Repealing All Acts or Parts of Acts in Conflict Herewith.

Introduction, first reading, 286.  
Reference, 286.  
Withdrawn, 376.

**House Bill No. 195—(Reps. Blair and Graham)**

Referred to Committee on Warehouse and Grain Grading.

House Bill No. 195. A Bill for an Act Amending and Re-enacting Sections 2111, 2112 and 2256 of the Compiled Laws of North Dakota for 1913, Relating to the Assessment of Grain in Warehouses and Grainhouses Providing for Exemption from Assessment and Taxation of Grain Owned by or subject to Lien in Favor of the United States of America or Any Department or Agency Thereof, and Declaring an Emergency.

Introduction, first reading, 286.  
Reference, 286.  
Reported back, 432, 580.  
Amended, 580.  
General orders, 618.  
Indefinitely postponed, 618.

**House Bill No. 196—**(Reps. Twichell, Sandness, Schnell, Haugland, Olson of Barnes and Forseth)

Referred to Committee on Agriculture.

House Bill No. 196. A Bill for an Act to Amend and Re-enact Section 2844 of the Supplement to the 1913 Compiled Laws of North Dakota as Amended by Chapter 119 of the 1929 Session Laws Relating to Licenses for Creameries, Cheese Factories, Process Butter Factories, Ice Cream Factories, Cream Stations and Dairies, and Declaring an Emergency.

Introduction, first reading, 286.

Reference, 286.

Reported back, 393.

Amended, 442.

Engrossed, 462.

Second reading, 442.

Passed, 433.

Forwarded to Senate, 506.

Returned by Senate, 881.

Senate action, 881.

Enrolled, 984.

Signed by Speaker, 984.

Forwarded to Governor, 1200.

**House Bill No. 197—**(Reps. Forseth, Bymers, Kolpin and Schmalenberger)

Referred to Committee on Judiciary.

House Bill No. 197. A Bill for an Act Relating to the Termination of Farm Leases, and Providing for a Notice for Termination.

Introduction, first reading, 286.

Reference, 287, 463.

Reported back, 439, 501.

Amended, 501.

General orders, 541, 569.

Engrossed, 578.

Second reading, 588.

Passed, 589.

Forwarded to Senate, 615.

Returned by Senate, 777.

Indefinitely postponed by Senate, 777.

**House Bill No. 198—**(Reps. Graham and Twichell)

Referred to Committee on Tax and Tax Laws.

House Bill No. 198. A Bill for an Act Authorizing and Permitting the Payment and Discharge of Delinquent Estate Taxes Where Such Estate Is of an Appraised Value of Less Than \$30,000.00 and Consists of at Least Two-Thirds in Value of Agricultural Lands and Farm Equipment and Livestock, or Products on Such Lands, and Where Such Estate Tax Shall Have Been Due and Payable Since Prior to July 1, 1939, by the Payment of the Principal of Such Original Estate Tax, With One Percent Per Annum Penalty Thereon from Date Such Estate Tax Became Due, and Declaring an Emergency.

Introduction, first reading, 287.

Reference, 287.



Reported back, 394.  
Second reading, 447.  
Passed, 447.  
Forwarded to Senate, 527.  
Returned by Senate, 948.  
Senate action, 949.  
Enrolled, 1075.  
Signed by Speaker, 1181.  
Forwarded to Governor, 1238.

**House Bill No. 199**—(Committee on Tax and Tax Laws)

Referred to Committee on Tax and Tax Laws.

House Bill No. 199. A Bill for an Act Requiring All Property of the State Be Assessed at Full and True Value in Money Subject to Correction, Abatement and Refund; Providing for Notice by County Auditor When Local Equalization Boards Meet; Annual Meetings of State Board of Equalization, and Providing for Hearing Before Such Board; Prescribing the Time for Levy of State Taxes and Fixing Rate; When Taxes Became Due and Delinquent; Penalties; Discount for Payment of Taxes Before Delinquency; Repealing Chapter 269, Laws of 1941, and All Acts or Parts of Acts in Conflict Herewith.

Introduction, first reading, 287.  
Reference, 287.  
Reported back, 394.  
Amended, 1057.  
Engrossed, 1219.  
Second reading, 448, 1057.  
Passed, 449, 1058.  
Forwarded to Senate, 527.  
Returned by Senate, 958.  
Enrolled, 1215.  
Signed by Speaker, 1180.  
Forwarded to Governor, 1238.

**House Bill No. 200**—(Rep. Fitch)

Referred to Committee on Insurance.

House Bill No. 200. A Bill for an Act to Amend and Re-enact Section 2 of Chapter 152 of the Session Laws of North Dakota for the Year 1935, Relating to the Licensing of Resident Agents for Surety, Indemnity, Fidelity and Insurance Companies Other Than Life Insurance Companies, Providing Qualifications Therefor.

Introduction, first reading, 287.  
Reference, 287, 490.  
Reported back, 438, 583.  
Indefinitely postponed, 583.

**House Bill No. 201**—(Reps. Hovey and Westby)

Referred to Committee on Tax and Tax Laws.

House Bill No. 201. A Bill for an Act to Amend and Re-enact Section 5 of Chapter 276 of the Session Laws of 1931 Providing for Abatements of Real and Personal Property Taxes, Due to Depreciation or Other Cause, and Declaring an Emergency.

Introduction, first reading, 287.  
Reference, 287.

Reported back, 375.  
Second reading, 408.  
Passed, 409.  
Forwarded to Senate, 433.  
Returned by Senate, 822.  
Senate action, 822.  
Enrolled, 883.  
Signed by Speaker, 878.  
Forwarded to Governor, 1073.

**House Bill No. 202—(Reps. Belzer, Fitch, Fleck and Schnell)**

Referred to Committee on Ways and Means.

House Bill No. 202. A Bill for an Act to Amend and Re-enact Chapter 242 of the 1939 Session Laws of the State of North Dakota, as Amended and Re-enacted by Chapter 290 of the 1941 Session Laws of the State of North Dakota Relating to a Tax Upon Sales of Certain Alcoholic Beverages by Licensed Wholesale Liquor Dealers, Providing the Method of Taxing the Same, and Collecting, Distributing and Expending the Revenue from Said Tax, Providing for the Filing of a List of Said Wholesalers, Repealing All Acts and Parts of Acts in Conflict Herewith, Providing Penalties for Violations of Said Act, Providing for a Saving Clause and Declaring an Emergency.

Introduction, first reading, 287.

Reference, 288.

Reported back, 580.

Amended, 580.

General orders, 618.

Engrossed, 648.

Second reading, 663.

Passed, 664.

Forwarded to Senate, 669.

Returned by Senate, 1033.

Senate action, 1033.

Enrolled, 1083.

Signed by Speaker, 1181.

Forwarded to Governor, 1238.

**House Bill No. 203—(Reps. Fitch, Runck and Peterson of Bottineau)**

Referred to Committee on Counties.

House Bill No. 203. A Bill for an Act Authorizing County Officers to Attend Annual Conference and Meeting, and Providing for Payment of Mileage and Necessary Expense While Attending Such Meeting.

Introduction, first reading, 288.

Reference, 288, 491.

Reported back, 430, 571.

Amended, 571.

General orders, 618.

Engrossed, 648.

Second reading, 479, 650.

Passed, 651.

Lost, 480.

Indefinitely postponed, 669.

Other action, 491, 665.

Forwarded to Senate, 655.

Returned by Senate, 668.

**House Bill No. 204—(Rep. Johnson of Richland)**

Referred to Committee on Mines and Mining.

House Bill No. 204. A Bill for an Act to Amend and Re-enact Section 1 of Chapter 163 of the Session Laws of the State of North Dakota for the Year 1939.

Introduction, first reading, 288.

Reference, 288.

Reported back, 461.

Amended, 461.

General orders, 515.

Engrossed, 520.

Second reading, 589.

Passed, 590.

Forwarded to Senate, 615.

Returned by Senate, 1033.

Indefinitely postponed by Senate, 1033.

**House Bill No. 205—(Reps. Bergesen, Fuglestad, Williams of Richland, Moe, Lillehaugen, Kolpin and Hogoboom)**

Referred to Committee on Temperance.

House Bill No. 205. A Bill for an Act Amending and Re-enacting Sections 5 and 12 of the Initiated Measure Known as the "The Liquor Control Act", Approved by the People of North Dakota on November 3, 1936, the Same Being Chapter 259 of the Session Laws of 1937, and Providing That Places for Wholesale and Retail Sale of Alcohol and Alcoholic Beverages Shall Be Maintained Only Within the Limits of Incorporated Cities and Villages Within the State, and Declaring an Emergency.

Introduction, first reading, 288.

Reference, 288, 409.

Reported back, 376.

Other action, 409.

Withdrawn, 599.

**House Bill No. 206—(Reps. Fitch, Haugland, Graham, Saumur and McInnes)**

Referred to Committee on Ways and Means.

House Bill No. 206. A Bill for an Act to Amend and Re-enact Sections 7, 19 and 26 of the Session Laws of North Dakota for 1927 as Amended and Re-enacted by Chapter 150 of the Session Laws of North Dakota for 1939, Relating to the Regulation of the Occupation of Hairdressers and Cosmetologists, and Repealing All Acts or Parts of Acts in Conflict Herewith, and Declaring an Emergency.

Introduction, first reading, 288.

Reference, 288.

Reported back, 460.

Indefinitely postponed, 511.

Other action, 520.

**House Bill No. 207—(Reps. Olson of Bowman and Morland)**

Referred to Committee on Insurance.

House Bill No. 207. A Bill for an Act to Amend and Re-enact Section 189b5 of the 1925 Supplement to the Compiled Laws of North Dakota for 1913, as Amended by Section 1 of Chapter 170, Session Laws of the State of North Dakota for

1931, and Chapter 137, Session Laws of North Dakota for 1933; Enumerating Crops Which May Be Insured; Specifying the Duties of Assessors and Other Officers and Fixing the Time When Insurance Becomes Effective.

Introduction, first reading, 288.

Reference, 288, 490.

Reported back, 438, 583.

Indefinitely postponed, 583.

**House Bill No. 208—(Committee on Public Safety)**

Referred to Committee on Public Safety.

House Bill No. 208. A Bill for an Act to Amend and Re-enact Sub-sections (a), (b) and (f) of Section 18 of Chapter 139 of the Session Laws of North Dakota for 1937, as Amended and Re-enacted by Section 4 of Chapter 175 of the Session Laws of North Dakota for 1941, Relating to the Authority, Powers and Duties of the Members of Division of Highway Safety and Patrol.

Introduction, first reading, 288.

Reference, 289.

Reported back, 517.

Second reading, 562.

Passed, 563.

Forwarded to Senate, 615.

Returned by Senate, 823.

Indefinitely postponed by Senate, 824.

**House Bill No. 209—(Rep. Westby)**

Referred to Committee on State Affairs.

House Bill No. 209. A Bill for an Act to Regulate the Employment of Employees of the State of North Dakota and to Name the Conditions Under Which They May Hold Their Positions or May Be Discharged.

Introduction, first reading, 289.

Reference, 289.

Reported back, 437.

Indefinitely postponed, 437.

**House Bill No. 210—(Reps. Crockett and Wolf of McIntosh)**

Referred to Committee on State Affairs.

House Bill No. 210. A Bill for an Act Requiring License to Operate Store; Declaring Operation of Store Without License to Be Unlawful, Refining the Meaning of the Word "Store"; Fixing License Fees; Establishing Rules and Regulations; Conferring Certain Duties and Powers Upon the State Tax Commissioner; Making Appropriation for Payment of Expenses Incurred in Administering Said Act; and Providing Penalty for Violation.

Introduction, first reading, 289.

Reference, 289.

Reported back, 550.

Second reading, 592.

Lost, 593.

**House Bill No. 211—(Reps. Anderson, Rohde and Haugen)**

Referred to Committee on Tax and Tax Laws.

House Bill No. 211. A Bill for an Act to Amend and Re-enact Section 5 of Chapter 166 of the 1929 Session Laws of

the State of North Dakota as Amended and Re-enacted by Chapter 168 of the Session Laws of 1937, Relating to Tax on Motor Fuels and for the Distribution of the Revenues Derived from Said Tax.

- Introduction, first reading, 289.
- Reference, 289.
- Reported back, 498.
- Amended, 498.
- General orders, 540, 569, 618.
- Indefinitely postponed, 624.

**House Bill No. 212—Reps. Hogoboom, Leet, Rohde and Haugen)**

Referred to Committee on Judiciary.

House Bill No. 212. A Bill for an Act Providing a Means by Which Any Citizen May Have His Date of Birth and Place of Birth Judicially Determined; Providing for the Notice to Be Given of a Hearing; Giving to the District Courts Jurisdiction Thereof; Providing for an Appeal and Designating the Fees to Be Paid to the Clerk of Court in Connection Therewith.

- Introduction, first reading, 289.
- Reference, 289.
- Reported back, 502, 579.
- Amended, 579.
- General orders, 618.
- Engrossed, 648.
- Second reading, 532, 651.
- Passed, 533, 652.
- Forwarded to Senate, 656.
- Returned by Senate, 933.
- Senate action, 934.
- Enrolled, 1030.
- Signed by Speaker, 1027.
- Forwarded to Governor, 1200.

**House Bill No. 213—(Reps. Ohnstad and Shure)**

Referred to Committee on Judiciary.

House Bill No. 213. A Bill for an Act Amending and Re-enacting Section 6762 of the Compiled Laws of North Dakota for 1913, as Amended by Chapter 175 of the Session Laws of 1927, as Amended by Chapter 168 of the Session Laws of 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 and Making the Same an Emergency Measure.

- Introduction, first reading, 289.
- Reference, 290.
- Reported back, 501.
- Amended, 501, 900.
- General orders, 541.
- Engrossed, 555, 1030.
- Second reading, 587, 900.
- Passed, 588, 901.
- Forwarded to Senate, 615.
- Returned by Senate, 882.

Senate action, 882.  
 Enrolled, 1075.  
 Signed by Speaker, 1181.  
 Forwarded to Governor, 1238.

**House Bill No. 214—(Reps. Fleck, Schnell and Saumur)**

Referred to Committee on Election and Election Privileges.

House Bill No. 214. A Bill for an Act to Amend and Re-enact Sections 8 and 9 of Chapter 135 of the Session Laws of 1935, as Amended and Re-enacted by Chapter 143 of the Session Laws of 1939 Relating to the Election of Delegates to State Party Conventions and Members of County Executive Committees, and Repealing All Acts or Parts of Acts in Conflict Herewith.

Introduction, first reading, 290.  
 Reference, 290.  
 Reported back, 453.  
 Amended, 453.  
 General orders, 515.  
 Engrossed, 520.  
 Second reading, 533.  
 Passed, 534.  
 Forwarded to Senate, 577.  
 Returned by Senate, 881.  
 Senate action, 881.  
 Enrolled, 986.  
 Signed by Speaker, 1027.  
 Forwarded to Governor, 1200.

**House Bill No. 215—(Rep. Olson of Barnes)**

Referred to Committee on Cities and Municipal Corporations.

House Bill No. 215. A Bill for an Act Providing for a Post War Reserve Fund for Cities, and Authorizing a Levy Therefor, and Repealing All Acts in Conflict Therewith.

Introduction, first reading, 290.  
 Reference, 290, 554.  
 Reported back, 518.  
 Indefinitely postponed, 518.  
 Other action, 554.

**House Bill No. 216—(Reps. Morrison, Williams of Richland, Belzer and Iszler)**

Referred to Committee on Temperance.

House Bill No. 216. A Bill for an Act to Amend and Re-enact Section 9689 of the Compiled Laws of North Dakota for 1913, Pertaining to Minors Visiting Places Selling Beer, Ale, Alcoholic or Intoxicating Liquor, Requiring Owners and Proprietors to Post Signs Barring Minors, and Requiring Them to Give a Bond of \$500.00 to the Local Municipality, and Providing Penalty for Violation Thereof.

Introduction, first reading, 290.  
 Reference, 290.  
 Reported back, 499.  
 Amended, 499.  
 General orders, 541.  
 Second reading, 565.  
 Lost, 565.

**House Bill No. 217**—(Reps. Graham, Bolmeier, Wolf of McIntosh and Sandness)

Referred to Committee on Counties.

House Bill No. 217. A Bill for an Act to Amend and Re-enact Section 2261 of the Supplement to the Compiled Laws, and Section 2262 of the Supplement to the Compiled Laws, as Amended by Chapter 154 of the 1927 Session Laws, Relating to the Levy of a Gopher Tax and Providing for the Payment of a Gopher Bounty, and Declaring an Emergency.

Introduction, first reading, 290.

Reference, 290, 452, 453, 500.

Reported back, 430.

Amended, 430.

General orders, 451, 541.

Engrossed, 555.

Second reading, 586.

Lost, 587.

Other action, 451, 500.

**House Bill No. 218**—(Reps. Bymers, Kolpin, Hegge, Schnell, Fraser, Welk, Rohde, Schwartz, Welder and Forseth)

Referred to Committee on Tax and Tax Laws.

House Bill No. 218. A Bill for an Act Amending and Re-enacting Section 2122a of the 1925 Supplement to the 1913 Compiled Laws of North Dakota as Amended by the Initiated Measure Approved by the Voters of the State of North Dakota on June 29, 1932, Relating to the Basis of Assessment of Property for Taxation Purposes, Basing Such Basis on 50% to 75% of the Full and True Value Thereof and Repealing All Acts and Parts of Acts in Conflict Herewith.

Introduction, first reading, 290.

Reference, 290.

Reported back, 518.

Second reading, 564.

Lost, 565.

**House Bill No. 219**—(Rep. Bauer)

Referred to Committee on State Affairs.

House Bill No. 219. A Bill for an Act to Repeal Chapter 214 of the Session Laws of the State of North Dakota for the Year 1941, Relating to the Establishment, Maintenance and Operation of the Central Mailing Bureau in the Capitol Building for the Use of State Officials, Departments or Agencies, and Declaring an Emergency.

Introduction, first reading, 290.

Reference, 291.

Reported back, 435.

Indefinitely postponed, 458.

Other action, 436, 437.

**House Bill No. 220**—(Reps. Bolmeier and Burau)

Referred to Committee on State Affairs.

House Bill No. 220. A Bill for an Act to Provide a Standard War Time for the State of North Dakota, Providing for Its Institution and continuance; Repealing All Acts in Conflict Therewith; and Declaring an Emergency.

Introduction, first reading, 291.

Reference, 291.

Reported back, 396.  
 Second reading, 468.  
 Passed, 469.  
 Other action, 450.  
 Forwarded to Senate, 506.  
 Returned by Senate, 933.  
 Senate action, 934.  
 Enrolled, 986.  
 Signed by Speaker, 1027.  
 Forwarded to Governor, 1200.

**House Bill No. 221**—(Reps. Olson of Bowman, Morland and Crockett)

Referred to Committee on State Affairs.

House Bill No. 221. A Bill for an Act to Amend and Re-enact Section 1828 of the 1925 Supplement to the Compiled Laws of North Dakota for 1913, as Amended by Chapter 241 Session Laws of 1933; Relating to the Use of North Dakota Fuel in Public Buildings, and Placing the Enforcement Under the Public Service Commission, and Providing a Penalty.

Introduction, first reading, 291.  
 Reference, 291.  
 Reported back, 549.  
 General orders, 604.  
 Engrossed, 614.  
 Second reading, 637.  
 Lost, 638.  
 Other action, 550.

**House Bill No. 222**—(Reps. Bymers, Kolpin, Schnell, Fraser, Hegge, Rohde, Welk, Forseth, Schwartz and Schmalenberger)

Referred to Committee on Tax and Tax Laws.

House Bill No. 222. A Bill for an Act Providing that the Proceeds of Income Taxes Collected in This State Less Expenses of Collection and Refunds Shall Be Placed in a Special Fund to be Used Solely for Old Age Assistance, Repealing All Acts or Parts of Acts in Conflict Therewith.

Introduction, first reading, 291.  
 Reference, 291.  
 Reported back, 433, 434.  
 Second reading, 485.  
 Passed, 487.  
 Other action, 486.  
 Forwarded to Senate, 506.  
 Returned by Senate, 932.  
 Indefinitely postponed by Senate, 932.

**House Bill No. 223**—(Rep. Rohde)

Referred to Committee on Election and Electoin Privileges.

House Bill No. 223. A Bill for an Act to Amend and Re-enact Section 1121, Compiled Laws of 1913, Relating to the Election and Term of Office of County Superintendent of Schools, and Providing for a Four Year Term of Office.

Introduction, first reading, 291.  
 Reference, 291.  
 Reported back, 435.  
 Indefinitely postponed, 435.



**House Bill No. 224—(Rep. Dahlen)**

Referred to Committee on Education.

House Bill No. 224. A Bill for an Act Amending and Re-enacting Section 1388 of the Compiled Laws of North Dakota for 1913, Providing for the Placing of Bibles in Public Schools.

Introduction, first reading, 291.

Reference, 291.

Reported back, 397.

General orders, 425.

Indefinitely postponed, 425.

Other action, 376, 397.

**House Bill No. 225—(Reps. Sharp and Sailer)**

Referred to Committee on Cities and Municipal Corporations.

House Bill No. 225. A Bill for an Act to Amend and Re-enact Section 4 of Chapter 104, Session Laws of 1937, Being the "Revenue Bond Law of 1937."

Introduction, first reading, 291.

Reference, 291.

Reported back, 554.

Indefinitely postponed, 554.

**House Bill No. 226—(Rep. Crockett)**

Referred to Committee on Judiciary.

House Bill No. 226. A Bill for an Act to Amend and Re-enact Section 2 of Chapter 239 of the Session Laws of 1935, Relating to the Exemption of Personal Property of a Single Person From Attachment, Levy and Sale on Execution, and Declaring an Emergency.

Introduction, first reading, 291.

Reference, 292.

Reported back, 502.

Indefinitely postponed, 502.

**House Bill No. 227—(Reps. Johnson of Richland and Forseth)**

Referred to Committee on Tax and Tax Laws.

House Bill No. 227. A Bill for an Act Exempting Household Goods, Clothing and Other Personal Belongings and Musical Instruments from Taxation, and Repealing All Acts in Conflict Herewith.

Introduction, first reading, 292.

Reference, 292.

Reported back, 397.

Indefinitely postponed, 397.

**House Bill No. 228—(Reps. Wolf of Morton and Starck)**

Referred to Committee on Ways and Means.

House Bill No. 228. A Bill for an Act Permitting Counties, Cities, Villages and Townships to Lease and Permit the Use of Public Buildings for Other Than Public Purposes, and Declaring an Emergency.

Introduction, first reading, 292.

Reference, 292, 332.

Reported back, 518.

