

STATE OF NORTH DAKOTA

Journal of the Senate
of the
Twenty-eighth Session
of the
Legislative Assembly.

January 5th to March 5th, 1943, Inclusive

STATE CAPITOL
BISMARCK, NORTH DAKOTA

HENRY HOLT
Lieutenant Governor

C. N. BRUNSDALE
President Pro Tempore

W. J. TROUT
Secretary

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	McVilleville
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. Fetton	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

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. Walsh		K. L. Boulden	Larimore
5. Pt. Grand Forks		Geo. Saumur	Grand Forks
6. 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	Casselton
12. Pt. Richland		Vernon M. Johnson	Wahpeton
		H. C. Mittag	Hankinson
		Mal Gainor	DeLamere
13. Sargent		Brown D. Williams	Lidgerwood
		J. T. Peterson	Englevale
14. Ransom		H. G. Severson	Kathryn
		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
		L. E. Callahan	Munich
18. Cavalier		W. M. Crockett	Wales
		Peter Moe	Osnabrock
		John Coghlan	Rolla
19. Rolette		Oscar M. Johnson	Mylo
		C. H. Hofstrand	Leeds
21. Ramsey		I. B. Rohrer	Churchs Ferry
		Louis Leet	Webster
		E. A. Lunde	Lawton
22. Towner		Harry Stormon	Devils Lake
		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

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	Omamee
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
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 Drovda	Arnegard
		George Allen	Pleasant Lake
42.	Pierce	Wm. H. Tuff	Barton
		Otaf Ostgulen	Donnybrook
43.	Renville	J. N. Mollet	Powers Lake
		T. O. Rohde	Van Hook
44.	Mountrail	Asle Bjella	Epping
		P. I. Bahlen	Williston
		S. A. Forseth	Williston
45.	Williams	Donnell Haugen	Roseglen
		J. W. Jennings	Washburn
		Fred Bratk	Turtle Lake
46.	McLean	Ralph G. Baede	Elgin
		Wm. Bauer	Thunder Hawk, S. D.
47.	Grant-Sioux	Walter Bubel	Center
		Wm. H. Rettke	Beulah
		Edwin G. Sailer	Stanton
48.	Mercer, Oliver and Dunn	Elmer Hegge	New England
		George Schwartz	Mott

SENATE EMPLOYEES

Name	Address	Position
W. J. Trout.....	Sherwood.....	Secretary of the Senate
Ruth Smith.....	Bismarck.....	Desk Reporter
Winston L. Cox.....	Bismarck.....	Ass't Secretary
Irvin Smith.....	Bismarck.....	Ass't Secretary and Calendar Clerk
Emil Strand.....	Fryburg.....	Sergeant-at-Arms
R. G. McCrory.....	Cogswell.....	Ass't Sergeant-at-Arms
June Baribeau.....	Bismarck.....	Stenographer.
Joyce Crossman.....	Grand Forks.....	Stenographer
Mabel Engeseth.....	Bismarck.....	Stenographer
Loris Kellerman.....	Sheldon.....	Stenographer
Mary C. Morgan.....	Grafton.....	Stenographer
Arthur Herk.....	Fingal.....	Bill Clerk
John S. Hove.....	Hoople.....	Bill Room Clerk
Einar Berge.....	Bismarck.....	Ass't Bill Room Clerk
Eva Goetz.....	Bismarck.....	Enroll. and Engross. Clerk
Helen MacLaghlan.....	Bismarck.....	Ass't Enroll. and Engross. Clerk
Myrtle Steen.....	Bismarck.....	Appropriation Clerk
Ruth Clary.....	LaMoure.....	Chart Room Clerk
O. H. Stefferud.....	Washburn.....	Committee Clerk
J. O. Bergheim.....	Bismarck.....	Proofreader
John W. Benson.....	Bismarck.....	Asst Proofreader
Mrs. Dave Hamilton.....	Bismarck.....	Mailing Clerk
S. B. Salverson.....	Bismarck.....	Mailing Clerk
Theodore O. Thompson.....	Lark.....	Mailing Clerk
Charles J. Ufer.....	Enderlin.....	Mailing Clerk
J. B. Fisher.....	Streeter.....	Mailing Clerk
P. A. Peterson.....	Pekin.....	Chart Room Clerk
George D. Tripp.....	Hettinger.....	Postmaster
Henry Coe.....	Bismarck.....	Committee Rm. Attendant
Anton Larson.....	Temvik.....	Doorkeeper
Dominick Lefor.....	Lefor.....	Doorkeeper
Dominick Goetz.....	Sweetbriar.....	Doorkeeper
Edwin N. Nething.....	Valley City.....	Doorkeeper
Tom Bertleson.....	Fairmount.....	Janitor
Frank Comegys.....	Cartwright.....	Janitor
I. J. Homelvig.....	Amidon.....	Janitor
Oscar O. Odegaard.....	Grand Forks.....	Janitor
Jens Olson.....	Wyndmire.....	Janitor
Leroy Evans.....	Manning.....	Messenger to Governor
Reuben L. Olson.....	Parshall.....	Chief Page
Joseph F. Moore.....	Anaonose.....	Page
John Rasler.....	Uplam.....	Page
Ray Unzelman.....	Bismarck.....	Page
E. Willoughby.....	Grace City.....	Cloak Room Attendant
Jerry Stair.....	Newberg.....	Telephone Attendant