Amended, 518, 943.  
 General orders, 568.  
 Engrossed, 578, 1029.  
 Second reading, 595, 943.  
 Passed, 596, 944.  
 Forwarded to Senate, 615.  
 Returned by Senate, 933.  
 Senate action, 933.  
 Enrolled, 1075.  
 Signed by Speaker, 1181.  
 Forwarded to Governor, 1238.

**House Bill No. 229—(Committee on Public Welfare)**

Referred to Committee on State Affairs.

House Bill No. 229. A Bill for an Act Providing for the Organization and Regulation of Non-Profit Hospital Service Plan Corporations, and Declaring an Emergency.

Introduction, first reading, 292.  
 Reference, 292.  
 Reported back, 552.  
 Second reading, 661.  
 Passed, 662.  
 Indefinitely postponed, 553.  
 Other action, 661.  
 Forwarded to Senate, 669.  
 Returned by Senate, 1033.  
 Senate action, 1033.  
 Enrolled, 1083.  
 Signed by Speaker, 1181.  
 Forwarded to Governor, 1238.

**House Bill No. 230—(Rep. Starck)**

Referred to Committee on Tax and Tax Laws.

House Bill No. 230. A Bill for an Act Imposing a Tax Upon Retail Sales of Cigars, Providing a Penalty and Declaring an Emergency.

Introduction, first reading, 292.  
 Reference, 292.  
 Reported back, 434.  
 Indefinitely postponed, 434.

**House Bill No. 231—(Rep. Starck)**

Referred to Committee on Ways and Means.

House Bill No. 231. A Bill for an Act to Prohibit the Owner, Manager or Operator of Any Public Moving Picture Theater from Seating Patrons Nearer Than Twenty-five (25) Feet to the Screen During the Showing of Motion Pictures, Providing a Penalty and Declaring an Emergency.

Introduction, first reading, 292.  
 Reference, 292.  
 Reported back, 459.  
 Indefinitely postponed, 459.

**House Bill No. 232—(Rep. Starck)**

Referred to Committee on Tax and Tax Laws.

House Bill No. 232. A Bill for an Act Imposing a Tax Upon Retail Sales of Bottled Soft Drinks, Providing a Penalty and Declaring an Emergency.

Introduction, first reading, 292.

Reference, 292.

Reported back, 434.

Indefinitely postponed, 434.

**House Bill No. 233—Rep. Peterson of Bottineau)**

Referred to Committee on Insurance.

House Bill No. 233. A Bill for an Act to Amend and Re-enact Section 189c2 of the 1925 Supplement of the 1913 Compiled Laws of the State of North Dakota, as Amended and Re-Enacted by Section 2 of Chapter 153 of the 1935 Session Laws of the State of North Dakota, Relating to Fire and Tornado Insurance on Public Buildings, and Declaring an Emergency.

Introduction, first reading, 292.

Reference, 292.

Reported back, 501.

Amended, 1080.

Engrossed, 530.

Second reading, 531, 1080.

Passed, 1081.

Indefinitely postponed, 1171.

Conference Committees, 1102, 1171.

Forwarded to Senate, 578.

Returned by Senate, 1032.

Senate action, 1032.

**House Bill No. 234—(Reps. Halcrow, Dalzell and Carlson)**

Referred to Committee on Tax and Tax Laws.

House Bill No. 234. A Bill for an Act Permitting the Creating of an "Emergency Public Construction Fund"; Fixing the Amount Which May Be Levied; Giving Honorably Discharged Service Men a Preference in Employment; and Providing for a Liability for Misuse of the Fund, and Declaring an Emergency.

Introduction, first reading, 292.

Reference, 293.

Reported back, 518.

General orders, 620.

Second reading, 563.

Passed, 564.

Indefinitely postponed, 623.

Other action, 603.

**House Bill No. 235—(Rep. Bergesen)**

Referred to Committee on Judiciary.

House Bill No. 235. A Bill for an Act Making it a Criminal Offense for a Parent or Other Person Legally Responsible for the Care or Support of a Child to Abandon Such Child; Providing for Penalty; Repealing All Acts in Conflict Herewith, and Declaring an Emergency.

Introduction, first reading, 293.

Reference, 293.

Reported back, 502.  
Second reading, 531.  
Passed, 532.  
Forwarded to Senate, 577.  
Returned by Senate, 822.  
Senate action, 822.  
Enrolled, 883.  
Signed by Speaker, 878.  
Forwarded to Governor, 1073.  
Approved by Governor, 1212.

**House Bill No. 236**—(Reps. Johnson of Richland and Olson of Barnes)

Referred to Committee on Education.

House Bill No. 236. A Bill for an Act Providing for the Regulation of Private Trade Schools and Correspondence Schools, and Providing Penalties for Violation.

Introduction, first reading, 293.  
Reference, 293.  
Reported back, 537.  
Amended, 537, 538, 539, 540.  
General orders, 569, 606, 609.  
Engrossed, 614.  
Second reading, 642.  
Passed, 643.  
Forwarded to Senate, 655.  
Returned by Senate, 933.  
Senate action, 934.  
Enrolled, 1074.  
Signed by Speaker, 1181.  
Forwarded to Governor, 1238.

**House Bill No. 237**—(Reps. Carlson and Schmalenberger)

Referred to Committee on Ways and Means.

House Bill No. 237. A Bill for an Act Imposing a Tax Upon Tickets for Admission to All Theaters, Movies, Pin Alleys, Ball Alleys, and Other Places of Amusement; Declaring an Emergency.

Introduction, first reading, 293.  
Reference, 293.  
Reported back, 459.  
Indefinitely postponed, 459.

**House Bill No. 238**—(Reps. Anderson, Rohde and Haugen)

Referred to Committee on Highways and Bridges.

House Bill No. 238. A Bill for an Act Amending and Re-enacting Section 25 of Chapter 164 of the Session Laws of 1933, as Amended by Chapter 196 of the 1941 Session Laws, Providing for the Collection of Certificate and Permit Fees and Providing for an Identification Tag Fee from Carriers by Motor Vehicle, Except Passenger Common Carriers Who Pay the Seat Tax Under Chapter 180 of the Session Laws of 1935.

Introduction, first reading, 297.  
Reference, 297.  
General orders, 623.  
Indefinitely postponed, 623.  
Other action, 614.

**House Bill No. 239—(Rep. Bubel)**

Referred to Committee on Public Welfare.

House Bill No. 239. A Bill for an Act to Amend and Re-enact Section 1 of Chapter 211 of the Session Laws of 1937; Section 2 of Chapter 211 of the Session Laws of 1937 as Amended by Chapter 195 of the Session Laws of 1939; Section 9 of Chapter 211 of the Session Laws of 1937; Section 12 of Chapter 211 of the Session Laws of 1937; Section 21 of Chapter 211 of the Session Laws of 1937 as Amended by Chapter 244 of the Session Laws of 1941, Pertaining to Definitions, Payment for Benefit of Recipients, Eligibility for Assistance to the Needy Aged, Old Age Assistance Fund, and Recovery from Estate and Repeal of Section 15 of Chapter 211 of the Session Laws of 1937, Aid Exclusive of Other Aid; Funeral Expenses and Declaring an Emergency.

Introduction, first reading, 297.

Reference, 297.

Reported back, 520.

Amended, 521, 1079.

General orders, 569.

Engrossed, 578, 1219.

Second reading, 1079.

Passed, 1080.

Forwarded to Senate, 615.

Returned by Senate, 1032.

Senate action, 1033.

Enrolled, 1215.

Signed by Speaker, 1180.

Forwarded to Governor, 1238.

**House Bill No. 240—(Rep. Bubel)**

Referred to Committee on Public Welfare.

House Bill No. 240. A Bill for an Act to Amend and Re-enact Section 1 of Chapter 210 of the Session Laws of 1937 and Section 2 of the Session Laws of 1937 as Amended by Chapter 191 of the Session Laws of 1939 and Chapter 241 of the Session Laws of 1941 Pertaining to Definitions and Eligibility for Assistance to the Needy Blind and Repeal of Sections 15 and 19 of Chapter 210 of the Session Laws of 1937, and Declaring an Emergency.

Introduction, first reading, 298.

Reference, 298.

Reported back, 521.

Amended, 521.

General orders, 569.

Engrossed, 578.

Second reading, 598.

Passed, 599.

Forwarded to Senate, 615.

Returned by Senate, 1033.

Senate action, 1034.

Enrolled, 1083.

Signed by Speaker, 1181.

Forwarded to Governor, 1238.

**House Bill No. 241**—(Reps. Wolf of McIntosh, Starck and Nelson)

Referred to Committee on Cities and Municipal Corporations.

House Bill No. 241. A Bill for an Act to Provide for the Publication of the Official Proceedings of All Cities With a Population of Over Thirty-five Hundred (3500) Persons.

Introduction, first reading, 298.

Reference, 298.

Reported back, 548.

Indefinitely postponed, 549.

**House Bill No. 242**—(Reps. Morrison and Iszler)

Referred to Committee on Counties.

House Bill No. 242. A Bill for an Act to Amend and Re-enact Section 10 of Chapter 286 of the Session Laws for 1941 Providing for Quieting of Titles by Counties Before Sale of Real Estate Acquired by Tax Deed.

Introduction, first reading, 298.

Reference, 298.

Reported back, 434.

Indefinitely postponed, 435.

**House Bill No. 243**—(Committee on Delayed Bills)

Referred to Committee on Appropriations.

House Bill No. 243. A Bill for an Act Appropriating the Balance Remaining in "The State Public Welfare Fund" Created by Section 25, Chapter 249, Session Laws of 1927.

Introduction, first reading, 463.

Reference, 463.

Reported back, 522.

Amended, 522, 841.

General orders, 569.

Engrossed, 578, 883.

Second reading, 599, 841.

Passed, 600, 842.

Forwarded to Senate, 615.

Returned by Senate, 824.

Senate action, 825.

Enrolled, 946.

Signed by Speaker, 984.

Forwarded to Governor, 1200.

**House Bill No. 244**—(Committee on Delayed Bills)

Referred to Committee on State Affairs.

House Bill No. 244. A Bill for an Act to Permit the Purchase by the State, County, Township and Other Municipalities of North Dakota of Tax Exempt Gasoline for the Construction, Reconstruction or Maintenance of Highways, Public Roads, Streets and Airports; and Declaring an Emergency.

Introduction, first reading, 517.

Reference, 517.

Reported back, 549.

Amended, 901, 902, 903, 985.

Engrossed, 1074.

Second reading, 590, 985.

Passed, 591, 986.  
 Conference Committees, 903, 985.  
 Forwarded to Senate, 615.  
 Returned by Senate, 882, 1199.  
 Senate action, 882.  
 Enrolled, 1216.  
 Signed by Speaker, 1180.  
 Forwarded to Governor, 1238.

**House Bill No. 245—(Committee on Delayed Bills)**

Referred to Committee on State Affairs.

House Bill No. 245. A Bill for an Act Suspending the Operation of Section 1 of Chapter 196 of the Session Laws of North Dakota for 1933 During the Biennium Beginning July 1, 1943 and Ending June 30, 1945, and Limiting Salary Increases to 25% of the Existing Limitations.

Introduction, first reading, 561.  
 Reference, 561.  
 Reported back, 944.  
 Engrossed, 1029.  
 Second reading, 631, 944.  
 Passed, 632, 945.  
 Forwarded to Senate, 654.  
 Returned by Senate, 933.  
 Senate action, 933.  
 Enrolled, 1075.  
 Signed by Speaker, 1181.  
 Forwarded to Governor, 1238.

**House Bill No. 246—(Reps. Blair, Saumur, Bolmeier and Callahan)**

Referred to Committee on State Affairs.

House Bill No. 246. A Bill for an Act to Exempt Judgments, Mortgages and Other Liens Held by the United States Government, or Any Agency Thereof, from the Operation of the Provisions of Chapter 315 of the Session Laws of North Dakota for 1931, Section 3 of Chapter 137 of the Session Laws of North Dakota for 1933, and Chapter 159 of the Session Laws of North Dakota for 1937, Declaring Such Mortgages and Liens to Be Prior and Superior to Certain Judgments Rendered and Hail Indemnity Taxes Levied Pursuant to Said Acts, Repealing Conflicting Acts and Declaring an Emergency.

Introduction, first reading, 561.  
 Reference, 561.  
 Reported back, 611.  
 Amended, 611.  
 Indefinitely postponed, 612.

**House Bill No. 247—(Committee on Delayed Bills)**

Referred to Committee on State Affairs.

House Bill No. 247. A Bill for an Act to Create a State Legislative Council; Providing for the Number of Its Members, Their Appointment and Qualifications, Their Term of Office, Filling of Vacancies; Designating Time for Its Organ-

ization and Meetings, Prescribing Its Powers and Duties, and Fixing the Compensation.

Introduction, first reading, 561.

Reference, 561.

Reported back, 583.

Indefinitely postponed, 583.

**House Bill No. 248—(Committee on Delayed Bills)**

Referred to Committee on Military Affairs.

House Bill No. 248. A Bill for an Act Providing for the Recording of Discharge Papers from the National Guard, the Army, Navy, Marine Corps and Other Branches of the Military Forces, and Declaring an Emergency.

Introduction, first reading, 561.

Reference, 562.

Reported back, 610.

Second reading, 643.

Passed, 644.

Forwarded to Senate, 655.

Returned by Senate, 822.

Senate action, 822.

Enrolled, 883.

Signed by Speaker, 878.

Forwarded to Governor, 1073.

Approved by Governor, 1212.

**House Bill No. 249—(Committee on Delayed Bills)**

Referred to Committee on Livestock.

House Bill No. 249. A Bill for an Act to Amend and Re-enact Sub-section (e) of Section 6 of Chapter 106 of the 1935 Session Laws, as Amended by Sub-section (e) of Section 3 of Chapter 112 of the 1937 Session Laws, as Amended and Re-enacted by Sub-section (e) of Section 1 of Chapter 116 of the 1941 Session Laws Relating to the Election of Directors of Cooperative Grazing Associations and Amending and Re-enacting Sub-section (j) of Section 10 of Chapter 106 of the Session Laws of 1935 Relating to Rules and Regulations Concerning Disease of Stock.

Introduction, first reading, 562.

Reference, 562.

Reported back, 571.

Second reading, 626.

Passed, 627.

Forwarded to Senate, 654.

Returned by Senate, 777.

Indefinitely postponed by Senate, 777.

**House Bill No. 250—(Reps. Olson of Barnes and Hovey)**

Referred to Committee on Cities and Municipal Corporations.

House Bill No. 250. A Bill for an Act to Amend and Re-enact Section 3684a13 of the 1925 Supplement to the Compiled Laws Relative to the Disposition of Balances at the End of the Fiscal Year in City Appropriations.

Introduction, first reading, 579.

Reference, 579.

Reported back, 579, 584.



Second reading, 632.  
Passed, 633.  
Forwarded to Senate, 654.  
Returned by Senate, 881.  
Senate action, 881.  
Enrolled, 946.  
Signed by Speaker, 984.  
Forwarded to Governor, 1200.

**House Bill No. 251—(Committee on Delayed Bills)**

Referred to Committee on Appropriations.

House Bill No. 251. A Bill for an Act Making an Appropriation for the Payment of Janitor Services of the House of Representatives of the 28th Legislative Assembly, and Declaring an Emergency.

Introduction, first reading, 614.  
Reference, 614.  
Reported back, 617.  
Amended, 798.  
Engrossed, 832.  
Second reading, 646, 798.  
Passed, 646, 799.  
Forwarded to Senate, 655.  
Returned by Senate, 777.  
Senate action, 778.  
Enrolled, 832.  
Signed by Speaker, 889.  
Forwarded to Governor, 1073.  
Approved by Governor, 1212.

**House Bill No. 252—(Committee on Delayed Bills)**

Referred to Committee on Appropriations.

House Bill No. 252. A Bill for an Act Making an Appropriation for Expenses of the 28th Legislative Assembly, and Declaring an Emergency.

Introduction, first reading, 614.  
Reference, 614.  
Reported back, 617.  
Amended, 842.  
Engrossed, 833.  
Second reading, 647, 842.  
Passed, 647, 843.  
Forwarded to Senate, 655.  
Returned by Senate, 825.  
Senate action, 825.  
Enrolled, 947.  
Signed by Speaker, 915.  
Forwarded to Governor, 1073.  
Approved by Governor, 1074.

## HOUSE CONCURRENT RESOLUTIONS

**House Concurrent Resolution "B"**—(Reps. Starck, Wolf of McIntosh, Benno, Bymers, Fleck and Saumur)  
Referred to Committee on Game and Fish.

House Concurrent Resolution "B." Memorializing the War Production Board of the United States to Release Sufficient Supplies of Metallic Ammunition and Shot Shells to Permit Farmers and Stockmen to Keep Predatory Animals Under Control and to Permit Hunters to Adequately Harvest Surplus Crops of Game Birds and Game Animals for Food During the Period of the War Emergency.

Introduction, first reading, 86.

Reference, 87.

Reported back, 177.

Amended, 177.

General orders, 195.

Engrossed, 198.

Second reading, 218.

Passed, 218.

Forwarded to Senate, 251.

Returned by Senate, 495.

Senate action, 495.

Enrolled, 432.

Signed by Speaker, 442.

**House Concurrent Resolution "C"**—(Reps. Jennings, Fleck and Halvorson)

Referred to Committee on Agriculture.

House Concurrent Resolution "C." Memorializing the Office of Price Administration to Establish Local Board in Each Town to Receive Applications in Connection with Rationing Program, Also Empowered in Emergencies Simplify Rationing Forms and Give Farmers Special Consideration in Rationing Gasoline, Tires and Other Materials Vitally Needed in the War.

Introduction, first reading, 87.

Reference, 87.

Reported back, 95.

Second reading, 133.

Passed, 133.

Forwarded to Senate, 137.

Returned by Senate, 187.

Senate action, 187.

Enrolled, 198.

Signed by Speaker, 206.

**House Concurrent Resolution "D"**—(Reps. Graham, Mollet, Forseth, Olson of Bowman, McInnes and Bergesen)

Referred to Committee on Agriculture.

House Concurrent Resolution "D." Memorializing the United States Senate Committee on Agriculture to Investigate Utilization of Manpower in Agriculture.

Introduction, first reading, 121.

Reference, 121.

Reported back, 148.  
 Amended, 315.  
 Second reading, 166, 315.  
 Passed, 166, 315.  
 Other action, 315, 376.  
 Forwarded to Senate, 189.  
 Returned by Senate, 314.  
 Senate action, 315.  
 Enrolled, 340.  
 Signed by Speaker, 340.

**House Concurrent Resolution "E"**—(Reps. Graham, Mollet, Forseth, Bergesen, Olson of Bowman and McInnes)

Referred to Committee on State Affairs.

**House Concurrent Resolution "E." Regarding the Manufacturing of Rubber from Agricultural Products.**

Introduction, first reading, 121.  
 Reference, 121.  
 Reported back, 158.  
 Second reading, 182.  
 Passed, 182.  
 Forwarded to Senate, 203.  
 Returned by Senate, 314.  
 Senate action, 315.  
 Enrolled, 340.  
 Signed by Speaker, 340.

**House Concurrent Resolution "F"**—(Committee on Agriculture)

Referred to Committee on Agriculture.

**House Concurrent Resolution "F." Requesting the 78th Congress of the United States to Pass House Resolution 38 Calling for a Study and Investigation of the Present System of Marketing, Transportation, and Distribution of Farm Products from Rural Areas Through the Various Marketing Agencies to the Ultimate Consumer.**

Introduction, first reading, 121.  
 Reference, 121.  
 Second reading, 123.  
 Passed, 123.  
 Forwarded to Senate, 130.  
 Returned by Senate, 188.  
 Senate action, 188.  
 Enrolled, 198.  
 Signed by Speaker, 206.

**House Concurrent Resolution "G"**—(Committee on Education)

Referred to Committee on Tax and Tax Laws.

**House Concurrent Resolution "G." A Concurrent Resolution Providing for the Amendment of the Constitution of the State of North Dakota, Creating a State Equalization Fund, and Providing for a State Tax Levy for School Purposes.**

Introduction, first reading, 136.  
 Reference, 136.  
 Reported back, 207.  
 Amended, 945.  
 Engrossed, 1030.

Second reading, 234, 945.  
Passed, 235, 946.  
Forwarded to Senate, 251.  
Returned by Senate, 933.  
Senate action, 933.  
Enrolled, 1075.  
Signed by Speaker, 1181.

**House Concurrent Resolution "H"—(Reps. Schnell, Bymers, Kolpin and Anderson)**

Referred to Committee on State Affairs.  
Introduction, first reading, 137.  
Reference, 140.  
Reported back, 232.  
Second reading, 244.  
Lost, 244.  
Other action, 255.

**House Concurrent Resolution "I"—(Committee on Agriculture)**

Referred to Committee on Agriculture.

**House Concurrent Resolution "I." A Concurrent Resolution Memorializing Congress to Revise Farm Prices to Permit Reasonable Profit.**

Introduction, first reading, 149.  
Reference, 149.  
Reported back, 207.  
Second reading, 236.  
Passed, 236.  
Forwarded to Senate, 262.  
Returned by Senate, 457.  
Senate action, 457.  
Enrolled, 505.  
Signed by Speaker, 508.

**House Concurrent Resolution "J"—(Committee on Drainage and Irrigation)**

Referred to Committee on Drainage and Irrigation.

**House Concurrent Resolution "J." A Concurrent Resolution Regarding the Policy of the State of North Dakota to Maintain Its Jurisdiction and Control Over the Rights to the Use of the Waters in This State.**

Introduction, first reading, 160.  
Reference, 160.  
Reported back, 177.  
Passed, 177.  
Forwarded to Senate, 210.  
Returned by Senate, 427.  
Senate action, 427.  
Enrolled, 462.  
Signed by Speaker, 463.

**House Concurrent Resolution "K"—(Reps. Fleck, Falconer and Sellens)**

Referred to Committee on State Affairs.

**House Concurrent Resolution "K." To the Honorable William H. Jeffers, United States Rubber Administrator,**

War Production Board, Washington, D. C. Urging the Establishment of a Plant at Bismarck, North Dakota, for the Production of Synthetic Rubber from Grain Alcohol.

Introduction, first reading, 175.  
Reference, 175.  
Reported back, 261.  
Second reading, 278.  
Lost, 279.

**House Concurrent Resolution "L"**—(Reps. Haugen, Graham, Ohnstad, Bubel and Myers)

Referred to Committee on Agriculture.

House Concurrent Resolution "L." Memorializing Congress to Establish a Soy Bean Utilization Plant in Connection with the State Mill and Elevator.

Introduction, first reading, 175.  
Reference, 175.  
Reported back, 252.  
Amended, 252.  
Second reading, 262.  
Passed, 262.  
Forwarded to Senate, 298.  
Returned by Senate, 777.  
Lost, 777.

**House Concurrent Resolution "M"**—(Reps. Dahlen, Marks, Heckman and Williams of Sargent)

Referred to Committee on Federal Relations.

House Concurrent Resolution "M." Memorializing Congress to Take Action for the Speedy Enactment Into Law of Senate Bill 860 Now Pending in the United States Congress.

Introduction, first reading, 199.  
Reference, 199.  
Reported back, 393.  
Second reading, 465.  
Lost, 465.

**House Concurrent Resolution "N"**—(Reps. Ostgulen, Marks, Dalzell and Benno)

Referred to Committee on Agriculture.

House Concurrent Resolution "N." Memorializing Congress to Take Action for the Enactment Into Law of Senate Bill 574 Now Pending in United States Congress.

Introduction, first reading, 268.  
Reference, 268.  
Reported back, 377.  
Passed, 377.  
Forwarded to Senate, 433.  
Returned by Senate, 719.  
Senate action, 719.  
Enrolled, 743.  
Signed by Speaker, 747.

**House Concurrent Resolution "O"—(Reps. Gackle and Graham)**

Referred to Committee on State Affairs.

House Concurrent Resolution "O." A Concurrent Resolution for an Amendment to the Constitution of the State of North Dakota Permitting Liquor Stores.

Introduction, first reading, 284.

Reference, 284.

Reported back, 431.

Amended, 431.

General orders, 452.

Engrossed, 504.

Second reading, 493.

Passed, 494.

Forwarded to Senate, 527.

Returned by Senate, 949.

Senate action, 949.

Enrolled, 1075.

Signed by Speaker, 1181.

**House Concurrent Resolution "P"—(Rep. Rohde)**

Referred to Committee on State Affairs.

House Concurrent Resolution "P." A Concurrent Resolution Providing for the Amendment of Section 154 of Article IX of the Constitution of North Dakota.

Introduction, first reading, 284.

Reference, 284.

Reported back, 396.

Second reading, 469.

Passed, 470.

Other action, 450.

Forwarded to Senate, 527.

Returned by Senate, 932.

Indefinitely postponed by Senate, 932.

**House Concurrent Resolution "Q"—(Reps. Wolf of McIntosh, Schwartz and Bubel)**

Referred to Committee on Election and Election Privileges.

House Concurrent Resolution "Q." Providing for the Amendment of Section 26 of Article 2 of the Constitution of the State of North Dakota.

Introduction, first reading, 289.

Reference, 289.

Reported back, 393, 430.

Second reading, 478.

Lost, 478.

**House Concurrent Resolution "R"—(Reps. Dahlen and Forseth)**

Referred to Committee on Federal Relations.

House Concurrent Resolution "R." Memorializing Congress of the United States to Lift Restrictions and Priorities on Batteries Used for Telephones and Radios for Farms and Residents in Rural Communities.

Introduction, first reading, 293.

Reference, 293.

Reported back, 429.

Amended, 799.  
 Engrossed, 947.  
 Second reading, 478, 799.  
 Passed, 478, 799.  
 Forwarded to Senate, 527.  
 Returned by Senate, 778.  
 Senate action, 778.  
 Enrolled, 883.  
 Signed by Speaker, 878.  
 Forwarded to Governor, 1073.

**House Concurrent Resolution "S"—(Reps. Falconer, Schnell and Ekren)**

Referred to Committee on State Affairs.

House Concurrent Resolution "S." To the Honorable William H. Jeffers, United States Rubber Administrator, War Production Board, Washington, D. C., Urging the Establishment of a Plant at Bismarck, or Jamestown, North Dakota, for the Production of Synthetic Rubber from Grain Alcohol, or a Plant at Dickinson or Minot, North Dakota, for Production of Synthetic Rubber and Coal By-products From Lignite Coal.

Introduction, first reading, 293.  
 Reference, 293.  
 Reported back, 553.  
 Passed, 553.  
 Forwarded to Senate, 616.  
 Returned by Senate, 881.  
 Senate action, 881.  
 Enrolled, 1030.  
 Signed by Speaker, 1027.

**House Concurrent Resolution "T"—(Reps. Stair, Halvorson, Ostgulen, Forseth and Mortenson)**

Referred to Committee on Game and Fish.

House Concurrent Resolution "T." Memorializing the Congress of the United States to Abandon Further Acquisition of Land and the Extension of Game Refuges in the State of North Dakota; Urging Legislation to Provide for Making Payments in Lieu of Taxes Where Refuges Are Located, or Providing for Return of Such Lands to Private Ownership; and Payment of Claims of Landowners in Locality of Such Game Refuges, Whose Crops Have Been Destroyed by Game Birds and Predatory Animals Found on Such Reserves.

Introduction, first reading, 293.  
 Reference, 293.  
 Reported back, 583.  
 Amended, 843.  
 Engrossed, 883.  
 Second reading, 632, 843.  
 Passed, 632, 843.  
 Returned by Senate, 825.  
 Senate action, 822.  
 Enrolled, 883.  
 Signed by Speaker, 878.

**House Concurrent Resolution "U"—(Rep. Starck)**

Referred to Committee on Military Affairs.

House Concurrent Resolution "U." Memorializing, Petitioning and Urging Congress to Take Such Steps and Measures as Are Necessary for the Purpose of Setting Up a Fund to Provide for the Payment to Each Returned Soldier of an Amount Not Less Than \$100.00 Per Month for a Period of One Year After Duration of the War.

Introduction, first reading, 294.

Reference, 294.

Reported back, 439.

Second reading, 490.

Passed, 490.

Forwarded to Senate, 577.

Returned by Senate, 777.

Indefinitely postponed by Senate, 777.

**House Concurrent Resolution "V"—(Rep. Rettke)**

Referred to Committee on Military Affairs.

House Concurrent Resolution "V." Memorializing Congress and the President to Authorize the Indians to Elect Their Commissioner of Indian Affairs and Other Administrative Officials and That Treaty Rights and Claims be Promptly Adjudicated and Paid.

Introduction, first reading, 294.

Reference, 294.

Reported back, 439.

Second reading, 490.

Passed, 490.

Forwarded to Senate, 577.

Returned by Senate, 822.

Senate action, 822.

Enrolled, 883.

Signed by Speaker, 878.

Forwarded to Governor, 1073.

**House Concurrent Resolution "W"—(Rep. Schnell)**

Referred to Committee on State Affairs.

House Concurrent Resolution "W." A Concurrent Resolution for an Amendment to the Constitution of the State of North Dakota Permitting the Withdrawal of Cass County from the Boundaries of the State of North Dakota and Authorizing Annexation Thereof to the State of Minnesota.

Introduction, first reading, 297.

Reference, 297.

Second reading, 500.

Indefinitely postponed, 500.

**House Concurrent Resolution "X"—(Reps. Twichell and Graham)**

Referred to Committee on State Affairs.

House Concurrent Resolution "X." A Concurrent Resolution Providing for the Amendment of Section 45 of the Constitution of North Dakota.

Introduction, first reading, 298.

Reference, 298.

Reported back, 499.



Second reading, 527.  
 Passed, 528.  
 Forwarded to Senate, 578.  
 Returned by Senate, 778.  
 Senate action, 778.  
 Enrolled, 832.  
 Signed by Speaker, 889.  
 Forwarded to Governor, 1073.

**House Concurrent Resolution "Y"—(Reps. Fleck, Gackle, Wolf of McIntosh and Sandness)**

Referred to Committee on Highways and Bridges.

House Concurrent Resolution "Y." Memorializing Congress of the United States to Ask the War Production Board to Lift Restrictions and Priorities on New Trucks and Pickups Used for and Necessary for Farmers and Residents in Rural Communities.

Introduction, first reading, 561.  
 Reference, 561.  
 Reported back, 612.  
 Amended, 1153.  
 Second reading, 644.  
 Passed, 644, 1153.  
 Forwarded to Senate, 656.  
 Returned by Senate, 1129.  
 Senate action, 1129, 1153.  
 Enrolled, 1216.  
 Signed by Speaker, 1180.

**House Concurrent Resolution "1-A"—(Committee on Livestock)**

House Concurrent Resolution "1-A." Memorializing the Congress of the United States; His Excellency, the President of the United States; the Vice President of the United States; the Honorable, the Secretary of Agriculture of the United States; the Bureau of Animal Industry of the Department of Agriculture of the United States, and the Office of Price Administration of the United States, to Oppose any modification of the Existing Sanitary Pacts Provided for Embargo Against the Importation of Fresh and Frozen Meats from Countries Known to be Infested with Foot and Mouth Disease.

Introduction, first reading, 603.  
 Amended, 843, 850, 1170.  
 Engrossed, 1219.  
 Second reading, 603, 1171.  
 Passed, 603, 850, 1171.  
 Conference Committees, 843, 1170.  
 Forwarded to Senate, 616.  
 Returned by Senate, 825.  
 Senate action, 825.  
 Enrolled, 1216.  
 Signed by Speaker, 1180.

**House Concurrent Resolution "1-B"—(Committee on Livestock)**

House Concurrent Resolution "1-B." Memorializing the Congress of the United States; His Excellency, the President of the United States; the Vice President of the United States;

the Honorable, the Secretary of Agriculture of the United States; and the Honorable John R. Mohler, Chief of the Bureau of Animal Industry its Former Status of Duty and Authority with Respect to the Safe-Guarding of the Livestock Sanitary Welfare and the Livestock Industry of the Nation.

Introduction, first reading, 603.

Second reading, 603.

Passed, 603.

Forwarded to Senate, 616.

Returned by Senate, 777.

Indefinitely postponed by Senate, 777.

**House Concurrent Resolution "1-C"**—(Reps. Sellens, Fleck and Falconer)

House Concurrent Resolution "1-C." Regarding the Heavy Snow on the Missouri River and Requesting Cooperation of the Adjutant General's Department in Eliminating Hazards.

Introduction, first reading, 672.

Reference, 672.

Second reading, 672.

Passed, 672.

Forwarded to Senate, 674.

Returned by Senate, 881.

Senate action, 881.

Enrolled, 986.

Signed by Speaker, 1027.

**House Concurrent Resolution "1-F"**—(Joint Committee on Employment)

House Concurrent Resolution "1-F." A Resolution Providing for a Compilation and Complete Record in Pamphlet Form of Action Taken on Bills Introduced in the House and Senate of the Twenty-eighth Legislative Assembly.

Introduction, first reading, 935.

Second reading, 939.

Passed, 939.

Forwarded to Senate, 941.

Returned by Senate, 1129.

Senate action, 1129.

Enrolled, 1216.

Signed by Speaker, 1180.

**House Concurrent Resolution "1-G"**—(Joint Committee on Employment)

House Concurrent Resolution "1-G." A Resolution Providing for Indexing of the Senate and House Journals of the Twenty-eighth Legislative Assembly.

Introduction, first reading, 934.

Amended, 1082.

Engrossed, 1219.

Second reading, 938, 1083.

Passed, 938, 1083.

Forwarded to Senate, 941.

Returned by Senate, 1033.

Senate action, 1033.

Enrolled, 1216.

Signed by Speaker, 1180.

**House Concurrent Resolution "1-H"**—(Joint Committee on Employment)

House Concurrent Resolution "1-H." A Resolution Providing for Mailing and Proofreading of Senate and House Journals of the Last Days of Twenty-eighth Legislative Assembly.

Introduction, first reading, 935.

Amended, 1077.

Second reading, 940, 1077.

Passed, 940, 1078.

Other action, 1077, 1135.

Forwarded to Senate, 941, 1086.

Returned by Senate, 1034.

Senate action, 1034.

Enrolled, 1075.

Signed by Speaker, 1180.

**House Concurrent Resolution "1-I"**—(Reps. Saumur, Bergesen, Fleck and Fitch)

House Concurrent Resolution "1-I." A Resolution Expressing Affection to the Men and Officers of the 164th Infantry for Their Achievements, and All Other Men and Women of North Dakota Engaged in Military Service of Our Country.

Introduction, first reading, 936.

Second reading, 941.

Passed, 941.

Forwarded to Senate, 941.

Returned by Senate, 1034.

Senate action, 1034.

Enrolled, 1075.

Signed by Speaker, 1181.

**House Concurrent Resolution "1-J"**—(Rep. Ekren)

House Concurrent Resolution "1-J." A Concurrent Resolution Memorializing the Congress of the United States to Provide for and Continue the Program of Incentive Payments to Farmers Who Increase Their Production in 1943 of the Crops Mentioned Therein to Insure Production of Food Essential to Victory.

Introduction, first reading, 895.

Second reading, 895.

Passed, 895.

Forwarded to Senate, 927.

Returned by Senate, 1034.

Senate action, 1034.

Enrolled, 1075.

Signed by Speaker, 1181.

**House Concurrent Resolution "1-K"**—(Rep. Johnson of Cass)

House Concurrent Resolution "1-K." A Resolution Providing for State Departments, Boards or Commissions Doing State Business to Share Rides and Pool Cars in Travel to Rationing of Gas to Conserve Tires.

Introduction, first reading, 1013.

Second reading, 1016.

Passed, 1016.

Forwarded to Senate, 1041.

Returned by Senate, 1166.

Indefinitely postponed by Senate, 1166.

**House Concurrent Resolution "1-L"**—(Committee on Livestock)

House Concurrent Resolution "1-L." A Resolution Requesting the Department of Animal Husbandry of the State Agricultural College to Prepare a Suitable Course of Instruction for Use in the Schools of the State in Providing Scientific and Practical Knowledge in Breeding and Care of Livestock.

Introduction, first reading, 1013.  
 Second reading, 1016.  
 Passed, 1016.  
 Forwarded to Senate, 1041.  
 Returned by Senate, 1133.  
 Indefinitely postponed by Senate, 1133.

**House Concurrent Resolution "1-M"**—(Reps. Bergesen, Schnell and Fleck)

House Concurrent Resolution "1-M." A Resolution Requesting Establishment of a Central Agency in the State to Assume Jurisdiction of Drives for Funds in Connection With the War Effort.

Introduction, first reading, 1013.  
 Second reading, 1016.  
 Passed, 1016.  
 Forwarded to Senate, 1041.  
 Returned by Senate, 1133.  
 Indefinitely postponed by Senate, 1133.

**House Concurrent Resolution "1-O"**

House Concurrent Resolution "1-O." A Resolution Memorializing the Treasury Department or the Collector of Internal Revenue or the Congress of the United States to Extend the Time for Filing Income Tax Returns Without Penalty.

Introduction, first reading, 1058.  
 Second reading, 1059.  
 Passed, 1059.  
 Forwarded to Senate, 1079.  
 Returned by Senate, 1133.  
 Indefinitely postponed by Senate, 1133.

**House Concurrent Resolution "1-P"**—(Reps. Callahan, Fitch, Crockett and Schnell)

House Concurrent Resolution "1-P." A Resolution Providing for an Increased Rate of Pay Schedule for Employees of the Twenty-eighth Legislative Assembly and Making an Appropriation Therefor.

Introduced, first reading, 1059.  
 Reference, 1060.  
 Second reading, 1075.  
 Passed, 1076.  
 Forwarded to Senate, 1078.  
 Indefinitely postponed by Senate, 1129.

**House Concurrent Resolution "1-Q"**—(Rep. Bauer)

Introduction, first reading, 1076.  
 Second reading, 1077.  
 Lost, 1077.

**House Concurrent Resolution "1-S"**—(Reps. Callahan, Fitch, Crockett and Schnell)

House Concurrent Resolution "1-S." Providing for an Increase in the Pay Schedule for Employees of the Twenty-eighth Legislative Assembly and Making an Appropriation Therefor.

Introduction, first reading, 1157.  
 Second reading, 1158.  
 Passed, 1159.  
 Forwarded to Senate, 1159.  
 Returned by Senate, 1173.  
 Indefinitely postponed by Senate, 1173.

**House Concurrent Resolution "1-T"**—(Rep. Welder)

House Concurrent Resolution "1-T." A Concurrent Resolution for the Payment of \$200 as Attorney Fees to Milton K. Higgins for Legal Services Rendered for the State Insurance Department, in the Senate Investigation of Charges in the Special Examining Commission Concerning State Insurance Department, to Be Paid Out of the Appropriation for the Special Examining Commissioner.

Introduction, first reading, 1163.  
 Amended, 1164, 1208.  
 Second reading, 1164, 1208.  
 Passed, 1165, 1209.  
 Conference Committee, 1208.  
 Forwarded to Senate, 1165.  
 Enrolled, 1216.  
 Signed by Speaker, 1180.

**House Concurrent Resolution "1-U"**—(Reps. Callahan, Fitch, Twichell, Bergesen and Schnell)

House Concurrent Resolution 1-U." Providing for an Increase in the Pay Schedule for Employees of the Twenty-eighth Legislative Assembly and Making an Appropriation Therefor.

Introduction, first reading, 1196.  
 Second reading, 1202.  
 Passed, 1203.  
 On table, 1197.  
 Reconsidered, 1202.  
 Forwarded to Senate, 1203.  
 Returned by Senate, 1204.  
 Indefinitely postponed by Senate, 1204.

**Joint Resolution "Z"**—(Delayed Bills Committee)

Referred to Committee on State Affairs.

House Joint Resolution "Z." Requesting the Legislature to Authorize Payment of Certain Employees in the Code Revision Commission.

Introduction, first reading, 553.  
 Reference, 553.  
 Second reading, 553.  
 Passed, 554.  
 Forwarded to Senate, 578.  
 Returned by Senate, 719.  
 Senate action, 719.  
 Enrolled, 743.  
 Signed by Speaker, 747.

# HOUSE RESOLUTIONS

## House Resolution A

Introduction, first reading, 73.  
Passed, 74.

## House Memorial Resolution—(Rep. Holm)

For the late Dr. A. O. Arneson, former Member of the House of Representatives.

Introduction, first reading, 693.  
Passed, 694.  
Enrolled, 946.  
Signed by Speaker, 984.

## House Memorial Resolution "1-E"

For the late Carl Anfinson.  
Introduction, first reading, 740.  
Second reading, 740.  
Passed, 740.  
Enrolled, 743.  
Signed by Speaker, 747.

## House Memorial Resolution "1-D"

For the Deceased Members of the House of Representatives of the State of North Dakota.

Introduction, first reading, 692.  
Second reading, 692.  
Passed, 693.  
Enrolled, 832.  
Signed by Speaker, 1181.

## House Resolution "1-R"—(Rep. Nelson of Morton)

Introduction, first reading, 1156.  
Passed, 1157.  
Enrolled, 1216.  
Signed by Speaker, 1180.

## House Resolution "1-V"—(Reps. Fitch and Aker)

Introduction, first reading, 1203.  
Second reading, 1203.  
Passed, 1204.  
Enrolled, 1216.  
Signed by Speaker, 1181.

# RECORD OF SENATE BILLS IN THE HOUSE

## Senate Bill No. 1

Senate Bill No. 1. A Bill for an Act Extending the Time for Filing Income Tax Returns, Extending the Time for the Payment of Income, Personal Property and Real Property Taxes, Eliminating Interest and Penalty on Taxes, Exempting Military Income from the Income Tax to Members of the Armed Forces and of the Merchant Marine During the Present War, and Declaring an Emergency.

Received from Senate, 314.  
First reading, reference, 333, 733.  
Reported back, 691, 820.  
Amended, 691.  
General orders, 733.  
Second reading, 969.  
Passed, 970.  
Returned to Senate, 1036.  
Signed by Speaker, 1177.  
To Senate, 1191.

## Senate Bill No. 2

Senate Bill No. 2. 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.

Received from Senate, 591.  
First reading, reference, 676.  
Reported back, 871.  
Amended, 871, 872, 873, 874, 1210.  
General orders, 918, 919, 920, 921.  
Second reading, 1107, 1210.  
Passed, 1108, 1211.  
Returned to Senate, 1110.  
Conference Committee, 1161, 1165, 1210.  
Signed by Speaker, 1178.  
To Senate, 1220.

## Senate Bill No. 3

Senate Bill No. 3. A Bill for an Act Making an Appropriation for the Purpose of Defraying the Expense of the Maintenance and Operation of the Bank of North Dakota.

Received from Senate, 269.  
First reading, reference, 294.  
Reported back, 866.  
Amended, 866.  
General orders, 866, 921.  
Second reading, 1102.

Passed, 1103.  
Returned to Senate, 1103.  
Other action, 889.  
Signed by Speaker, 1178.  
To Senate, 1223.

**Senate Bill No. 4**

Senate Bill No. 4. A Bill for an Act Making an Appropriation for the Purpose of Operating and Maintaining the State Fire and Tornado Fund.

Received from Senate, 658.  
First reading, reference, 676.  
Reported back, 954.  
Amended, 954.  
General orders, 1028.  
Second reading, 1120.  
Passed, 1121.  
Returned to Senate, 1124.  
Signed by Speaker, 1178.  
To Senate, 1223.

**Senate Bill No. 5**

Senate Bill No. 5. A Bill for an Act Making an Appropriation for the Operation, Maintenance and Miscellaneous Expenses of the Poultry Improvement Board.

Received from Senate, 359.  
First reading, reference, 388.  
Reported back, 803, 865.  
Amended, 803, 865.  
General orders, 865.  
Second reading, 996.  
Passed, 997.  
Returned to Senate, 1039.  
Signed by Speaker, 1179.  
To Senate, 1221.

**Senate Bill No. 6**

Senate Bill No. 6. A Bill for an Act Making an Appropriation for the Operation and Maintenance of the State Hail Insurance Department.

Received from Senate, 658.  
First reading, reference, 676.  
Reported back, 955.  
Amended, 955.  
General orders, 1029.  
Second reading, 1121.  
Passed, 1122.  
Returned to Senate, 1124.  
Conference Committee, 1153, 1169, 1143.  
Signed by Speaker, 1178.  
To Senate, 1220.

**Senate Bill No. 7**

Senate Bill No. 7. A Bill for an Act Making an Appropriation for the Purpose of Operating and Maintaining the State Bonding Fund.

Received from Senate, 658.  
First reading, reference, 676.  
Reported back, 708, 860, 869.



Amended, 860, 869.  
 General orders, 869.  
 Second reading, 1116.  
 Passed, 1117.  
 Returned to Senate, 1120.  
 Conference Committee, 1143.  
 Signed by Speaker, 1178.  
 To Senate, 1223.

#### Senate Bill No. 8

Senate Bill No. 8. A Bill for an Act Making an Appropriation for Relief to Destitute and Necessitous Persons for the Biennium Beginning July 1st, 1943, and Ending June 30th, 1945, Defining the Powers and Duties of the Public Welfare Board in Relation Thereto, and in Providing for Allocation of Funds to Counties for Relief Purposes and for Other Specified Relief Expenditures and Costs of Administration.