ERRATA SHEET

Page 238, insert "of Mountrail" after the name "Olson" on Senate Bill No. 163.

Page 516, 23rd line from bottom, should be "which motion lost".

Senate Bill No. 137, messaged back, 623.

Page 340 is numbered 240.

Page 687, line 23, change the word "Senate" to "House".

Page 787, in line one, should read "the President Pro Tem presiding".

Conference Committee report on Senate Bill No. 181:

REPORT OF SELECT COMMITTEE

The Conference Committee on Senate Bill No. 181 made the following report:

Mr. President: Your Conference Committee to whom was referred Senate Bill No. 181, have had the same under consideration and recommend:

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 as 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 Senate:

E. C. STUCKE
J. J. KEHOE
MELVIN OLSON

For the House:

F. J. GRAHAM
J. N. MOLLET
BRYNHILD HAUGLAND

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

REPORT OF SELECT COMMITTEE

The Conference Committee on House Bill No. 110 made the following report:

Mr. President: 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 "\$4,000.00" in lieu thereof.

And when so amended recommend the same do pass.

For the Senate:

WM. WATT

R. M. STREIBEL

RILIE R. MORGAN

For the House:

DONNELL HAUGEN

P. K. HOLM

VERNON M. JOHNSON

Journal of the Senate



Twenty-eighth Legislative Assembly

FIRST DAY

Bismarck, January 5, 1943

At the hour of twelve o'clock on the fifth day of January, 1943, it being the day and hour designated by the Constitution for convening the Legislative Assembly of the State of North Dakota, the hold-over members, and members elected to the Senate of the Twenty-eighth Legislative Assembly, assembled in the North Dakota State Capitol Building at Bismarck, North Dakota, were called to order by W. J. Trout, Secretary of the Twenty-seventh Legislative Assembly of the State of North Dakota.

Senator Bridston of Grand Forks County moved that the Presiding Officer appoint a Committee of Three to escort the Lieutenant Governor to the rostrum to be sworn in as President of the Senate, which motion prevailed.

The Secretary appointed as such committee Senators Bridston, Stucke and Guenther.

The following communication was received from the Secretary of State:

DEPARTMENT OF STATE

Bismarck, January 5, 1943

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

Dist.	County	Name	Address
2.	Pt. Ward	Walter Troxel	Berthold
4.	Pt. Walsh	Rilie R. Morgan	Grafton
6.	Pt. Grand Forks	Carroll Day	Grand Forks
8.	Traill	C. Norman Brunsdale	Mayville
9.	Pt. Cass	Geo. C. Hoenck	Fargo
10.	Pt. Cass	Frank H. Beaton	Fargo
12.	Pt. Richland	Wm. J. Braun	Wahpeton
14.	Ransom	J. L. Flatt	Sheldon
16.	Griggs-Steele	Steven C. Nelson	Finley
18.	Cavalier	W. H. Porter	Calvin
20.	Benson	Orris G. Nordhougen	Leeds
22.	Towner	J. J. Kehoe	Cando
24.	LaMoure	M. R. Young	Berlin

Dist.	County	Name	Address
26.	Emmons	E. H. Brant	Linton
28.	Bottineau	Wm. A. Thatcher	Bottineau
30.	Morton	P. W. Blank	Mandan
32	Eddy-Foster	C. W. Schrock	New Rockford
34.	McHenry	Martin Olson	Butte
36.	McIntosh-Logan	Robert Greiser	Wishek
38.	Pt. Barnes	Melvin Olson	Nome
40.	Burke-Divide	R. H. Lynch	Fortuna
42.	Pierce	Knut Oksendahl	Rugby
44.	Mountrail	Axel Olson	Parshall
46.	McLean	E. C. Stucke	Garrison
48.	Mercer. Oliver and Dunn	Harry Semerad	Dickinson

These members should qualify by executing an oath on 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 following are hold-over Senators, having been elected at the General Election in 1940 and duly qualified by the Twenty-seventh Legislative Assembly.