Received from Senate, 624.  
 First reading, reference, 676.  
 Reported back, 955.  
 Amended, 955, 1166.  
 General orders, 1029.  
 Second reading, 1122.  
 Passed, 1123, 1168.  
 Returned to Senate, 1124.  
 Conference Committee, 1143, 1166.  
 Signed by Speaker, 1178.  
 To Senate, 1223.

#### Senate Bill No. 9

Senate Bill No. 9. A Bill for an Act Making an Appropriation for the Biennium Beginning July 1st, 1943, and Ending June 30th, 1945, to Be Expended by the Public Welfare Board in Providing Assistance to the Needy Aged and for Necessary Costs of Administration.

Received from Senate, 625.  
 First reading, reference, 676.  
 Reported back, 956.  
 Second reading, 1112.  
 Passed, 1113.  
 Returned to Senate, 1138.  
 Signed by Speaker, 1178.  
 To Senate, 1223.

#### Senate Bill No. 10

Senate Bill No. 10. A Bill for an Act Making an Appropriation for the Biennium Beginning July 1st, 1943, and Ending June 30, 1945, for Disbursement by the Public Welfare Board in Providing Public Assistance to the Dependent Children and to Needy Blind and Providing Child Welfare Services and Services to Crippled Children and for Necessary Costs of Administration.

Received from Senate, 658.  
 First reading, reference, 676.  
 Reported back, 955.  
 Second reading, 1111.  
 Passed, 1112.  
 Returned to Senate, 1138.  
 Signed by Speaker, 1178.  
 To Senate, 1223.

**Senate Bill No. 11**

Senate Bill No. 11. A Bill for an Act Making an Appropriation for the Enforcement and Administration of the Attorney General Licensing Department.

Received from Senate, 176.  
First reading, reference, 194.  
Reported back, 571.  
Second reading, 700.  
Passed, 701.  
Returned to Senate, 718.  
Signed by Speaker, 889.  
To Senate, 924.

**Senate Bill No. 12**

Senate Bill No. 12. A Bill for an Act Making an Appropriation for Administration and Expenses for the Liquor Control Act.

Received from Senate, 658.  
First reading, reference, 683.  
Reported back, 804, 866.  
General orders, 866.  
Second reading, 997.  
Passed, 998.  
Returned to Senate, 1039.  
Signed by Speaker, 1179.  
To Senate, 1221.

**Senate Bill No. 13**

Senate Bill No. 13. A Bill for an Act Making an Appropriation for the Salaries and Expenses of the Certification Division.

Received from Senate, 270.  
First reading, reference, 294.  
Reported back, 571.  
Second reading, 700.  
Passed, 700.  
Returned to Senate, 718.  
Signed by Speaker, 889 errata.  
To Senate, 925.

**Senate Bill No. 14**

Senate Bill No. 14. A Bill for an Act Making an Appropriation to Defray the Expenses for the Bee Keepers Act.

Received from Senate, 162.  
First reading, reference, 182.  
Reported back, 690.  
Second reading, 726.  
Passed, 727.  
Returned to Senate, 789.  
Signed by Speaker, 879.  
To Senate, 925.

**Senate Bill No. 15**

Senate Bill No. 15. A Bill for an Act Making an Appropriation for Operation and Maintenance of the Auto Transportation Division.

Received from Senate, 270.  
First reading, reference, 294.

Reported back, 860.  
Amended, 860, 869.  
General orders, 869.  
Second reading, 1007.  
Passed, 1008.  
Returned to Senate, 1039.  
Signed by Speaker, 1179.  
To Senate, 1185.

**Senate Bill No. 16**

Senate Bill No. 16. A Bill for an Act Making an Appropriation for Salaries and Expenses of the Scale Inspection Division.

Received from Senate, 270.  
First reading, reference, 294.  
Reported back, 860, 869.  
Amended, 860, 861, 869.  
General orders, 869.  
Second reading, 1008.  
Passed, 1009.  
Returned to Senate, 1039.  
Signed by Speaker, 1179.  
To Senate, 1185.

**Senate Bill No. 17**

Senate Bill No. 17. A Bill for an Act Making an Appropriation for Salaries and Expenses of the Livestock Division (Dealers).

Received from Senate, 270.  
First reading, reference, 294.  
Reported back, 861, 869.  
Amended, 861, 869.  
General orders, 869.  
Second reading, 1009.  
Passed, 1009.  
Returned to Senate, 1039.  
Signed by Speaker, 1180.  
To Senate, 1185.

**Senate Bill No. 18**

Senate Bill No. 18. A Bill for an Act Making and Appropriation for Services and Expenses for the Public Utility Division.

Received from Senate, 270.  
First reading, reference, 294.  
Reported back, 844.  
Second reading, 971.  
Passed, 972.  
Returned to Senate, 1036.  
Signed by Speaker, 1177.  
To Senate, 1192.

**Senate Bill No. 19**

Senate Bill No. 19. A Bill for an Act Making an Appropriation for Salaries and Expenses for the State Seed Department.

Received from Senate, 249.  
First reading, reference, 258.  
Reported back, 804, 866.

Amended, 804, 866.  
General orders, 866.  
Second reading, 998.  
Passed, 999.  
Returned to Senate, 1039.  
Signed by Speaker, 1178.  
To Senate, 1221.

**Senate Bill No. 20**

Senate Bill No. 20. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, New Building and Equipment of the School for the Deaf at Devils Lake, North Dakota.

Received from Senate, 96.  
First reading, reference, 109.  
Reported back, 861, 869.  
Amended, 861, 869.  
Second reading, 1010.  
Passed, 1010.  
Returned to Senate, 1039.  
Signed by Speaker, 1178.  
To Senate, 1221.

**Senate Bill No. 21**

Senate Bill No. 21. 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.

Received from Senate, 96.  
First reading, reference, 109.  
Reported back, 844, 869.  
Amended, 844, 869.  
Second reading, 1006.  
Passed, 1007.  
Returned to Senate, 1039.  
Signed by Speaker, 1178.  
To Senate, 1221.

**Senate Bill No. 22**

Senate Bill No. 22. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, New Building and Equipment for the Tuberculosis Sanatorium at San Haven, North Dakota.

Received from Senate, 96.  
First reading, reference, 109.  
Reported back, 861, 870.  
Amended, 861, 862, 870.  
General orders, 870.  
Second reading, 1018.  
Passed, 1019.  
Returned to Senate, 1039.  
Signed by Speaker, 1178.  
To Senate, 1221.

**Senate Bill No. 23**

Senate Bill No. 23. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Re-

pairs, New Building, Equipment and Miscellaneous Items for the Grafton State School at Grafton, North Dakota.

Received from Senate, 105.  
 First reading, reference, 116.  
 Reported back, 844.  
 Second reading, 972.  
 Passed, 973.  
 Returned to Senate, 1036.  
 Signed by Speaker, 1180.  
 To Senate, 1185.

#### Senate Bill No. 24

Senate Bill No. 24. A Bill for an Act Authorizing the Board of Administration to Sell and Convey to the Baptist Old People's Home, a North Dakota Corporation, a Certain Tract in the Southeast Corner of the Capitol Grounds.

Received from Senate, 162.  
 First reading, reference, 182.  
 Reported back, 260.  
 Second reading, 282.  
 Passed, 282.  
 Returned to Senate, 319.  
 Signed by Speaker, 377.  
 To Senate, 377.

#### Senate Bill No. 25

Senate Bill No. 25. A Bill for an Act Making an Appropriation for the Payment of Salaries for Employees of the Grafton State School, and Declaring an Emergency.

Received from Senate, 96.  
 First reading, reference, 97.  
 Reported back, 97.  
 Second reading, 97.  
 Passed, 98.  
 Returned to Senate, 127.  
 Signed by Speaker, 113.  
 To Senate, 117.

#### Senate Bill No. 26

Senate Bill No. 26. A Bill for an Act Making an Appropriation in the Sum of Five Hundred Dollars (\$500.00), to Provide Funds for Payment of Salaries of Operators Employed in the Capitol Telephone Exchange for the Period from January 1, 1943, to June 30, 1943; and Declaring an Emergency.

Received from Senate, 111.  
 First reading, reference, 125.  
 Reported back, 186.  
 Second reading, 223.  
 Passed, 224.  
 Returned to Senate, 232.  
 Signed by Speaker, 276.  
 To Senate, 299.

#### Senate Bill No. 27

Senate Bill No. 27. A Bill for an Act Making an Appropriation in the Sum of Two Thousand Dollars (\$2,000.00) for the Payment of Salaries of "Other Employees" of the State

Hospital for the Insane; and of the Sum of Twenty-five Thousand Dollars (\$25,000.00) for the Purchase of Meats and Foods for the State Hospital for the Insane; for the Period from January 1, 1943 to June 30, 1943; and Declaring an Emergency.

Received from Senate, 104.  
 First reading, reference, 109.  
 Reported back, 186.  
 Second reading, 221.  
 Passed, 222.  
 Returned to Senate, 232.  
 Signed by Speaker, 276.  
 To Senate, 299.

**Senate Bill No. 28**

Senate Bill No. 28. A Bill for an Act Making an Appropriation in the Sum of Three Thousand Dollars (\$3,000.00) to Provide Funds for Increasing the Salaries of Those Employed by the Board of Administration in the Maintenance and Operation of the State Capitol Building, the Liberty Memorial Building, and Capitol Grounds, for the Period from January 1, 1943 to June 30, 1943; and Declaring an Emergency.

Received from Senate, 111.  
 First reading, reference, 125.  
 Reported back, 186.  
 Second reading, 222.  
 Passed, 223.  
 Returned to Senate, 251.  
 Signed by Speaker, 327.  
 To Senate, 342.

**Senate Bill No. 29**

Senate Bill No. 29. 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. Penitentiary.

Received from Senate, 111.  
 First reading, reference, 125.  
 Reported back, 844.  
 Second reading, 973.  
 Passed, 974.  
 Returned to Senate, 1036.  
 Signed by Speaker, 1177.  
 To Senate, 1192.

**Senate Bill No. 30**

Senate Bill No. 30. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, Equipment and Miscellaneous Expenses of the State Penitentiary.

Received from Senate, 111.  
 First reading, reference, 125.  
 Reported back, 844.  
 Second reading, 974.  
 Passed, 975.  
 Returned to Senate, 1036.  
 Signed by Speaker, 1177.  
 To Senate, 1192.

**Senate Bill No. 31**

Senate Bill No. 31. 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.

Received from Senate, 105.  
First reading, reference, 116.  
Reported back, 845.  
Second reading, 975.  
Passed, 976.  
Returned to Senate, 1036.  
Signed by Speaker, 1177.  
To Senate, 1192.

**Senate Bill No. 32**

Senate Bill No. 32. A Bill for an Act Making an Appropriation for the Purpose of Defraying the Expenses of the Maintenance and Operation of the State of North Dakota Doing Business as the North Dakota Mill and Elevator Association.

Received from Senate, 249.  
First reading, reference, 258.  
Reported back, 845.  
Second reading, 982.  
Passed, 983.  
Returned to Senate, 1036.  
Signed by Speaker, 1177.  
To Senate, 1192.

**Senate Bill No. 33**

Senate Bill No. 33. A Bill for an Act Making an Appropriation for the General Maintenance and Operation of the North Dakota Twine and Cordage Plant at the State Penitentiary.

Received from Senate, 111.  
First reading, reference, 126.  
Reported back, 845.  
Second reading, 981.  
Passed, 982.  
Returned to Senate, 1036.  
Signed by Speaker, 1177.  
To Senate, 1192.

**Senate Bill No. 34**

Senate Bill No. 34. A Bill for an Act to Amend and Re-enact Sections 3, 4, 7, 8, 9 and 10 of Chapter 229, of the Session Laws of 1941, Relating to the North Dakota State Farm, and Making an Appropriation Therefor.

Received from Senate, 395.  
First reading, reference, 543.  
Reported back, 691.  
Second reading, 748.  
Passed, 749.  
Returned to Senate, 789.  
Signed by Speaker, 879.  
Other action, 746.  
To Senate, 925.

**Senate Bill No. 35**

Senate Bill No. 35. A Bill for an Act to Repeal Section 10322a51 of Chapter 158 of the Session Laws of 1941.

Received from Senate, 187.  
First reading, reference, 199.  
Reported back, 805.  
Indefinitely postponed, 805.  
Returned to Senate, 830.

**Senate Bill No. 36**

Senate Bill No. 36. A Bill for an Act to Divide the State of North Dakota Into Two (2) Congressional Districts, and Defining the Boundaries of Each of Said Congressional Districts.

Received from Senate, 170.  
First reading, reference, 182.  
Reported back, 398, 399.  
Indefinitely postponed, 400.  
Returned to Senate, 432.

**Senate Bill No. 37**

Senate Bill No. 37. A Bill for an Act Amending and Re-enacting the Workmen's Compensation Act by Amending and Re-enacting Paragraphs 3 and 7 of Section 2 of Chapter 162 of the Session Laws of 1919 and Acts Amendatory Thereof; Subsections A, C, E, F, G, G-e, G-f, G-l, and G-m of Section 3 of Chapter 162 of the Session Laws of 1919 and Acts Amendatory Thereof; Subsection 1 of Section 4 of Chapter 162 of the Session Laws of 1919 and Acts Amendatory Thereof; Paragraphs 5 and 9 of Section 7 of Chapter 162 of the Session Laws of 1919 and Acts Amendatory Thereof; Paragraph 6 of Section 8 of Chapter 162 of the Session Laws of 1919 and Acts Amendatory Thereof; Section 10 of Chapter 162 of the Session Laws of 1919 and Acts Amendatory Thereof; and Section 11 of Chapter 162 of the Session Laws of 1919 and Acts Amendatory Thereof, All Constituting Parts of the Workmen's Compensation Act of the State of North Dakota and Relating to the Definition of the Term "Employee"; the Term "Injury"; Providing for Rehabilitation of Injured Persons; Fixing Awards Which May Be Made; Removing the Limitation of Awards; Fixing the Amount of Interest to Be Computed and Charged in Lump Sum Settlements; Providing for Schedules of Fees for Legal, Medical and Hospital Services; Providing for the Manner in Which a Surplus May Be Created and Maintained; Providing for the Payments of Awards in Case of Aggravation; Providing for the Collection of Premiums in Default and the Settlement of the Same; Providing Coverage for Elected Peace Officers in Cities and Villages; and Providing for Relief to Injured Employees of Non-complying Employer.

Received from Senate, 625.  
First reading, reference, 683.  
Reported back, 884.  
Second reading, 1023.  
Passed, 1024.  
Returned to Senate, 1036.  
Signed by Speaker, 1179.  
To Senate, 1222.



**Senate Bill No. 38**

Senate Bill No. 38. A Bill for an Act Making an Appropriation for the Purchase of Foods, Meats, etc., and for Watermain and Hydrants to Dairy Barn for the State Tuberculosis Sanatorium; and Declaring an Emergency.

Received from Senate, 96.  
 First reading and reference, 110.  
 Reported back, 186.  
 Second reading, 219.  
 Passed, 220.  
 Returned to Senate, 232.  
 Signed by Speaker, 276.  
 To Senate, 299.

**Senate Bill No. 39**

Senate Bill No. 39. A Bill for an Act Making an Appropriation to Make Up the Deficit in the Fund Known as "The Insurance Tax to Fire Departments" for the Purpose of Paying Insurance Tax to the Various Fire Departments of the State in Compliance with the Provisions of Sections 3993 to 3998 Inclusive of the Compiled Laws of 1913, and Declaring an Emergency.

Received from Senate, 176.  
 First reading, reference, 194.  
 Reported back, 691.  
 Second reading, 730.  
 Passed, 731.  
 Returned to Senate, 789.  
 Signed by Speaker, 879.  
 To Senate, 925.

**Senate Bill No. 40**

Senate Bill No. 40. A Bill for an Act to Amend and Re-enact Sub-section 3 of Section 1 of Chapter 114 of the Session Laws of 1933 Relating to the Propagation and Domestication of Game Birds and Animals, and Declaring an Emergency

Received from Senate, 132.  
 First reading, reference, 136.  
 Reported back, 197.  
 Second reading, 218.  
 Passed, 219.  
 Returned to Senate, 251.  
 Signed by Speaker, 327.  
 To Senate, 343.

**Senate Bill No. 41**

Senate Bill No. 41. A Bill for an Act to Amend and Re-enact Section 988 of the Compiled Laws of the State of North Dakota for the Year of 1913, as Amended and Re-enacted by Chapter 201 of the 1923 Session Laws and Chapter 132 of the 1925 Session Laws, Relating to the Disability of Electors in Marking Their Ballots.

Received from Senate, 371.  
 First reading, reference, 413.  
 Reported back, 743.  
 Second reading, 780.  
 Passed, 781.  
 Returned to Senate, 829.  
 Signed by Speaker, 1179.  
 To Senate, 1186.

**Senate Bill No. 42**

Senate Bill No. 42. A Bill for an Act to Pay Workmen's Compensation Premiums on the Salaries of the Justices of the Supreme Court, and Declaring an Emergency.

Received from Senate, 111.  
First reading, reference, 126.  
Reported back, 186.  
Second reading, 220.  
Passed, 221.  
Returned to Senate, 251.  
Signed by Speaker, 327.  
To Senate, 343.

**Senate Bill No. 43**

Senate Bill No. 43. A Bill for an Act to Create a State Control Board for Survey and Control of Mental Deficiency and Designating the Three Appointive Members of the Board of Administration as Such Board, and the Superintendent of the Grafton State School as Secretary Thereof; Providing for Its Organization and Headquarters; Prescribing Its Powers and Duties; Providing for a County Control Board for Mental Deficiency and Designating the Commissioners of Insanity as Such Board, and Prescribing its Powers and Duties; Defining Mental Deficiency; Providing for the Furnishing of Certain Information by Institutions, Boards of Education, Teachers, School Principals and Superintendents, Doctors, Nurses, Hospitals, County Health Officers, County Welfare Boards and State Boards and Commissions; Providing for a List of Mentally Deficient Persons to be Furnished All County Judges, Prohibiting the Issuance of Marriage Licenses to Mentally Deficient Persons and Providing a Penalty for the Violation Thereof; Providing for Certain Exceptions; Providing for the Right of Appeal to the District Courts in Case of Refusal to Issue Marriage License and Prescribing the Time for Such Appeal; Repealing All Statutes in Direct Conflict With the Provisions Hereof; and Making an Appropriation Therefor.

Received from Senate, 427.  
First reading, reference, 543.  
Reported back, 864.  
Indefinitely postponed, 864.  
Returned to Senate, 929.

**Senate Bill No. 45**

Senate Bill No. 45. A Bill for an Act to Permit a Surviving Husband or Wife to Dissent from the Terms of a Will, and to Elect to Inherit Under the Laws of Succession.

Received from Senate, 336.  
First reading, reference, 355.  
Reported back, 888.  
Indefinitely postponed, 888.  
Returned to Senate, 929.

**Senate Bill No. 46**

Senate Bill No. 46. 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.**

Received from Senate, 162.  
 First reading, reference, 182.  
 Reported back, 691.  
 Second reading, 727.  
 Passed, 728.  
 Returned to Senate, 789.  
 Signed by Speaker, 879.  
 To Senate, 925.

**Senate Bill No. 47**

Senate Bill No. 47. A Bill for an Act to Amend and Re-enact Section 3 of Chapter 267 of the Session Laws of 1927, as Amended by Chapter 282 of the Session Laws of 1931 and Chapter 251 of the Session Laws of 1933, Pertaining to the Estate Tax.

Received from Senate, 151.  
 First reading, reference, 161.  
 Reported back, 691.  
 Second reading, 734.  
 Lost, 735.  
 Returned to Senate, 829.

**Senate Bill No. 48**

Senate Bill No. 48. 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, Chapter 98 of the Session Laws of North Dakota for the Year 1937 and Chapter 103 of the Session Laws of North Dakota for the Year 1939; Providing Method of Examination; Method of Collecting State Tax on Beer by the State Tax Commissioner; Providing Penalty for Violation Thereof and Repealing All Acts and Parts of Acts in Conflict Herewith.

Received from Senate, 495.  
 First reading, reference, 544.  
 Reported back, 820.  
 Second reading, 967.  
 Passed, 968.  
 Returned to Senate, 1037.  
 Signed by Speaker, 1177.  
 To Senate, 1192.

**Senate Bill No. 49**

Senate Bill No. 49. A Bill for an Act Assessing and Levying from July 1, 1943, to July 1, 1945, on All Licensed Dealers of Motor Vehicle Fuels, a Special Additional License Tax of One Cent Per Gallon on 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 on the State Highway Fund for specific Purposes; Making All Provisions of Initiated Measure Approved June 30, 1926, and Amendments Thereto and Known as the "Motor Vehicle Fuel Tax Law," Other Than Division of Proceeds Between the State and Counties and Other Than for Costs of Administra-

tion and Collection of Other Than Penalties for Violation Applicable to Said Special License Tax; Providing for Exemption of Motor Vehicle Fuels Sold and Used for Agricultural and Industrial Purposes; and Fixing Fines and Penalties for the Violation of the Provisions of This Act.

Received from Senate, 146.  
 First reading, reference, 149.  
 Reported back, 207.  
 Amended, 245.  
 Second reading, 303.  
 Passed, 304.  
 Returned to Senate, 319.  
 Signed by Speaker, 377.  
 To Senate, 378.

#### Senate Bill No. 50

Senate Bill No. 50. A Bill for an Act to Amend and Re-enact Section 30 of Chapter 162 of the 1927 Session Laws Relating to the Duty of the Driver of Any Vehicle Involved in an Accident to Report Such Accident.

Received from Senate, 121.  
 First reading, reference, 129.  
 Reported back, 375.  
 Second reading, 701.  
 Passed, 702.  
 Returned to Senate, 718.  
 To Senate, 925.

#### Senate Bill No. 51

Senate Bill No. 51. A Bill for an Act Requiring Livestock Sales Rings Created Under the Provisions of Chapter 9 of the Session Laws of 1941, to Furnish, Install and Maintain Scales, Known as "Scales of the Registering Type," Excepting from the Provisions Hereof, Livestock Sales Rings Which Have Already Installed Scales of Sufficient Capacity.

Received from Senate, 270.  
 First reading, reference, 294.  
 Reported back, 810.  
 Indefinitely postponed, 810.  
 Returned to Senate, 877.

#### Senate Bill No. 52

Senate Bill No. 52. A Bill for an Act Amending and Re-enacting Section 396d3 of the 1925 Supplement as Amended and Re-enacted by Chapter 189, Session Laws of 1933 Relating to the Qualifications, Salary and Duties of the State Health Officer.

Received from Senate, 176.  
 First reading, reference, 194.  
 Reported back, 300.  
 General orders, 340, 357.  
 Second reading, 330, 390.  
 Passed, 331, 390.  
 Returned to Senate, 433.  
 Signed by Speaker, 561.  
 Other action, 340.  
 To Senate, 586.

**Senate Bill No. 53**

Senate Bill No. 53. A Bill for an Act to Amend and Re-enact Chapter 118 of the Session Laws of 1933 as Amended by Chapter 158 of the Session Laws of 1941, Relative to Limitations on Hunting and Fishing and the Possession of Game and Fish, and Providing a Penalty.

Received from Senate, 162.  
First reading, reference, 182, 726.  
Reported back, 690, 746.  
Amended, 746.  
General orders, 790.  
Second reading, 913.  
Passed, 913.  
Returned to Senate, 930.  
Signed by Speaker, 1177.  
To Senate, 1189.

**Senate Bill No. 54**

Senate Bill No. 54. A Bill for an Act Requiring and Compelling All Licensed Beer Dealers to Make Available Reports, Records, Books, Vouchers, and Other Pertinent Documents to the State Tax Commissioner; Providing for Examination; Providing Penalties for Delinquencies and for Violations.

Received from Senate, 359.  
First reading, reference, 388.  
Reported back, 691.  
Amended, 1155.  
Second reading, 731, 1155.  
Passed, 732, 1156.  
Returned to Senate, 789.  
Signed by Speaker, 879.  
Other action, 1125.  
To Senate, 925.

**Senate Bill No. 55**

Senate Bill No. 55. A Bill for an Act to Amend and Re-enact Section 57 of Chapter 148 of the Session Laws of 1931, as Amended by Chapter 154 of the Session Laws of 1941 Giving the Governor Certain Powers Relative to Game and Fish, Limiting Such Power and Authorizing the Governor to Declare Foxes Predatory Animals in Certain Areas, and Dispensing with Licenses Relative to Foxes When Declared Predatory.

Received from Senate, 201.  
First reading, reference, 208.  
Reported back, 376, 805, 866.  
Amended, 805, 866.  
General orders, 866.  
Second reading, 999.  
Passed, 1000.  
Returned to Senate, 1039.  
Signed by Speaker, 1179.  
To Senate, 1222.

**Senate Bill No. 56**

Senate Bill No. 56. A Bill for an Act to Appropriate Twenty Thousand (\$20,000.00) Dollars for the Biennium to Provide for the Control of Predatory Animals Such as

Wolves, Coyotes, Bobcats and Other Predatory Animals Which Are Injurious to Livestock, Poultry and Game Animals and Birds; to Authorize Cooperation with the United States in the Control of Such Predatory Animals; and in Addition Thereto Appropriating for the Same Purpose the Net Proceeds of Furs, Skins or Specimens Sold, Making Such Proceeds Available in a Sum Not to Exceed Twenty Thousand (\$20,000.00) Dollars, and to Provide for Funds to Enable the Department of Agriculture and Labor to Carry Out the Provisions of This Act; Repealing All Acts or Parts of Acts in Conflict Herewith and Declaring an Emergency.

Received from Senate, 658.  
 First reading, reference, 683.  
 Reported back, 767, 865.  
 Amended, 767, 865.  
 General orders, 865.  
 Second reading, 994.  
 Passed, 995.  
 Returned to Senate, 1039.  
 Signed by Speaker, 1177.  
 Other action, 1076, 1148.  
 Senate refuses return, 1154.  
 To Senate, 1223.

#### Senate Bill No. 57

Senate Bill No. 57. A Bill for an Act Relating to Narcotic Drugs; Defining Terms Used Therein; Regulating the Possession, Sale, Handling and Use of Narcotic Drugs; Providing for the Granting and Revocation of Licenses, and Fixing the Qualifications of Licensees; Enumerating Who May Purchase, Procedure to Be Followed in Making Purchases and Sales, and Who May Lawfully Possess Narcotic Drugs; Governing Sales by Apothecaries, and the Professional Use Thereof; Providing for the Return of Unused Drugs; Exempting Certain Preparations; Requiring Records to Be Kept by Physicians, Dentists, Veterinarians and Other Persons Authorized to Administer or Professionally Use Narcotic Drugs, Manufacturers, Wholesalers, Apothecaries, and Vendors of Exempted Preparations; Providing for the Form of Record to Be Kept, Fixing the Labeling Requirements; Stating Conditions Under Which Narcotic Drugs May Be Possessed by Individuals, and Exempting Certain Persons and Corporations; Defining What Shall Be a Common Nuisance; Providing for the Forfeiture and Disposition of Narcotic Drugs Not Lawfully Possessed; Requiring Courts to Report Convictions; Making Certain Records Confidential; Defining Fraud or Deceit; Placing Burden of Proof on Defendant to Negative Any Exception, Excuse, Proviso, or Exemption in the Act; Providing by Whom the Act Shall Be Enforced; Fixing Penalties for Violation of the Act; Limiting Prosecutions; Containing a Savings Clause; Providing for the Seizure of Vehicles; Making the Theft of Narcotics a Felony; Interpreting the Act; Repealing Inconsistent Laws; and Naming the Act.

Received from Senate, 591.  
 First reading, reference, 684.  
 Reported back, 864.  
 Indefinitely postponed, 864.  
 Returned to Senate, 929.

**Senate Bill No. 58**

Senate Bill No. 58. A Bill for an Act to Amend and Re-enact Section 5 of Chapter 162, Session Laws of 1939 Defining a Standard Serological Test and Providing Where Such Test Shall Be Made, and Declaring an Emergency.

Received from Senate, 209.  
First reading, reference, 230.  
Reported back, 883.  
Second reading, 1020.  
Passed, 1021.  
Returned to Senate, 1037.  
Signed by Speaker, 1178.  
To Senate, 1223.

**Senate Bill No. 59**

Senate Bill No. 59. A Bill for an Act to Amend and Re-enact Section 1 of Chapter 204 of the Session Laws of North Dakota for 1933, Relating to Signatures on Chattel Mortgages and Bills of Sale of Household Goods, and Repealing All Acts in Conflict Herewith.

Received from Senate, 176.  
First reading, reference, 194, 376.  
Reported back, 362, 887.  
Amended, 887.  
General orders, 917.  
Second reading, 1099.  
Passed, 1100.  
Indefinitely postponed, 362.  
Returned to Senate, 1100.  
Signed by Speaker, 1178.  
Other action, 376.  
To Senate, 1223.

**Senate Bill No. 60**

Senate Bill No. 60. A Bill for an Act to Amend and Re-enact Paragraph (a) of Section 3 of Chapter 221 of the Session Laws of North Dakota for 1935 Relative to Per Diem and Expenses of the Members of the State Board of Public Welfare and Repealing All Acts in Conflict Herewith.

Received from Senate, 455.  
First reading, reference, 545.  
Reported back, 819.  
Second reading, 906.  
Passed, 907.  
Returned to Senate, 928.  
Signed by Speaker, 1177.  
To Senate, 1189.

**Senate Bill No. 61**

Senate Bill No. 61. A Bill for an Act to Amend and Re-enact Section 8 of Chapter 241, Laws of 1937, Pertaining to Field Auditors.

Received from Senate, 259.  
First reading, reference, 269.  
Reported back, 689.  
Second reading, 722.  
Passed, 723.

Returned to Senate, 828.  
Signed by Speaker, 1179.  
To Senate, 1186.

**Senate Bill No. 62**

Senate Bill No. 62. A Bill for an Act to Encourage Rural Electrification; Classifying the Personal Property of Rural Electric Companies, and Imposing a Gross Receipts Tax on Such Cooperatives in Lieu of All Other Taxes on Such Personal Property; Providing for Reports of Gross Receipts; Prescribing the Duties of Tax Commissioner With Reference to Levying of the Tax and the Duties of the County Auditor and the County Treasurer With Reference to Allocation, Collection and Distribution of Such Tax; and Repealing Chapter 282, Laws of 1941 and All Acts and Parts of Acts in Conflict Herewith.

Received from Senate, 201.  
First reading, reference, 208.  
Reported back, 691.  
Second reading, 733.  
Passed, 734.  
Returned to Senate, 789.  
Signed by Speaker, 879.  
To Senate, 925.

**Senate Bill No. 65**

Senate Bill No. 65. A Bill for an Act Making an Appropriation to Defray Expenses of the Delegates to National Political Conventions as Prescribed by Section 916 of the Compiled Laws of 1913.

Received from Senate, 230.  
First reading, reference, 248.  
Reported back, 768.  
Second reading, 852.  
Passed, 853.  
Returned to Senate, 875.  
Signed by Speaker, 1179.  
To Senate, 1186.

**Senate Bill No. 67**

Senate Bill No. 67. A Bill for an Act to Prohibit Cutting, Removing or Destroying Any Native Growing Fruit Bearing Shrubs, or Trees, Providing a Penalty and Creating an Emergency.

Received from Senate, 270.  
First reading, reference, 295.  
Reported back, 377, 716.  
Amended, 377, 716, 783.  
General orders, 424, 755.  
Second reading, 784.  
Passed, 784.  
Returned to Senate, 874.  
Signed by Speaker, 1177.  
To Senate, 1189.

**Senate Bill No. 68**

Senate Bill No. 68. A Bill for an Act to Amend and Re-enact Sections 1, 2, 5, 6, 8 and 10 of That Certain Initiated



Law Adopted by the Voters of the State of North Dakota, at the Primary Election Held June 29, 1932, Entitled as Following: "An Act Reducing and Fixing the Salaries of the Following County Officials Hereafter Elected: Auditor, Treasurer, Sheriff, Superintendent of Schools, Register of Deeds, County Judge, State's Attorney, and Clerk of District Court, and Providing for the Appointment of Certain Deputies, Clerks and Assistants to Such Officials and Fixing Their Salaries, and for Payment of All Fees to the County, and Fixing the Per Diem and Mileage of County Commissioners and Repealing Section 3551a2, 1925 Supplement to the Compiled Laws of 1913, Chapters 114 and 115 of the Laws of 1927, Chapter 108 of the Laws of 1929, Chapter 117 of the Laws of 1931, and All Acts and Parts of Acts so Far as in Conflict Herewith," and Repealing Sections 3, 4 and 9 of Said Initiated Law and All Acts and Parts of Acts in Conflict Herewith, and Declaring an Emergency.

Received from Senate, 656.

First reading, reference, 684.

Reported back, 811, 867.

Amended, 811, 867, 1207.

General orders, 867.

Second reading, 1000, 1207.

Passed, 1001, 1208.

Returned to Senate, 1040.

Conference Committees, 1086, 1109, 1110, 1170, 1207.

Signed by Speaker, 1178.

To Senate, 1224.

#### Senate Bill No. 69

Senate Bill No. 69. A Bill for an Act to Provide for the Transfer of a Part of the Unappropriated Surplus Now in the "Auto Transportation Fund" to the Credit of the "General Fund" in the State Treasury and Declaring an Emergency.

Received from Senate, 270.

First reading, reference, 295.

Reported back, 691.

Second reading, 729.

Passed, 730.

Returned to Senate, 789.

Signed by Speaker, 879.

To Senate, 925.

#### Senate Bill No. 70

Senate Bill No. 70. A Bill for an Act Fixing the Maximum Salary Payable to the Commissioner of University and School Lands and Creating an Emergency.

Received from Senate, 249.

First reading, reference, 258.

Reported back, 394, 862, 870.

Amended, 862, 870.

General orders, 870.

Second reading, 1016.

Passed, 1017.

Returned to Senate, 1040.

Signed by Speaker, 1180.

To Senate, 1185.

**Senate Bill No. 74**

Senate Bill No. 74. A Bill for an Act to Amend and Re-enact Sections 12, 13, 14 and 15 of Chapter 255 of the Session Laws of 1941 Relating to State Equalization Fund Permitting an Appropriation for the Education and Rehabilitation of Returned Soldiers.

Received from Senate, 231.  
First reading, reference, 248.  
Reported back, 884.  
Indefinitely postponed, 1025.  
Returned to Senate, 1042.

**Senate Bill No. 75**

Senate Bill No. 75. A Bill for an Act Amending and Re-enacting Section 3 of Chapter 163 of the Session Laws of 1939, Relating to Safety Rules.

Received from Senate, 270.  
First reading, reference, 295.  
Reported back, 461.  
Second reading, 702.  
Passed, 703.  
Returned to Senate, 828.  
Signed by Speaker, 1179.  
To Senate, 1186.

**Senate Bill No. 76**

Senate Bill No. 76. A Bill for an Act Amending and Re-enacting Section 5 of Chapter 168 of the Session Laws of the State of North Dakota for the Year 1919 and Acts Amendatory Thereof, Relating to Inspection of Mines.

Received from Senate, 270.  
First reading, reference, 295.  
Reported back, 461.  
Second reading, 703.  
Passed, 704.  
Returned to Senate, 828.  
Signed by Speaker, 1179.  
To Senate, 1186.

**Senate Bill No. 77**

Senate Bill No. 77. A Bill for an Act Relating to the Public Health and the Control of Preventable Diseases; and to Authorize and Permit the Formation of District Health Units in the Several Counties of the State of North Dakota, Either Separately or in Conjunction and Cooperation With One or More Contiguous Counties, in Lieu of Local Health Units; to Establish and Maintain a District Board of Health to Operate in Cooperation With and Under the Direction of the State Department of Health; Providing for the Appointment of a District Board of Health, a Full Time District Health Officer and the Necessary Personnel of the District Health Unit; and, Providing for Their Compensation; and Authorizing a Levy for the Maintenance of the District Board of Health.

Received from Senate, 656.  
First reading, reference, 685.  
Reported back, 803.

Amended, 803.  
Second reading, 958.  
Passed, 959.  
Returned to Senate, 1037.  
Signed by Speaker, 1179.  
To Senate, 1222.

**Senate Bill No. 78**

Senate Bill No. 78. A Bill for an Act Providing for Reimbursement for Living Expenses of the Members of the State Legislature While in Attendance at the Session, Making an Appropriation Therefor; and Declaring an Emergency.

Received from Senate, 496.  
First reading, reference, 544.  
Reported back, 697.  
Second reading, 720.  
Passed, 721.  
Returned to Senate, 828.  
Signed by Speaker, 1179.  
To Senate, 1186.

**Senate Bill No. 79**

Senate Bill No. 79. A Bill for an Act Transferring the Sum of Eighty-Five Thousand Dollars (\$85,000.00) from the Attorney General Licensing Fund to the General Fund of the State.

Received from Senate, 231.  
First reading, reference, 248.  
Reported back, 571.  
Second reading, 699.  
Passed, 699.  
Returned to Senate, 718.  
Signed by Speaker, 889.  
To Senate, 925.

**Senate Bill No. 80**

Senate Bill No. 80. A Bill for an Act to Amend and Re-enact Section 3173 of the Compiled Laws of North Dakota for 1913, Relating to Newspapers Qualified to Do Legal Printing, Prescribing Methods Whereby Newspapers Suspending Publication During the War May Become Eligible to Publish Legal Publications.

Received from Senate, 592.  
First reading, reference, 685.  
Reported back, 740.  
Second reading, 753.  
Passed, 754.  
Returned to Senate, 789.  
Signed by Speaker, 879.  
To Senate, 925.

**Senate Bill No. 81**

Senate Bill No. 81. A Bill for an Act to Amend and Re-enact Section 10521 of the Compiled Laws of North Dakota for the Year 1913.

Received from Senate, 395.  
First reading, reference, 543.

Reported back, 690.  
Indefinitely postponed, 690.  
Returned to Senate, 718.

**Senate Bill No. 83**

Senate Bill No. 83. A Bill for an Act to Amend and Re-enact Section 9689 of the 1913 Compiled Laws, Pertaining to Minors Visiting Certain Public Places, and Prescribing Penalties for Violation Thereof.

Received from Senate, 231.  
First reading, reference, 248.  
Reported back, 863.  
Amended, 863.  
General orders, 915.  
Second reading, 1085.  
Lost, 1085.  
Returned to Senate, 1086.

**Senate Bill No. 84**

Senate Bill No. 84. A Bill for an Act to Amend and Re-enact Section 3276 of the Compiled Laws of North Dakota for 1913 Relating to Supervision of Fiscal Affairs by the County Commissioners, and Repealing All Acts or Parts of Acts in Conflict Herewith.

Received from Senate, 371.  
First reading, reference, 413.  
Reported back, 743.  
Second reading, 756.  
Passed, 757.  
Returned to Senate, 830.  
Signed by Speaker, 1179.  
To Senate, 1187.

**Senate Bill No. 85**

Senate Bill No. 85. A Bill for an Act Requiring the Numbering of Forms by the Printer, Prescribing a Penalty for the Violation of the Act, and Repealing All Acts or Parts of Acts in Conflict Herewith.

Received from Senate, 372.  
First reading, reference, 413.  
Reported back, 744.  
Second reading, 757.  
Passed, 758.  
Returned to Senate, 789.  
Signed by Speaker, 878.  
To Senate, 926.

**Senate Bill No. 86**

Senate Bill No. 86. A Bill for an Act Requiring Verification of Cash and Bank Balances in Hands of County Treasurer, and Repealing All Acts or Parts of Acts in Conflict Herewith.

Received from Senate, 372.  
First reading, reference, 413.  
Reported back, 744.  
Second reading, 758.  
Passed, 759.

Returned to Senate, 789.  
Signed by Speaker, 879.  
To Senate, 926.

**Senate Bill No. 87**

Senate Bill No. 87. A Bill for an Act to Amend and Re-enact Section 2079b9 of the 1925 Supplement to the Compiled Laws of North Dakota for 1913, Relating to Records of Local Bond Issues, and Repealing All Acts or Parts of Acts in Conflict Herewith.

Received from Senate, 372.  
First reading, reference, 413.  
Reported back, 744.  
Second reading, 759.  
Passed, 760.  
Returned to Senate, 788.  
Signed by Speaker, 879.  
To Senate, 926.

**Senate Bill No. 88**

Senate Bill No. 88. A Bill for an Act to Amend and Re-enact Subsection (e) of Section 1 of Chapter 279 of the Session Laws of North Dakota for 1931, the Same Being an Amendment of Section 2166 of the Compiled Laws of North Dakota for 1913 as Amended and Re-enacted by Section 3 of Chapter 241 of the Session Laws of North Dakota for 1929, as Further Amended by Chapter 279 of the Session Laws of North Dakota for 1941, Relating to the Collection of Personal Property Taxes by the County Sheriff, and Repealing All Acts or Parts of Acts in Conflict Herewith.

Received from Senate, 372.  
First reading, reference, 414.  
Reported back, 744.  
Second reading, 760.  
Passed, 761.  
Returned to Senate, 788.  
Signed by Speaker, 879.  
To Senate, 926.

**Senate Bill No. 89**

Senate Bill No. 89. A Bill for an Act to Amend and Re-enact Section 2159 of the Compiled Laws of North Dakota for 1913, Relating to the Records of the County Treasurer, and Repealing All Acts or Parts of Acts in Conflict Herewith.

Received from Senate, 372.  
First reading, reference, 414.  
Reported back, 744.  
Second reading, 761.  
Passed, 762.  
Returned to Senate, 788.  
Signed by Speaker, 878.  
To Senate, 926.

**Senate Bill No. 90**

Senate Bill No. 90. A Bill for an Act to Amend and Re-enact Sections 3369 and 3370 of the Compiled Laws of North Dakota for 1913, Relating to County Warrant Procedures,

and Repealing Section 3289 of the Compiled Laws of North Dakota for 1913 and All Acts or Parts of Acts in Conflict Herewith.

Received from Senate, 372.  
First reading, reference, 414.  
Reported back, 744.  
Second reading, 762.  
Passed, 763.  
Returned to Senate, 788.  
Signed by Speaker, 878.  
To Senate, 926.

#### Senate Bill No. 91

Senate Bill No. 91. A Bill for an Act to Establish the Responsibility of the County Treasurer, and Requiring Him to Make an Annual Settlement of His Tax List and to Make an Annual Report, and Repealing Sections 3342 and 3343 of the Compiled Laws of 1913.

Received from Senate, 372.  
First reading, reference, 414.  
Reported back, 768.  
Second reading, 911.  
Passed, 912.  
Returned to Senate, 927.  
Signed by Speaker, 1177.  
To Senate, 1189.

#### Senate Bill No. 92

Senate Bill No. 92. A Bill for an Act to Amend and Re-enact Section 3267 of the Compiled Laws of North Dakota for 1913, Relating to the Duties of the Chairman of the Board of County Commissioners and Repealing All Acts or Parts of Acts in Conflict Herewith.

Received from Senate, 372.  
First reading, reference, 414.  
Reported back, 767.  
Second reading, 847.  
Passed, 848.  
Returned to Senate, 928.  
Signed by Speaker, 1177.  
To Senate, 1190.

#### Senate Bill No. 93

Senate Bill No. 93. A Bill for an Act to Amend and Re-enact Section 3349 of the Compiled Laws of North Dakota for 1913, Relating to the Treasurer's Record of Warrants Paid, and Repealing All Acts in Conflict Herewith.

Received from Senate, 372.  
First reading, reference, 414.  
Reported back, 767.  
Second reading, 848.  
Passed, 849.  
Returned to Senate, 928.  
Signed by Speaker, 1177.  
To Senate, 1190.

**Senate Bill No. 94**

Senate Bill No. 94. A Bill for an Act to Amend and Re-enact Section 3367 of the Compiled Laws of North Dakota for 1913 and Repealing Section 2161 of the Compiled Laws of North Dakota for 1913, Both Sections Relating to the Duties of the County Auditor.

Received from Senate, 372.  
First reading, reference, 414.  
Reported back, 767.  
Second reading 849.  
Passed, 850.  
Returned to Senate, 928.  
Signed by Speaker, 1177.  
To Senate, 1190.

**Senate Bill No. 95**

Senate Bill No. 95. A Bill for an Act Making an Appropriation for the Payment of Premiums at the State Penitentiary, the State Work Farm and the State Capitol.

Received from Senate, 658.  
First reading, reference, 682.  
Reported back, 956.  
Second reading, 1116.  
Passed, 1116.  
Returned to Senate, 1120.  
Signed by Speaker, 1178.  
To Senate, 1224.

**Senate Bill No. 96**

Senate Bill No. 96. A Bill for an Act to Amend and Re-enact Sub-section (b) of Section 5 of Chapter 235 of the Session Laws of North Dakota for the Year 1929, as Amended and Re-enacted by Chapter 297 of the Session Laws of North Dakota for the Year 1931, and as Amended and Re-enacted by Chapter 208 of the Session Laws of North Dakota for the Year 1935, and as Amended and Re-enacted by Chapter 175 of the Session Laws of North Dakota for the Year 1937, as Amended and Re-enacted by Chapter 210 of the Session Laws of North Dakota for the Year 1941, Relating to Tax Limitations of Cities.

Received from Senate, 270.  
First reading, reference, 296.  
Reported back, 709.  
Amended, 709, 782.  
General orders, 755.  
Second reading, 782.  
Passed, 783.  
Returned to Senate, 874.  
Signed by Speaker, 1179.  
To Senate, 1187.

**Senate Bill No. 97**

Senate Bill No. 97. A Bill for an Act to Amend and Re-enact Section 1 of Chapter 132 of the Session Laws of 1933, Relating to the Investment of Funds of Domestic Insurance Companies, and Declaring an Emergency.

Received from Senate, 336.  
First reading, reference, 355.

Reported back, 764.  
Second reading, 799.  
Passed, 800.  
Returned to Senate, 830.  
Signed by Speaker, 1179.  
To Senate, 1187.

**Senate Bill No. 99**

Senate Bill No. 99. A Bill for an Act to Amend and Re-enact Section 4881a7 of the 1925 Supplement to the Compiled Laws of North Dakota, Relating to Incorporated Mutual Insurance Companies, and Declaring an Emergency.

Received from Senate, 358.  
First reading, reference, 388.  
Reported back, 764.  
Second reading, 801.  
Passed, 802.  
Returned to Senate, 830.  
Signed by Speaker, 1179.  
To Senate, 1187.

**Senate Bill No. 100**

Senate Bill No. 100. A Bill for an Act to Amend and Re-enact Section 5061 of the Compiled Laws of North Dakota for the Year 1913, Relating to the Government of Fraternal Benefit Societies, and Declaring an Emergency.

Received from Senate, 359.  
First reading, reference, 388.  
Reported back, 764.  
Second reading, 802.  
Passed, 803.  
Returned to Senate, 830.  
Signed by Speaker, 1179.  
To Senate, 1187.

**Senate Bill No. 101**

Senate Bill No. 101. A Bill for an Act to Amend and Re-enact Section 4863 of the 1925 Supplement to the Compiled Laws of North Dakota for the Year 1913, as Amended by Chapter 145 of the Session Laws of 1929, and Further Amended by Chapter 131 of the Session Laws of 1933, Relating to Capital Stock of Domestic and Other Insurance Companies, and Declaring an Emergency.

Received from Senate, 359.  
First reading, reference, 388.  
Reported back, 764.  
Second reading, 812.  
Passed, 813.  
Returned to Senate, 875.  
Signed by Speaker, 1179.  
To Senate, 1187.

**Senate Bill No. 102**

Senate Bill No. 102. A Bill for an Act to Amend and Re-enact Section 172 of the Compiled Laws of North Dakota for



the Year 1913, Relating to the Duties of the Commissioner of Insurance, and Declaring an Emergency.

Received from Senate, 359.  
 First reading, reference, 388.  
 Reported back, 764, 865.  
 Amended, 764, 865.  
 General orders, 865.  
 Second reading, 991.  
 Passed, 992.  
 Returned to Senate, 1040.  
 Signed by Speaker, 1179.  
 To Senate, 1222.

**Senate Bill No. 103**

Senate Bill No. 103. A Bill for an Act to Amend and Re-enact Section 4870 of the Compiled Laws of North Dakota for the Year 1913, Relating to the Organization of Domestic Mutual Life Insurance Companies, and Declaring an Emergency.

Received from Senate, 359.  
 First reading, reference, 388.  
 Reported back, 765.  
 Second reading, 813.  
 Passed, 814.  
 Returned to Senate, 875.  
 Signed by Speaker, 1178.  
 To Senate, 1191.

**Senate Bill No. 104**

Senate Bill No. 104. A Bill for an Act to Authorize the State Highway Commissioner to Cooperate with the Public Roads Administration of the United States in the Construction and Maintenance of Flight Strips and of Certain Classes of Highways and to Acquire, by Purchase or Condemnation, Lands Required for Such Flight Strips and Highways.

Received from Senate, 428.  
 First reading, reference, 544.  
 Reported back, 812.  
 Second reading, 959.  
 Passed, 960.  
 Returned to Senate, 1037.  
 Signed by Speaker, 1180.  
 To Senate, 1185.

**Senate Bill No. 105**

Senate Bill No. 105. A Bill for an Act to Provide Revenue for the Enforcement of the Paint and Varnish Laws of This State; to Prevent Fraud and Deception in the Sale of Paints and Varnishes; to Prevent Adulteration and Misbranding Thereof; to Provide Licensing, Payment and Disposition of License Fees; and Provide Penalties for Violations Thereof.

Received from Senate, 657.  
 First reading, reference, 682.  
 Reported back, 768.  
 Indefinitely postponed, 768.  
 Returned to Senate, 830.

**Senate Bill No. 106**

Senate Bill No. 106. A Bill for an Act to Provide Revenue for the Enforcement of the North Dakota Cosmetic Act; to Prevent Adulteration and Misbranding of Cosmetics; to Provide for Registration and Licensing Thereof; and to Provide Penalties for Violation Thereof.

Received from Senate, 372.  
First reading, reference, 414.  
Reported back, 668.  
Indefinitely postponed, 668.  
Returned to Senate, 718.  
Other action, 688.

**Senate Bill No. 107**

Senate Bill No. 107. A Bill for an Act to Amend and Re-enact Section 2346a16 of the 1925 Supplement to the Compiled Laws of 1913, as Amended by Chapter 253 of the Session Laws of 1933, and as Further Amended by Chapter 278 of the Session Laws of 1941; Providing for Allocation and Apportionment of Income of Individuals Doing Business Within and Without the State, and Declaring an Emergency.

Received from Senate, 259.  
First reading, reference, 269.  
Reported back, 885.  
Amended, 885, 1183.  
General orders, 916.  
Second reading, 1094, 1183.  
Passed, 1095, 1184.  
Returned to Senate, 1095.  
Conference Committee, 1183.  
Signed by Speaker, 1178.  
To Senate, 1224.

**Senate Bill No. 108**

Senate Bill No. 108. A Bill for an Act to Provide for Acting Officials in Absences Caused by Induction Into the Military Service of Incumbent Officers, and Declaring an Emergency.

Received from Senate, 270.  
First reading, reference, 295.  
Reported back, 819.  
Second reading, 960.  
Passed, 961.  
Returned to Senate, 1037.  
Signed by Speaker, 1180.  
To Senate, 1185.

**Senate Bill No. 109**

Senate Bill No. 109. A Bill for an Act to Amend and Re-enact Section 3271 of the Compiled Laws of North Dakota for 1913, Relating to the Record of Proceedings of the Board of County Commissioners, and Repealing All Acts in Conflict Therewith.

Received from Senate, 373.  
First reading, reference, 415.  
Reported back, 766.  
Second reading, 846.

Passed, 847.  
Returned to Senate, 928.  
Signed by Speaker, 1177.  
To Senate, 1190.

**Senate Bill No. 110**

Senate Bill No. 110. A Bill for an Act to Amend and Re-enact Section 2157 of the Compiled Laws of North Dakota of the Year 1913 as Amended by Chapter 228 of the Session Laws of 1929 Relating to the Issuance of Tax Receipts and the Form Thereof.

Received from Senate, 373.  
First reading, reference, 415.  
Reported back, 775, 865.  
Amended, 775, 865.  
General orders, 865.  
Second reading, 995.  
Passed, 996.  
Returned to Senate, 1040.  
Signed by Speaker, 1180.  
To Senate, 1185.

**Senate Bill No. 111**

Senate Bill No. 111. A Bill for an Act to Amend and Re-enact Section 2180 of the Compiled Laws of North Dakota for 1913, Relating to the Duties of the County Treasurer, and Repealing All Acts or Parts of Acts in Conflict Therewith.

Received from Senate, 373.  
First reading, reference, 415.  
Reported back, 768.  
Second reading, 912.  
Passed, 912.  
Returned to Senate, 927.  
Signed by Speaker, 1177.  
To Senate, 1190.

**Senate Bill No. 112**

Senate Bill No. 112. A Bill for an Act to Amend and Re-enact Section 2160 of the Compiled Laws of North Dakota of the Year 1913 Relating to Issuance of Receipts.

Received from Senate, 373.  
First reading, reference, 415.  
Reported back, 766, 865.  
Amended, 766, 865.  
General orders, 865.  
Second reading, 993.  
Passed, 994.  
Returned to Senate, 1040.  
Signed by Speaker, 1180.  
To Senate, 1185.

**Senate Bill No. 113**

Senate Bill No. 113. A Bill for an Act to Amend and Re-enact Section 2174 (a) and (b) of the Compiled Laws of North Dakota for 1913 as Amended by Chapter 242 of the Session Laws of 1929, Relating to Delinquent Personal Taxes

and Repealing Section 2174 (c) of the Compiled Laws of North Dakota for 1913 and All Acts or Parts of Acts in Conflict Therewith.

Received from Senate, 373.  
 First reading, reference, 415.  
 Reported back, 810.  
 Second reading, 950.  
 Passed, 951.  
 Returned to Senate, 1037.  
 Signed by Speaker, 1177.  
 To Senate, 1192.

**Senate Bill No. 114**

Senate Bill No. 114. A Bill for an Act to Amend and Re-enact Section 17 of Chapter 71 of the Session Laws of North Dakota for the Year 1933, Requiring the State Examiner to Prescribe a System of Uniform Accounting for County Officers, Making an Appropriation Therefore and Repealing All Acts and Parts of Acts in Conflict Herewith.

Received from Senate, 428.  
 First reading, reference, 543.  
 Reported back, 810.  
 Second reading, 949.  
 Passed, 950.  
 Returned to Senate, 1037.  
 Signed by Speaker, 1177.  
 To Senate, 1192.

**Senate Bill No. 116**

Senate Bill No. 116. A Bill for an Act to Amend and Re-enact Section 1178 of the Compiled Laws of 1913 Providing for the Employment and Dismissal of School Teachers, Their Qualifications, and Their Minimum Salaries.

Received from Senate, 359.  
 First reading, reference, 389.  
 Reported back, 396.  
 Second reading, 705.  
 Passed, 705.  
 Returned to Senate, 718.  
 Signed by Speaker, 889.  
 To Senate, 926.

**Senate Bill No. 117**

Senate Bill No. 117. A Bill for an Act Amending and Re-enacting Subdivisions (a), (b) and (c) of Section 4 of Chapter 235 of the Session Laws of North Dakota for 1929, as Amended and Re-enacted by Section 1 of Chapter 288 of the Session Laws of North Dakota for 1941, Relating to Limitations Upon the Rate of Tax Levies for General and Special County Purposes, and Providing for Exceptions to Such Limitations.

Received from Senate, 373.  
 First reading, reference, 415, 491.  
 General orders, 1029.  
 Indefinitely postponed, 1029.

**Senate Bill No. 118**

Senate Bill No. 118. A Bill for an Act to Provide for the Method and Time for Renewing Contracts of Teachers, Prin-

cipals, and Superintendents in the Public Schools of the State of North Dakota, and Providing for a Penalty for Violation of Teacher's Contract.

Received from Senate, 359.  
First reading, reference, 389.  
Reported back, 744.  
Amended, 744.  
General orders, 790.  
Laid on table, 913.  
Returned to Senate, 930.

#### Senate Bill No. 119

Senate Bill No. 119. A Bill for an Act to Amend and Re-enact Section 7 of Chapter 235 of the Session Laws of 1929 Fixing the Limits for the Levy of Taxes by School Districts.

Received from Senate, 657.  
First reading, reference, 682.  
Reported back, 884.  
Amended, 884, 885, 1147.  
Second reading, 1093, 1147.  
Passed, 1094, 1148.  
Returned to Senate, 1094.  
Conference Committee, 1102, 1146, 1147.  
Signed by Speaker, 1178.  
To Senate, 1224.

#### Senate Bill No. 120

Senate Bill No. 120. A Bill for an Act Making an Appropriation for the General Maintenance, Administration, Salaries and Other Expenses for the State Hospital for the Insane at Jamestown, North Dakota, and Prescribing a Limitation as to the Availability of the Same.

Received from Senate, 259.  
First reading, reference, 269.  
Reported back, 708.  
Second reading, 750.  
Passed, 751.  
Returned to Senate, 830.  
Signed by Speaker, 1179.  
To Senate, 1187.

#### Senate Bill No. 121

Senate Bill No. 121. A Bill for an Act Making an Appropriation to the State Water Conservation Commission for the Preparation of Water Conservation and Irrigation Projects for Post-war Construction and Development; and Declaring an Emergency.

Received from Senate, 658.  
First reading, reference, 682.  
Reported back, 884.  
Second reading, 1022.  
Passed, 1023.  
Returned to Senate, 1038.  
Signed by Speaker, 1180.  
To Senate, 1185.

**Senate Bill No. 122**

Senate Bill No. 122. A Bill for an Act to Amend and Re-enact Sections 189c1 to 189c14 Inclusive of the 1925 Supplement to the Compiled Laws of 1925, as Amended by Chapter 153, Laws of 1935 and Chapter 149, Laws of 1937, Being Chapter 26 of the Title, Insurance in North Dakota, Revised Code for 1943, and to Provide for the Risks to Be Covered, the Method of Valuing the Same, the Types of Coverage, and the Conduct of the Business of the State Fire and Tornado Fund, and to Provide the Method of Paying Losses and Expense of Operation, to Prohibit the Insurance Commissioner from Writing, Soliciting or Brokering Any Insurance Coverages Other Than Those Specifically Authorized by Law, and Providing for the Cancellation of Re-insurance, and Repealing All Acts or Parts of Acts in Conflict Herewith.

Received from Senate, 673.  
First reading, reference, 687.  
Reported back, 1010.  
Amended, 1065, 1066, 1067, 1103, 1104.  
Second reading, 1068, 1104.  
Passed, 1069, 1105.  
Returned to Senate, 1078, 1107.  
Conference Committee, 1086, 1103.  
Signed by Speaker, 1179.  
Other action, 1011, 1032, 1044, 1048, 1065.  
To Senate, 1221.

**Senate Bill No. 123**

Senate Bill No. 123. A Bill for an Act to Authorize the State Highway Commissioner to Cancel Certain Contracts for the Construction, Reconstruction, or Repair of Highways or Bridges Which Cannot Be Performed Because of War Conditions, and to Make Full Settlement with Such Contractors, and Declaring an Emergency.

Received from Senate, 395.  
First reading, reference, 543.  
Reported back, 688.  
Amended, 688.  
General orders, 732.  
Second reading, 752.  
Passed, 753.  
Returned to Senate, 787.  
Signed by Speaker, 1179.  
To Senate, 1187.

**Senate Bill No. 124**

Senate Bill No. 124. A Bill for an Act to Amend and Re-enact Sections 3790 and 3802 of the Compiled Laws of North Dakota for the Year 1913, Relating to Salaries of Members of the Board of City Commissioners.

Received from Senate, 555.  
First reading, reference, 677.  
Reported back, 810.  
Second reading, 951.  
Passed, 952.  
Returned to Senate, 1038.  
Signed by Speaker, 1177.  
To Senate, 1192.

**Senate Bill No. 125**

Senate Bill No. 125. A Bill for an Act to Amend and Re-enact Section 15, Chapter 187, Session Laws of 1941, Providing for the Issuance of Temporary Permits, and Declaring an Emergency.

Received from Senate, 314.  
First reading, reference, 333, 724.  
Reported back, 690.  
Second reading, 723, 735.  
Passed, 736.  
Returned to Senate, 828.  
Signed by Speaker, 1179.  
Other action, 732.  
To Senate, 1187.

**Senate Bill No. 127**

Senate Bill No. 127. A Bill for an Act to Require the Commissioner of Insurance to Procure Catastrophe Insurance, and to Regulate the Type and Extent Thereof.

Received from Senate, 674.  
First reading, reference, 687.  
Reported back, 1011.  
Second reading, 1070.  
Passed, 1071.  
Returned to Senate, 1078.  
Signed by Speaker, 1178.  
Other action, 1011.  
To Senate, 1224.

**Senate Bill No. 129**

Senate Bill No. 129. A Bill for an Act to Require All Insurance Company Examinations Conducted by the Commissioner of Insurance to Be Conducted by Qualified Regular Employees, and to Require the Payment of Compensation Received for Such Services Into the State Treasury.

Received from Senate, 657.  
First reading, reference, 687.  
Reported back, 1012.  
Second reading, 1071.  
Passed, 1072.  
Returned to Senate, 1078.  
Signed by Speaker, 1180.  
Other action, 1012.  
To Senate, 1185.

**Senate Bill No. 131**

Senate Bill No. 131. A Bill for an Act to Amend and Re-enact Section 27 of Chapter 148 of the Session Laws of North Dakota for 1931 Relating to County Auditors' Bonds, Reports and Fees and Repealing Chapter 160 of the Session Laws of North Dakota for 1941 and All Acts or Parts of Acts in Conflict Herewith.

Received from Senate, 657.  
First reading, reference, 677.  
Reported back, 746.  
Second reading, 781.  
Passed, 782.

Returned to Senate, 830.  
Signed by Speaker, 1179.  
To Senate, 1187.

**Senate Bill No. 132**

Senate Bill No. 132. A Bill for an Act to Amend and Re-enact Chapter 218 of the Session Laws of 1935 Giving Preference to North Dakota Bidders and Sellers; Defining Such North Dakota Bidders and Sellers, and Prescribing the Nature of Preference to Be Given.

Received from Senate, 555.  
First reading, reference, 678.  
Reported back, 708.  
Second reading, 749.  
Passed, 750.  
Returned to Senate, 788.  
Signed by Speaker, 878.  
To Senate, 926.

**Senate Bill No. 133**

Senate Bill No. 133. A Bill for an Act to Regulate and Control the Barber Shop Business of the State of North Dakota; Conferring Upon the State Board of Barber Examiners Powers and Jurisdiction with Relation Thereto, Defining Such Powers, Jurisdiction and Duties; Authorizing the Said Board to Approve Price Schedules and to Make Orders Fixing Minimum Prices for Barber Services; Providing for Judicial Review of Such Acts of Said Board; Providing Penalties for the Violation of This Act.

Received from Senate, 555.  
First reading, reference, 678.  
Reported back, 766.  
Second reading, 856.  
Passed, 857.  
Returned to Senate, 875.  
Signed by Speaker, 1179.  
To Senate, 1187.

**Senate Bill No. 134**

Senate Bill No. 134. A Bill for an Act to Amend and Re-enact Section 7, the Fourth Paragraph of Section 11, and Section 15 of Chapter 101 of the Session Laws of 1927, Chapter 79 of the Session Laws of 1933, the First Paragraph and Sub-section 2 of Section 18 (as Amended by Chapter 98 of the Session Laws of 1931) and the Second Paragraph of Section 21, of Chapter 101 of the Session Laws of 1927, Relating to the Barbers Examining Board of the State of North Dakota and the Regulation of the Business of Barbering.

Received from Senate, 555.  
First reading, reference, 678.  
Reported back, 766.  
Second reading, 1019.  
Passed, 1020.  
Indefinitely postponed, 858.  
Returned to Senate, 1038.  
Signed by Speaker, 1180.  
Other action, 878.  
To Senate, 1186.



**Senate Bill No. 135**

Senate Bill No. 135. A Bill for an Act to Amend and Re-enact Sections 859 and 860 of the Compiled Laws of North Dakota for the Year 1913, as Amended by Chapters 139 and 142 of the Session Laws of 1939—and Providing a Penalty for the Violation Thereof.

Received from Senate, 395.  
 First reading, reference, 543.  
 Reported back, 889.  
 Indefinitely postponed, 889.  
 Returned to Senate, 930.

**Senate Bill No. 136**

Senate Bill No. 136. A Bill for an Act to Limit the Time for Commencement of All Actions and Interposition of All Defenses and Counterclaims Grounded Upon Certain Defects in Proceedings for and Preliminary to Foreclosure of Real Estate Mortgages Where the Foreclosure Sales in Such Proceedings Were Had Prior to January 1st, 1943, and to Validate and Confirm Such Mortgage Foreclosure Sales.

Received from Senate, 359.  
 First reading, reference, 389.  
 Reported back, 765.  
 Second reading, 815.  
 Passed, 816.  
 Returned to Senate, 875.  
 Signed by Speaker, 1179.  
 To Senate, 1188.

**Senate Bill No. 137**

Senate Bill No. 137. A Bill for an Act Providing for Acknowledgements by Persons Serving in or with the Armed Forces of the United States Within or Without the United States, and Validating Acknowledgements Made Since September 16, 1940 in Accordance with the Provisions of This Act and Declaring an Emergency.

Received from Senate, 359.  
 First reading, reference, 389.  
 Reported back, 690.  
 Second reading, 725.  
 Passed, 726.  
 Signed by Speaker, 878.  
 To Senate, 926.

**Senate Bill No. 139**

Senate Bill No. 139. A Bill for an Act to Facilitate the Efficient Transportation of Persons and Property Needed for the Effective Prosecution of the War, to Authorize State Cooperation with the Officers and Agencies of the United States in Respect Thereof, Granting Certain Emergency Powers to the Governor in Relation Thereto, Creating a State Highway Advisory Committee to the War Department, Defining Its Powers and Duties, and Making an Appropriation Therefor, and Declaring an Emergency.

Received from Senate, 657.  
 First reading, reference, 685.  
 Reported back, 884.  
 Amended, 1125.

Second reading, 1025, 1125.  
Passed, 1126.  
Lost, 1026.  
Returned to Senate, 1137.  
Conference Committees, 1153, 1171.  
Signed by Speaker, 1178.  
Other action, 1099.  
To Senate, 1220.

**Senate Bill No. 140**

Senate Bill No. 140. A Bill for an Act to Create a State Post-War Planning Board, Prescribing Its Powers and Duties and Making an Appropriation Therefor.

Received from Senate, 657.  
First reading, reference, 685.  
Reported back, 707.  
Amended, 904.  
Second reading, 904.  
Passed, 905.  
Returned to Senate, 930.  
Signed by Speaker, 1178.  
To Senate, 1224.

**Senate Bill No. 142**

Senate Bill No. 142. A Bill for an Act Authorizing the State of North Dakota to Exchange Tracts of Land Located Within the Diminished Borders of Fort Berthold Reservation for Lands Owned by the United States Government Outside of the Diminished Borders of said Fort Berthold Reservation; Providing for Appraisals, and Execution of Conveyance.

Received from Senate, 495.  
First reading, reference, 545.  
Reported back, 864.  
Second reading, 990.  
Passed, 991.  
Returned to Senate, 1038.  
Signed by Speaker, 1177.  
To Senate, 1192.

**Senate Bill No. 143**

Senate Bill No. 143. A Bill for an Act to Amend and Re-enact Sections 6, 8, and 16 of Chapter 174 of the 1937 Session Laws, Relating to Pensions for Disabled and Retired Policemen; Who Entitled to Pensions; Conditions and Disability How Contracted; and Repealing All Acts or Parts of Acts in Conflict Therewith.

Received from Senate, 658.  
First reading, reference, 685.  
Reported back, 811.  
Indefinitely postponed, 811.  
Returned to Senate, 877.

**Senate Bill No. 144**

Senate Bill No. 144. A Bill for an Act to Amend and Re-enact Section 11 of Chapter 159 of the Session Laws of North Dakota for 1927 as Amended by Chapter 174 of the

Session Laws of North Dakota for 1941, Relating to the Department of State Highways.

Received from Senate, 496.  
 First reading, reference, 547.  
 Reported back, 812.  
 Second reading, 953.  
 Passed, 954.  
 Returned to Senate, 1038.  
 Signed by Speaker, 1180.  
 To Senate, 1186.

**Senate Bill No. 145**

Senate Bill No. 145. A Bill for an Act to Amend and Re-enact Section 200b4 of the 1925 Supplement to the Compiled Laws of North Dakota for 1913, Providing for the Payment of Premiums on Bonds of Public Employees; and Providing for the Transfer of Such Bonds, and Declaring an Emergency.

Received from Senate, 556.  
 First reading, reference, 685.  
 Reported back, 884.  
 Second reading, 1024.  
 Passed, 1025.  
 Returned to Senate, 1038.  
 Signed by Speaker, 1177.  
 To Senate, 1193.

**Senate Bill No. 146**

Senate Bill No. 146. A Bill for an Act to Legalize the Operation of Bowling Alleys During Certain Hours on the First Day of the Week; Permitting Labor and Services to Be Performed in Connection Therewith; Permitting Municipalities by Ordinance to Prohibit Operation; Repealing All Acts or Parts of Acts in Conflict Herewith.

Received from Senate, 657.  
 First reading, reference, 686.  
 Reported back, 766.  
 Second reading, 845.  
 Passed, 846.  
 Returned to Senate, 928.  
 Signed by Speaker, 1177.  
 To Senate, 1190.

**Senate Bill No. 147**

Senate Bill No. 147. A Bill for an Act Making an Appropriation for the Purpose of Paying for Oleomargarine Stamps.

Received from Senate, 359.  
 First reading, reference, 389.  
 Reported back, 691.  
 Second reading, 728.  
 Passed, 729.  
 Returned to Senate, 788.  
 Signed by Speaker, 878.  
 To Senate, 926.

**Senate Bill No. 149**

Senate Bill No. 149. A Bill for an Act to Amend and Re-enact Subsection (c) of Section 51 of the Session Laws of

**North Dakota for the Year 1927, Providing for the Tilting of Motor Vehicle Headlights, and Declaring an Emergency.**

Received from Senate, 428.  
First reading, reference, 545.  
Reported back, 812, 867.  
Amended, 812, 867.  
General orders, 867.  
Second reading, 1001.  
Passed, 1002.  
Returned to Senate, 1040. . .  
Signed by Speaker, 1178.  
To Senate, 1225.

**Senate Bill No. 150**

Senate Bill No. 150. A Bill for an Act to Repeal Sections 2763 to 2779 Inclusive, of the Compiled Laws of North Dakota for the Year 1913 and Declaring an Emergency.

Received from Senate, 455.  
First reading, reference, 545.  
Reported back, 690, 810.  
Second reading, 970.  
Indefinitely postponed, 971.  
Returned to Senate, 1042.

**Senate Bill No. 152**

Senate Bill No. 152. A Bill for an Act to Amend and Re-enact Section Six (6) of Chapter 110 of the Session Laws of 1937 Relating to License Fees of Public Contractors, and Declaring an Emergency.

Received from Senate, 455.  
First reading, reference, 545.  
Reported back, 688.  
Amended, 688, 751.  
General orders, 732.  
Second reading, 752.  
Passed, 753.  
Returned to Senate, 874.  
Signed by Speaker, 1179.  
To Senate, 1188.

**Senate Bill No. 154**

Senate Bill No. 154. A Bill for an Act to Create and Establish Under the Industrial Commission of the State of North Dakota a Research Agency to Be Known as the North Dakota Research Foundation; Fixing the Membership of the Foundation Providing for Their Appointment and Compensation; Prescribing the Duties of the Industrial Commission and the Foundation; and Making an Appropriation Therefor.

Received from Senate, 428.  
First reading, reference, 545.  
Reported back, 862, 870.  
Amended, 862, 870, 1105.  
General orders, 870.  
Second reading, 1017, 1106.  
Passed, 1018, 1106.  
Returned to Senate, 1040, 1107.

Conference Committees, 1102, 1105.

Signed by Speaker, 1178.

To Senate, 1220.

#### Senate Bill No. 156

Senate Bill No. 156. A Bill for an Act Relating to the Juvenile Court and the Protection, Control, and Custody of Children; and Amending and Re-enacting Chapter 23 of the Code of Criminal Procedure, Consisting of Sections 11402 to 11427, Inclusive, of the Compiled Laws of North Dakota of 1913; Sections 11412a, 11428a1, 11428a2, 11428,3, 11428a4 and 11428a5 of the Supplement to the 1913 Compiled Laws of North Dakota; and Chapter 113 of the Laws of 1929.

Received from Senate, 673.

First reading, reference, 681.

Reported back, 765.

Second reading, 814.

Passed, 815.

Returned to Senate, 875.

Signed by Speaker, 1178.

To Senate, 1191.

#### Senate Bill No. 157

Senate Bill No. 157. A Bill for an Act to Amend and Re-enact Chapter 190 of the Laws of North Dakota for the Year 1929, Providing That the Execution of a Specified Certificate and the Recording Thereof, Shall Constitute Prima Facie Evidence of the Termination of the Estate Held by a Deceased Person, Under an Estate in Joint Tenancy; Providing for the Recording of Such Certificate; Providing for the Transfer by an Owner to Himself and Others in Joint Tenancy With Right of Survivorship and Declaring Valid Transfers Heretofore Made by Owner to Himself and Others in Joint Tenancy with Right of Survivorship, and Declaring an Emergency.

Received from Senate, 428.

First reading, reference, 545.

Reported back, 690.

Second reading, 724.

Passed, 725.

Returned to Senate, 788.

Signed by Speaker, 878.

To Senate, 926.

#### Senate Bill No. 159

Senate Bill No. 159. A Bill for an Act Prescribing the Method of Investing the Various Funds of the State of North Dakota and the Boards, Bureaus, Institutes and Industries of the State; to Eliminate the Confusion and Competition Between the Various Departments Now Selling and Buying Bonds; Provide Penalty for Violation of This Act, and Repealing All Acts in Conflict Herewith.

Received from Senate, 496.

First reading, reference, 547.

Reported back, 707.

Indefinitely postponed, 749.

Returned to Senate, 787.

**Senate Bill No. 161**

Senate Bill No. 161. A Bill for an Act to Amend and Re-enact Section 2 and Section 5 of Chapter 7 of the Session Laws of 1939; Relating to the Membership of the State Poultry Improvement Board.

Received from Senate, 657.  
First reading, reference, 686.  
Reported back, 716.  
Amended, 716.  
General orders, 755.  
Second reading, 784.  
Passed, 785.  
Returned to Senate, 875.  
Signed by Speaker, 1177.  
To Senate, 1190.

**Senate Bill No. 162**

Senate Bill No. 162. A Bill for an Act Making an Appropriation of \$5,000.00 Each for the Completion of the Armories at Carrington, North Dakota, and Bottineau, North Dakota, and Providing for the Manner of Disbursing Said Funds, and Declaring an Emergency.

Received from Senate, 455.  
First reading, reference, 546.  
Reported back, 767.  
Second reading, 851.  
Passed, 852.  
Returned to Senate, 876.  
Signed by Speaker, 1179.  
To Senate, 1188.

**Senate Bill No. 163**

Senate Bill No. 163. A Bill for an Act to Amend and Re-enact Section 17 of Chapter 148 of the Session Laws of 1931, as Amended by Chapter 159 of the Session Laws of 1941, Relative to Trespassing While Hunting.

Received from Senate, 659.  
First reading, reference, 686.  
Reported back, 805.  
Indefinitely postponed, 949.  
Other action, 1032.

**Senate Bill No. 164**

Senate Bill No. 164. A Bill for an Act Making It Unlawful for Any Person, Association or Corporation to Possess, or Keep for Sale, or Offer for Sale, or Gift or Barter Any Matches Not Approved by the National Board of Underwriters.

Received from Senate, 592.  
First reading, reference, 677.  
Reported back, 766.  
Indefinitely postponed, 766.  
Returned to Senate, 877.

**Senate Bill No. 166**

Senate Bill No. 166. A Bill for an Act to Amend and Re-enact Chapter 265, Session Laws of 1941, Relating to Special Audits of State Offices, Departments and Commissions;

Authorizing the Governor to Appoint Special Counsel to Prosecute Any Action of Proceeding Which May Be Deemed Warranted as a Result of Such Audits and Investigations; and Providing an Appropriation.

Received from Senate, 659.  
First reading, reference, 677.  
Reported back, 707.  
Indefinitely postponed, 828.  
Returned to Senate, 930.  
Other action, 707.

**Senate Bill No. 168**

Senate Bill No. 168. A Bill for an Act Regulating the Expenditure of Monies Appropriated by the Legislative Assembly of the State of North Dakota for Emergency Purposes, Fixing the Methods for Obtaining Approval for Such Expenditures, Providing Penalties for Violation Hereof, and Repealing All Acts or Parts of Acts in Conflict Herewith.

Received from Senate, 455.  
First reading, reference, 546.  
Reported back, 767.  
Second reading, 850.  
Passed, 851.  
Returned to Senate, 876.  
Signed by Speaker, 1179.  
To Senate, 1188.

**Senate Bill No. 169**

Senate Bill No. 169. A Bill for an Act to Authorize the Industrial Commission of the State of North Dakota to Establish and Set Up a Research and Processing Unit for Soy Beans and Flax Seed at the State Mill and Elevator, and Making an Appropriation Therefor.

Received from Senate, 591.  
First reading, reference, 677, 717.  
Reported back, 717, 954.  
Amended, 954.  
General orders, 1028, 1029.  
Second reading, 1119.  
Passed, 1120.  
Returned to Senate, 1124.  
Signed by Speaker, 1179.  
To Senate, 1221.

**Senate Bill No. 170**

Senate Bill No. 170. A Bill for an Act Regulating the Business of Receiving Monies as Agent for Another for the Purpose of Depositing the Same in a Bank, Requiring a License Therefor, and Providing Penalties for the Violation Thereof.

Received from Senate, 657.  
First reading, reference, 680.  
Reported back, 768.  
Second reading, 859.  
Passed, 860.  
Returned to Senate, 876.  
Signed by Speaker, 879.  
To Senate, 1188.

**Senate Bill No. 171**

Senate Bill No. 171. A Bill for an Act to Amend and Re-enact Sections 2, 5, 6, 8, 9, 10, 13, 15, 16, and 22 of Chapter 71 of the Session Laws of North Dakota for the Year 1933, Relating to the State Banking Board, and Making an Appropriation for the Expense Incident Thereto and Repealing All Acts in Conflict Herewith.

Received from Senate, 659.  
First reading, reference, 677.  
Reported back, 768.  
Second reading, 854.  
Passed, 855.  
Returned to Senate, 876.  
Signed by Speaker, 1178.  
To Senate, 1191.

**Senate Bill No. 172**

Senate Bill No. 172. A Bill for an Act to Amend and Re-enact Section 17 of Chapter 96 of the Session Laws of North Dakota for the Year 1931 as Amended by Chapter 93 of the Session Laws of 1935, Also Sections 4, 25, 31, and 35 of Chapter 96 of the Session Laws of 1931, Also Section 30 of Chapter 96 of the Session Laws of 1931 as Amended by Chapter 96 of the Session Laws of North Dakota for the Year 1937 and Further Amended by Chapter 102 of the Session Laws of North Dakota for the Year 1941 and Repealing Section 57 of Chapter 96 of the Session Laws of **North Dakota for the Year 1931; All Relating to the Regulation of the State Banking Associations.**

Received from Senate, 662.  
First reading, reference, 681.  
Reported back, 768.  
Second reading, 853.  
Passed, 854.  
Returned to Senate, 876.  
Signed by Speaker, 1178.  
To Senate, 1191.

**Senate Bill No. 173**

Senate Bill No. 173. A Bill for an Act Authorizing and Relating to Contracts by Certain Cities and Villages for Obtaining a Supply of Water for Public and Domestic Uses.

Received from Senate, 591.  
First reading, reference, 679.  
Reported back, 811.  
Second reading, 952.  
Passed, 953.  
Returned to Senate, 1038.  
Signed by Speaker, 1180.  
To Senate, 1186.

**Senate Bill No. 174**

Senate Bill No. 174. A Bill for an Act Providing for Direct Liability of the Insurer to Persons Entitled to Recover for Death, for Injuries to Persons, or Damages to Property, Caused by the Negligent Maintenance, Use or Operation of Motor Vehicles, Limiting the Amount of Liability; Imposing Duty to Disclose Existence of Insurance, Authorizing the



Persons Entitled to Recover Such Damages to Join the Insurer in Single Action Against Owner or Operator of Motor Vehicle; Declaring Conditions and Covenants in Liability Contracts or Policies of Insurance, Limiting or Restricting Such Rights, or Which Are Violative of the Provisions of This Act as Against Public Policy and Void and Providing for Repeal of All Acts in Conflict Herewith.

Received from Senate, 659.  
 First reading, reference, 679.  
 Reported back, 893.  
 Indefinitely postponed, 893.  
 Returned to Senate, 1052.

#### Senate Bill No. 175

Senate Bill No. 175. A Bill for an Act Amending and Re-enacting Section 17 of Chapter 14 of the Session Laws of 1941 Relating to the State Seed Department.

Received from Senate, 659.  
 First reading, reference, 679, 751.  
 Reported back, 717, 831, 868.  
 Amended, 831, 868.  
 General orders, 868.  
 Second reading, 1005.  
 Passed, 1006.  
 Returned to Senate, 1040.  
 Signed by Speaker, 1179.  
 To Senate, 1221.

#### Senate Bill No. 176

Senate Bill No. 176. A Bill for an Act to Amend and Re-enact Sections, 1, 5, 7, 9, and 15 of Chapter 243 of the Session Laws of 1941 and Pertaining to Definitions, Eligibility for Assistance, Application for Assistance, Award of Assistance, and Disbursements of Aid to Dependent Children Fund.

Received from Senate, 591.  
 First reading, reference, 679.  
 Reported back, 884.  
 Amended, 884.  
 General orders, 916.  
 Second reading, 1092.  
 Passed, 1093.  
 Returned to Senate, 1093.  
 Signed by Speaker, 1179.  
 To Senate, 1221.

#### Senate Bill No. 178

Senate Bill No. 178. A Bill for an Act to Amend and Re-enact Sub-division B of Section 25 of Chapter 186 Session Laws of North Dakota for 1931 as Amended by Chapter 161 Session Laws of North Dakota for 1933, as Amended by Sub-section (e) (1) of Section 2 of Chapter 194, Session Laws of 1941, Relating to the License Required by Certain Motor Vehicles, and Declaring an Emergency.

Received from Senate, 657.  
 First reading, reference, 680.  
 General orders, 1029.  
 Indefinitely postponed, 1029.

**Senate Bill No. 179**

Senate Bill No. 179. A Bill for an Act to Amend and Re-enact Section 17 of Chapter 97 of the Session Laws of 1933 Relating to the Expense of Burial of Indigent Persons and Declaring an Emergency.

Received from Senate, 455.  
First reading, reference, 546.  
Reported back, 883.  
Second reading, 1021.  
Passed, 1022.  
Returned to Senate, 1038.  
Signed by Speaker, 1179.  
To Senate, 1221.

**Senate Bill No. 180**

Senate Bill No. 180. A Bill for an Act to Amend and Re-enact 2346a18 of the 1925 Supplement to the Compiled Laws of North Dakota, as Amended by Section 4 of Chapter 283, Session Laws of 1931, as Further Amended by Section 2 of Chapter 241, Session Laws of 1937, and as Further Amended by Section 1 of Chapter 228, Session Laws of 1939; Providing for Net Operating Loss Carry Over and Additional Deductions in Computing Net Income for Income Tax Purposes, and Declaring an Emergency.

Received from Senate, 673.  
First reading, reference, 681.  
Reported back, 736.  
Amended, 736, 737, 738, 739.  
General orders, 756.  
Second reading, 785.  
Passed, 786.  
Returned to Senate, 875.  
Signed by Speaker, 1177.  
To Senate, 1189.

**Senate Bill No. 181**

Senate Bill No. 181. A Bill for an Act to Make it the Duty of the Public Welfare Board of North Dakota to Eliminate Disparity in the Amount of Old Age Assistance Between the Counties of the State of North Dakota, Authorizing a Full or Part-time Deputy Executive Director, Directing Discharge of Executive Director or Deputy Executive Director, Requiring Liberal Construction of the Public Welfare Law and Declaring an Emergency.

Received from Senate, 659.  
First reading, reference, 680.  
Reported back, 819, 867.  
Amended, 819, 867, 868.  
General orders, 868.  
Second reading, 1002.  
Passed, 1003.  
Indefinitely postponed, 1154.  
Returned to Senate, 1040.  
Conference Committee, 1086, 1108.

**Senate Bill No. 182**

Senate Bill No. 182. A Bill for an Act to Amend and Re-enact Section 7 of Chapter 211 of the Session Laws of North

Dakota for the Year 1937, and to Define the Rights of Applicants for Old Age Assistance, and the Duties of the State Agency, the County Agency and the State's Attorney, and to Provide for the Removal of Any Member of the State Agency Violating the Public Welfare Law of North Dakota, and Declaring an Emergency.

Received from Senate, 659.  
 First reading, reference, 680.  
 Reported back, 885.  
 Amended, 885, 1100.  
 General orders, 917, 918.  
 Second reading, 1100, 1134.  
 Indefinitely postponed, 1101, 1134.  
 Returned to Senate, 1138.

#### Senate Bill No. 183

Senate Bill No. 183. A Bill for an Act to Amend and Re-enact Chapter 137 of the 1939 Session Laws Relating to Marihuana, and Defining Marihuana as a Narcotic and a Habit-forming Drug; Prohibiting the Cultivation, Sale or Gift Thereof, Except Under Certain Circumstances; Permitting the Establishment of a Hemp Mill; Providing a Penalty for Violation; and Declaring an Emergency.

Received from Senate, 455.  
 First reading, reference, 546.  
 Reported back, 863.  
 Second reading, 988.  
 Lost, 989.  
 Returned to Senate, 1042.

#### Senate Bill No. 184

Senate Bill No. 184. A Bill for an Act to Amend and Re-enact Section 12 of Chapter 139 of the Session Laws of North Dakota for the Year 1937, as Amended and Re-enacted by Section 3 of Chapter 175 of the Session Laws of North Dakota for 1941, Relating to Revocation of Suspension of Drivers' Licenses, and to Amend and Re-enact Section 13 of Chapter 139 of the Session Laws of North Dakota for 1937, Relating to Court Review of Action of the State Highway Commissioner, and to Amend and Re-enact Subsection (d) of Section 18 of Chapter 139 of the Session Laws of North Dakota for 1937 as Amended and Re-enacted by Section 4 of Chapter 175 of the Session Laws of North Dakota for the Year 1941, Relating to Salaries and Wages of Officers of the Division of Highway Safety and Patrol, and to Repeal Section 14 of Chapter 139 of the Session Laws of North Dakota for 1937.

Received from Senate, 657.  
 First reading, reference, 680.  
 Reported back, 886.  
 Second reading, 905.  
 Passed, 906.  
 Returned to Senate, 928.  
 Signed by Speaker, 1177.  
 To Senate, 1190.

#### Senate Bill No. 185

Senate Bill No. 185. A Bill for an Act Providing for the Disposition of Property Where There Is No Sufficient

Evidence That Persons Having Died Otherwise Than Simultaneously, and to Make Uniform the Law With Reference Thereto.

Received from Senate, 592.  
First reading, reference, 678.  
Reported back, 765.  
Second reading, 817.  
Passed, 818.  
Returned to Senate, 876.  
Signed by Speaker, 1179.  
To Senate, 1188.

**Senate Bill No. 186**

Senate Bill No. 186. A Bill for an Act Relating to the Issuance of No Par Corporate Stock and to Amend and Re-enact Chapter 119, Session Laws of 1941.

Received from Senate, 662.  
First reading, reference, 678.  
Reported back, 889.  
Second reading, 1117.  
Passed, 1118.  
Returned to Senate, 1120.  
Signed by Speaker, 1179.  
Other action, 1026.  
To Senate, 1221.

**Senate Bill No. 187**

Senate Bill No. 187. A Bill for an Act to Amend and Re-enact Paragraph (b) of Subdivision 5 of Section 7 and All of Section 23 of Chapter 94, Session Laws of 1931, Pertaining to Fully Paid Shares in Building and Loan Associations and Bonds of Directors, Officers, Agents and Employees, and Repealing All Acts in Conflict Herewith.

Received from Senate, 662.  
First reading, reference, 678.  
Reported back, 768.  
Second reading, 910.  
Passed, 911.  
Returned to Senate, 929.  
Signed by Speaker, 1178.  
To Senate, 1190.

**Senate Bill No. 188**

Senate Bill No. 188. A Bill for an Act to Regulate the Practice in the District Courts and County Courts of Increased Jurisdiction, to Provide for Conferences in Advance of Trial, and the Simplification of Issues and Other Purposes; and Giving the Judge Power to Make Orders in Connection With Such Conferences.

Received from Senate, 455.  
First reading, reference, 546.  
Reported back, 765.  
Second reading, 818.  
Passed, 819.  
Returned to Senate, 876.  
Signed by Speaker, 1179.  
To Senate, 1188.

**Senate Bill No. 189**

Senate Bill No. 189. A Bill for an Act to Provide for Filling Vacancies on the State No-Party Ballots.

Received from Senate, 524.  
First reading, reference, 678.  
Reported back, 812.  
Indefinitely postponed, 812.  
Returned to Senate, 930.

**Senate Bill No. 190**

Senate Bill No. 190. A Bill for an Act to Amend and Re-enact Section 2 of Chapter 216 of the Session Laws of 1941 so as to Extend the Term of Office of Members of the Governmental Survey Commission Until January 1, 1945, Appropriating for the Use of the Commission the Balance Remaining Unexpended in the Governmental Survey Commission Fund Created Pursuant to Section 14 of Said Chapter 216 of the Session Laws of 1941, and Declaring an Emergency.

Received from Senate, 455.  
First reading, reference, 546.  
Reported back, 767.  
Second reading, 858.  
Passed, 859.  
Returned to Senate, 876.  
Signed by Speaker, 1179.  
To Senate, 1188.

**Senate Bill No. 191**

Senate Bill No. 191. A Bill for an Act Providing for the Appointment of a Guardian of the Estate of a Missing Person, Prescribing the Procedure Therefor, Providing for Family Support and the Payment of Expenses and of Indebtedness, and Further Providing for the Rendition of an Account and the Discharge of the Guardian.

Received from Senate, 455.  
First reading, reference, 546.  
Reported back, 886.  
Indefinitely postponed, 886.  
Returned to Senate, 930.

**Senate Bill No. 192**

Senate Bill No. 192. A Bill for an Act to Encourage the Investment of Moneys in the State of North Dakota, and to Encourage the Development of the Natural Resources of This State, and to Provide a Market for the Gas and Oil Deposits in the State, Including Those Owned by the State of North Dakota, and the Counties Thereof, and to Permit the Marketing of Such Natural Resources by Selling and Delivering to the State, County and School Districts of Gas and Oil, Upon Condition That the Seller or Carrier Purchase From Production or Produce in This State an Amount of Gas or Oil at Least Equivalent to the Amount It Delivers to Said State, County and School District Buildings and Requiring Such Sellers and Carriers to Make Reports of Its Sales and Purchases and Production, Under Oats, and Pro-

viding a Penalty for Violation Thereof; Repealing All Acts in Conflict, and Declaring an Emergency.

Received from Senate, 663.  
 First reading, reference, 678.  
 Reported back, 769, 831, 868.  
 Amended, 868.  
 General orders, 868.  
 Second reading, 1003.  
 Passed, 1004.  
 Returned to Senate, 1041.  
 Postponed by Senate.

**Senate Bill No. 193**

Senate Bill No. 193. A Bill for an Act to Amend and Re-enact Section 994 of the Compiled Laws of North Dakota, 1913, Providing for Preparing and Printing Absent Voter Ballots.

Received from Senate, 373.  
 First reading, reference, 415.  
 Reported back, 743.  
 Second reading, 780.  
 Indefinitely postponed, 780.  
 Returned to Senate, 830.

**Senate Bill No. 196**

Senate Bill No. 196. A Bill for an Act to Amend and Re-enact Section 11 of Chapter 309 of the Session Laws of 1931, Relating to the Guardianship of Incompetent Veterans and of Minor Children of Disabled or Deceased Veterans.

Received from Senate, 456.  
 First reading, reference, 547.  
 Reported back, 766.  
 Indefinitely postponed, 766.  
 Returned to Senate, 877.

**Senate Bill No. 197**

Senate Bill No. 197. A Bill for an Act to Amend and Re-enact Section 819 of the Compiled Laws of North Dakota for 1913 and to Provide for Keeping Jury Lists Filed With Names of Qualified Jurors.

Received from Senate, 456.  
 First reading, reference, 544.  
 Reported back, 690.  
 Second reading, 724.  
 Passed, 724.  
 Returned to Senate, 828.  
 Signed by Speaker, 1179.  
 To Senate, 1188.

**Senate Bill No. 198**

Senate Bill No. 198. A Bill for an Act to Amend and Re-enact Chapter 111 of the Session Laws of North Dakota for the Year 1927, Providing the Place, a Holding of Stockholders and Directors Meetings, and Repealing Acts in Conflict Herewith.

Received from Senate, 592.  
 First reading, reference, 679.  
 Reported back, 888.

Second reading, 1123.  
 Indefinitely postponed, 1026, 1124.  
 Returned to Senate, 1125.

#### Senate Bill No. 199

Senate Bill No. 199. A Bill for an Act to Amend and Re-enact Sub-section (c) of Section 3 of Chapter 255 of the Session Laws of North Dakota for 1941 Relating to the Distribution of the Basis of Need; and to Amend Section 5 of Chapter 255 of the Session Laws of North Dakota for 1941 Relating to the Distribution of Per Pupil Basis; and to Amend Section 7 of Chapter 255 of the Session Laws of North Dakota for 1941 Relating to Payment on Teacher-Unit Basis.

Received from Senate, 673.  
 First reading, reference, 681.  
 Reported back, 886.  
 Amended, 886.  
 General orders, 917.  
 Second reading, 1095.  
 Passed, 1096.  
 Returned to Senate, 1096.  
 Conference Committee, 1144.  
 Signed by Speaker, 1178.  
 To Senate, 1224.

#### Senate Bill No. 200

Senate Bill No. 200. A Bill for an Act Making an Appropriation of Funds to Purchase Paper and Binding Material and to Pay for Printing and Binding and Supervision, and Declaring an Emergency.

Received from Senate, 662.  
 First reading, reference, 679.  
 Reported back, 708.  
 Amended, 817.  
 Second reading, 800.  
 Passed, 801.  
 Returned to Senate, 875.  
 Signed by Speaker, 1177.  
 To Senate, 1190.

#### Senate Bill No. 202

Senate Bill No. 202. A Bill for an Act to Amend and Re-enact Sections 15-4017 and 15-4018 of the North Dakota Revised Code of 1943.

Received from Senate, 662.  
 First reading, reference, 677.  
 Reported back, 886.  
 Amended, 886.  
 General orders, 917.  
 Second reading, 1097.  
 Passed, 1098.  
 Conference Committee, 1144.  
 Signed by Speaker, 1178.  
 To Senate, 1224.

**Senate Bill No. 203**

Senate Bill No. 203. A Bill for an Act Relating to National and State Defense, Authorizing the Creation of State and Local Defense Agencies, Granting Emergency War Powers to Said Agencies and the Political Subdivisions of the State, and Making an Appropriation Therefor.

Received from Senate, 659.

First reading, reference, 677.

Reported back, 819.

Second reading, 964.

Passed, 965.

Returned to Senate, 1038.

Signed by Speaker, 1180.

To Senate, 1186.

**Senate Bill No. 204**

Senate Bill No. 204. A Bill for an Act to Amend and Re-enact Section 21 of Chapter 250 of the Session Laws of 1935.

Received from Senate, 659.

First reading, reference, 683.

Reported back, 765.

Amended, 908.

Second reading, 909.

Passed, 910.

Returned to Senate, 928.

Signed by Speaker, 1177.

To Senate, 1191.

**Senate Bill No. 205**

Senate Bill No. 205. A Bill for an Act to Repeal Chapter 38 of the Session Laws of 1921 and Chapter 217 of the Session Laws of 1931.

Received from Senate, 663.

First reading, reference, 683.

Reported back, 765.

Amended, 907.

Second reading, 907.

Passed, 908.

Returned to Senate, 928.

Signed by Speaker, 1177.

To Senate, 1191.

**Senate Bill No. 206**

Senate Bill No. 206. A Bill for an Act to Amend and Re-enact Section 19 of the Session Laws of North Dakota for 1927 as Amended and Re-enacted by Chapter 150 of the Session Laws of North Dakota for 1939, Relating to the Regulation of the Occupation of Hairdressers and Cosmetologists, and Repealing All Acts or Parts of Acts in Conflict Herewith.

Received from Senate, 673.

First reading, reference, 682.

Reported back, 766.

Second reading, 855.

Passed, 856.



Returned to Senate, 877.  
Signed by Speaker, 1177.  
To Senate, 1189.

**Senate Bill No. 208**

Senate Bill No. 208. A Bill for an Act to Amend and Re-enact Section 15-0710 North Dakota Revised Code for 1943.

Received from Senate, 674.  
First reading, reference, 682.  
Reported back, 947.  
Amended, 947, 948.  
General orders, 1027, 1028.  
Second reading, 1118.  
Passed, 1119.  
Returned to Senate, 1124.  
Signed by Speaker, 1178.  
To Senate, 1224.

**Senate Bill No. 209**

Senate Bill No. 209. A Bill for an Act Authorizing the Code Revision Commission to Incorporate the Session Laws Adopted by the Twenty-Eighth Legislative Assembly in the North Dakota Revised Code of 1943; to Rearrange, Renumber, and Correct Typographical Errors in Such Code; and to Prepare the Same for Publication, and Declaring an Emergency.

Received from Senate, 674.  
First reading, reference, 682.  
Reported back, 765, 865.  
Amended, 765, 865.  
General orders, 865.  
Second reading, 992.  
Passed, 993.  
Returned to Senate, 1041.  
Signed by Speaker, 1180.  
To Senate, 1186.

**Senate Bill No. 210**

Senate Bill No. 210. A Bill for an Act to Amend and Re-enact Sub-section (b) of Section 1 of the Initiated Measure Adopted June 30, 1926 Relating to the Definition of "Motor Vehicle Fuels."

Received from Senate, 663.  
First reading, reference, 683.  
Reported back, 863.  
Second reading, 989.  
Passed, 990.  
Returned to Senate, 1038.  
Signed by Speaker, 1177.  
To Senate, 1193.

**Senate Bill No. 211**

Senate Bill No. 211. A Bill for an Act Imposing a Motor Fuel Use Tax Upon Products Used for Propelling Motor Vehicles on the Highways and Streets of This State Other Than Gasoline; Providing for the Licensing and Bonding of Users and for the Administration, Report and Payment of

Such Tax and the Repeal of All Acts or Parts of Acts in  
Conflict With the Provisions of This Act.

Received from Senate, 674.  
First reading, reference, 682.  
Reported back, 863.  
Amended, 863, 864.  
General orders, 915.  
Second reading, 1091.  
Passed, 1092.  
Returned to Senate, 1092.  
Signed by Speaker, 1178.  
To Senate, 1224.

# SENATE CONCURRENT RESOLUTIONS

## Senate Concurrent Resolution "B"

Senate Concurrent Resolution "B." Authorizing the Secretary of State to Supply 1942 North Dakota Blue Books Free of Charge to New Members of the Twenty-eighth Legislative Assembly.

Received from Senate, 250.  
First reading, reference, 258.  
Reported back, 429.  
Second reading, 704.  
Passed, 704.  
Returned to Senate, 829.  
Signed by Speaker, 1179.  
To Senate, 1188.

## Senate Concurrent Resolution "C"

Senate Concurrent Resolution "C." In Regard to Third House Dances and Session in Capitol Corridors.

Received from Senate, 77.  
First reading, reference, 79.  
Second reading, 79.  
Passed, 80.  
Returned to Senate, 88.

## Senate Concurrent Resolution "D"

Senate Concurrent Resolution "D." Memorializing Congress to Take Action on S 2600 Cited as the "Rubber Supply Act of 1942."

Received from Senate, 250.  
First reading, reference, 258.  
Reported back, 300.  
Second reading, 331.  
Passed, 331.  
Returned to Senate, 363.  
Signed by Speaker, 402.  
To Senate, 404.

## Senate Concurrent Resolution "F"

Senate Concurrent Resolution "F." Requesting Federal Authorities to Speed Action on Farm Machinery and Repair Allotments.

Received from Senate, 93.  
Second reading, 93.  
Passed, 93.  
Returned to Senate, 96.  
Signed by Speaker, 113.  
To Senate, 117.

## Senate Concurrent Resolution "G"

Senate Concurrent Resolution "G." A Concurrent Resolution Providing and Designating Senate and House Employees and Naming and Fixing Their Salaries.

Received from Senate, 97.  
First reading, reference, 108.

Second reading, 108.  
Passed, 109.  
Returned to Senate, 110.  
Signed by Speaker, 133.  
To Senate, 137.

#### Senate Concurrent Resolution "H"

Senate Concurrent Resolution "H." A Concurrent Resolution Providing for the Amendment of Section 158 of Article 9 of the Constitution of North Dakota as Amended by Article 13 of the Amendments Thereof as Further Amended by Article 50 of the Amendments Thereof, Relating to the Sale of School and Public Lands, and for Resale to Purchasers on Contract Whose Contracts Have Been Cancelled.

Received from Senate, 359.  
First reading, reference, 390.  
Reported back, 804, 868.  
Amended, 805, 868.  
General orders, 868.  
Second reading, 1004.  
Passed, 1005.  
Returned to Senate, 1041.  
Signed by Speaker, 1178.  
To Senate, 1220.

#### Senate Concurrent Resolution "I"

Senate Concurrent Resolution "I." A Concurrent Resolution Providing a Special Rule Fixing the Procedure to Govern in the Adoption of the 1943 Revised Codes of North Dakota.

Received from Senate, 101.  
First reading, reference, 101.  
Second reading, 102.  
Returned to Senate, 127.  
Signed by Speaker, 133.  
To Senate, 137.

#### Senate Concurrent Resolution "L"

Senate Concurrent Resolution "L." A Concurrent Resolution Memorializing Congress and the President to Take Immediate Steps Toward Production of Synthetic Rubber from Farm Products.

Received from Senate, 199.  
Second reading, 281.  
Passed, 282.  
Returned to Senate, 318.  
Signed by Speaker, 402.  
To Senate, 404.

#### Senate Concurrent Resolution "N"

Senate Concurrent Resolution "N." A Concurrent Resolution Memorializing Congress to Enact Into Law S207, Known as "The Nye Bill," Providing for Waiver of Second-Class Postal Fees Upon Resumption of Publication by Newspapers That Were Compelled to Suspend Publication Because of War Conditions.

Received from Senate, 250 .  
First reading, reference, 258.

Reported back, 429.  
Second reading, 704.  
Passed, 705.  
Returned to Senate, 717.  
Signed by Speaker, 889.  
To Senate, 927.

**Senate Concurrent Resolution "P"**

Senate Concurrent Resolution "P." A Concurrent Resolution Memorializing Congress and the President to Enact the Townsend Plan.

Received from Senate, 314.  
First reading, reference, 333.  
Reported back, 819.  
Second reading, 967.  
Passed, 967.  
Returned to Senate, 1038.  
Signed by Speaker, 1178.  
To Senate, 1220.

**Senate Concurrent Resolution "Q"**

Senate Concurrent Resolution "Q." For His Invaluable Services Rendered by the Honorable E. W. Camp, in the Organization and the Starting on Its Way, the Government of the State of North Dakota.

Received from Senate, 360.  
First reading, reference, 389.  
Reported back, 689.  
Amended, 689.  
General orders, 733.  
Second reading, 740.  
Passed, 740.  
Returned to Senate, 829.  
Signed by Speaker, 1177.  
To Senate, 1191.

**Senate Concurrent Resolution "R"**

Senate Concurrent Resolution "R." A Concurrent Resolution in Appreciation for His Invaluable Services Rendered by the Honorable Fred B. Fancher in the Organization and Starting on Its Way, the Government of the State of North Dakota.

Received from Senate, 360.  
First reading, reference, 389.  
Reported back, 689.  
Amended, 689.  
General orders, 733.  
Second reading, 740.  
Passed, 740.  
Returned to Senate, 829.  
Signed by Speaker, 1177.  
To Senate, 1191.

**Senate Concurrent Resolution "S"**

Senate Concurrent Resolution "S." For His Invaluable Services Rendered by the Honorable Henry M. Peterson, in

**the Organization and Starting on Its Way, the Government of the State of North Dakota.**

Received from Senate, 360.  
First reading, reference, 389.  
Reported back, 689.  
Amended, 689.  
General orders, 732.  
Second reading, 740.  
Passed, 740.  
Returned to Senate, 829.  
Signed by Speaker, 1177.  
To Senate, 1191.

**Senate Concurrent Resolution "F"**

Senate Concurrent Resolution "T." A Concurrent Resolution Memorializing Congress to Make No Further Extension of Game Reserves in the State of North Dakota.

Received from Senate, 395.  
First reading, reference, 544.  
Reported back, 746.  
Second reading, 763.  
Passed, 763.  
Returned to Senate, 788.  
Signed by Speaker, 878.  
To Senate, 927.

**Senate Concurrent Resolution "W"**

Senate Concurrent Resolution "W." A Concurrent Resolution Providing for the Amendment of Section 45 of the Constitution of the State of North Dakota.

Received from Senate, 592.  
First reading, reference, 680.  
Reported back, 769.  
Indefinitely postponed, 769.  
Returned to Senate, 830, 1239.  
Other action, 719, 741.

**Senate Concurrent Resolution "1-A"**

Senate Concurrent Resolution "1-A." A Concurrent Resolution Requesting Congress to Transfer the Fort Peck Project to the Bureau of Reclamation of the Department of Interior for Operation and Maintenance and That Adequate Appropriations Be Made Available to the Bureau of Reclamation to Enable Completion of Preliminary Plans and Estimates in Preparation for Post-War Conditions.

Received from Senate, 428.  
First reading, reference, 544.  
Reported back, 767.  
Passed, 767.  
Returned to Senate, 874.  
Signed by Speaker, 1178.  
To Senate, 1220.

**Senate Concurrent Resolution "1-B"**

Senate Concurrent Resolution "1-B." A Concurrent Resolution Protesting Favoritism for Youth of Japanese Ex-  
traction, in the Advantages of Higher Education.

Received from Senate, 395.  
First reading, reference, 544.  
Reported back, 689.  
Second reading, 723.  
Passed, 723.  
Returned to Senate, 829.  
Signed by Speaker, 1179.  
To Senate, 1189.

**Senate Concurrent Resolution "1-C"**

Senate Concurrent Resolution "1-C." A Concurrent Resolu-  
tion Memorializing the Congress of the United States and  
the Selective Service Authorities to Adopt a Distinctive In-  
signia to Be Worn by Men Deferred from Induction Into the  
Armed Forces by Reason of Being Engaged in an Essen-  
tial Occupation Necessary to the War Effort.

Received from Senate, 556.  
First reading, reference, 681.  
Reported back, 819.  
Indefinitely postponed, 819.  
Returned to Senate, 930.

**Senate Concurrent Resolution "1-D"**

Senate Concurrent Resolution "1-D." A Concurrent Resolu-  
tion Requesting the Bank of North Dakota With the Approval  
of the Industrial Commission to Make Loans to the Public  
Welfare Board of North Dakota to Meet Emergencies for  
funds to Match Federal Grants Under the Social Security  
Programs for General Relief Requirements.

Received from Senate, 674.  
First reading, reference, 681.  
Reported back, 819.  
Second reading, 966.  
Passed, 967.  
Returned to Senate, 1039.  
Signed by Speaker, 1178.  
To Senate, 1225.

**Senate Concurrent Resolution "1-E"**

Senate Concurrent Resolution "1-E." A Concurrent Resolu-  
tion Calling for the Appointment of a Committee from Both  
Houses of the North Dakota Legislature to Study and Examine  
the Work of the Interim Legislative Committee on Code Revi-  
sion, to Prepare Necessary Contracts, and Present the Same  
to the Legislature for Its Ratification.

Received from Senate, 660.  
First reading, reference, 688.  
Reported back, 688, 709.  
Second reading, 688.  
Passed, 688.  
Returned to Senate, 829.  
Signed by Speaker, 1179.  
To Senate, 1189.

**Senate Concurrent Resolution "1-F"**

Senate Concurrent Resolution "1-F." A Concurrent Resolution Providing for a Committee Consisting of the Lieutenant Governor and the Speaker of the House of Representatives to Supervise the Completion of the Codes; Permitting Them to Employ Proof-readers, and Providing for Remuneration.

Received from Senate, 660.  
First reading, reference, 681.  
Reported back, 687.  
Second reading, 721.  
Passed, 722.  
Returned to Senate, 788.  
Signed by Speaker, 878.  
To Senate, 927.

**Senate Concurrent Resolution "1-G"**

Senate Concurrent Resolution "1-G." Relating to Re-Insurance in the State Bonding Fund.

Received from Senate, 674.  
First reading, reference, 687.  
Reported back, 1012.  
Second reading, 1072.  
Passed, 1072.  
Returned to Senate, 1078.  
Signed by Speaker, 1178.  
Other action, 1013.  
To Senate, 1225.

**Senate Concurrent Resolution "1-H"**

Senate Concurrent Resolution "1-H." Approving Contracts for the Paper and for Printing and Binding North Dakota Revised Code of 1943.

Received from Senate, 778.  
First reading, reference, 877.  
Reported back, 947.  
Second reading, 1110.  
Passed, 1111.  
Returned to Senate, 1138.  
Signed by Speaker, 1178.  
To Senate, 1225.

**Senate Concurrent Resolution "1-I"**

Senate Concurrent Resolution "1-I." Authorizing the State Land Department to Make Loans for the Purchase of Farms at the Rate of Four Per Cent Per Annum.

Received from Senate, 1034.  
First reading, reference, 1160.  
Second reading, 1160.  
Returned to Senate, 1165.  
Signed by Speaker, 1178.  
To Senate, 1225.

**Senate Concurrent Resolution "1-J"**

Senate Concurrent Resolution "1-J." Reducing the Number of 1943 Session Laws to Be Published by the Secretary of State.

Received from Senate, 1034.  
First reading, reference, 1160.



Second reading, 1160.  
 Passed, 1160.  
 Returned to Senate, 1165.  
 Signed by Speaker, 1178.  
 To Senate, 1225.

**Senate Concurrent Resolution "1-K"**

Senate Concurrent Resolution "1-K." Relating to Additional Pay to Myrtle Steen for Extra Services Rendered Other Than Committee Clerk.  
 Received from Senate, 1047.  
 First reading, reference, 1162.  
 Second reading, 1162.  
 Passed, 1163.  
 Returned to Senate, 1165.  
 Signed by Speaker, 1178.  
 To Senate, 1225.

**Senate Concurrent Resolution "1-L"**

Senate Concurrent Resolution "1-L." Providing for the Payment of Printing, Stenographic Services, Mileage and Expenses Incurred by Senate Committee Appointed to Investigate Facts, Figures and Charges Contained in the Report of A. J. Klaudt, Special Investigating Commissioner.  
 Received from Senate, 1061.  
 First reading, reference, 1160.  
 Second reading, 1160.  
 Passed, 1161.  
 Returned to Senate, 1176.  
 Signed by Speaker, 1178.  
 To Senate, 1225.

## SENATE JOINT MEMORIAL RESOLUTION

**Senate Joint Memorial Resolution "A"**

Senate Joint Memorial Resolution "A." A Resolution in Memory of Departed Members of the North Dakota Senate.  
 Received from Senate, 778.  
 First reading, reference, 877.  
 Second reading, 877.  
 Passed, 877.  
 Signed by Speaker, 1177.  
 To Senate, 1191.