Dist.	County	Name	Address
1.	Pembina	Franklin Page	Hamilton
3.	Pt. Walsh	Harry O'Brien	Park River
5.	Pt. Grand Forks	Oliver Bilden	Northwood
7.	Pt. Grand Forks	J. B. Bridston	Grand Forks
11.	Pt. Cass	Wm. Watt	Leonard
13.	Sargent	A. N. Lavik	Milnor
15.	Pt. Barnes	P. L. Foss	Valley City
17.	Nelson	R. R. Lofthus	McVie
19.	Rolette	H. G. Guenther	Rolla
21.	Ramsey	G. F. Drew	Devils Lake
23.	Stutsman	G. I. Feton	Jamestown
25.	Dickey	John G. Nelson	Fullerton
27.	Burleigh	Milton Rue	Bismarck
29.	Pt. Ward	Walter R. Bond	Minot
31.	Stark	M. J. Raschko	Dickinson
33.	Wells	R. M. Streibel	Fessenden
35.	Kidder-Sheridan	John J. Adam	Anamoose
37.	Pt. Richland	H. R. Morgan	Walcott
39.	Billings, Bowman, Golden Valley and Slope	Gust Wog	Belfield
41.	McKenzie	Hjalmer Nelson	Schafer
43.	Renville	Albert Nelson	Glenburn
45.	Williams	Iver Solberg	Ray
47.	Grant-Sioux	William Kamrath	Leith
49.	Adams-Hettinger	Chas. A. Ginter	Hettinger

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

THOMAS HALL,
Secretary of State.

After the reading of the names of the holdover Senators and Senators-elect, Senator Schrock moved that the Acting Secretary appoint a committee of three to escort the Honor-

able James Morris, Chief Justice of the Supreme Court of the State of North Dakota, to the rostrum for the purpose of administering the oath of office to the Lieutenant Governor and to the newly elected members of the Senate of North Dakota, which motion prevailed.

The Secretary appointed as such committee: Senators Schrock, Kehoe and Day.

Chief Justice Morris then administered the oath of office to the Lieutenant Governor, Henry Holt, who thereupon took charge of the proceedings.

Prayer by the Chaplain, Rev. Stewart of Mandan.

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

ROLL CALL

Present:

Adam	Kamrath	Olson, McHenry
Beaton	Kehoe	Olson, Mountrail
Blank	Lavik	Page
Bond	Lofthus	Porter
Brant	Lynch	Raschko
Braun	Morgan, Richland	Rue
Bridston	Morgan, Walsh	Schrock
Brunsdale	Nelson, Dickey	Semerad
Day	Nelson, Griggs-	Solberg
Feton	Steele	Streibel
Flatt	Nelson, McKenzie	Stucke
Foss	Nelson, Renville	Thatcher
Ginter	Nordhougen	Troxel
Greiser	O'Brien	Watt
Guenther	Oksendahl	Wog
Hoeneck	Olson, Barnes	Young

Absent:

Bilden Drew

47 present; 2 absent.

Senator Nelson of Renville County moved the nomination of W. J. Trout of Renville County for Secretary of the Senate.

The question being on the election of W. J. Trout as Secretary of the Senate, the roll was called and there were ayes, 47; nays, 0; absent and not voting, 2.

ROLL CALL

Those voting in the affirmative were:

Adam	Kamrath	Olson, McHenry
Beaton	Kehoe	Olson, Mountrail
Blank	Lavik	Page
Bond	Lofthus	Porter
Brant	Lynch	Raschko
Braun	Morgan, Richland	Rue
Bridston	Morgan, Walsh	Schrock
Brunsdale	Nelson, Dickey	Semerad
Day	Nelson, Griggs-	Solberg
Feton	Steele	Streibel
Flatt	Nelson, McKenzie	Stucke
Foss	Nelson, Renville	Thatcher
Ginter	Nordhougen	Troxel
Greiser	O'Brien	Watt
Guenther	Oksendahl	Wog
Hoeneck	Olson, Barnes	Young

Absent and not voting:

Bilden Drew

So W. J. Trout was declared elected as Secretary of the Senate.

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

Senator Rue of Burleigh County moved the nomination of Ruth Smith of Burleigh County as desk reporter.

ROLL CALL

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

Those voting in the affirmative were:

Adam	Kamrath	Olson, McHenry
Beaton	Kehoe	Olson, Mountrail
Blank	Lavik	Page
Bond	Lofthus	Porter
Brant	Lynch	Raschko
Braun	Morgan, Richland	Rue
Bridston	Morgan, Walsh	Schrock
Brunsdale	Nelson, Dickey	Semerad
Day	Nelson, Griggs-	Solberg
Feton	Steele	Streibel
Flatt	Nelson, McKenzie	Stucke
Foss	Nelson, Renville	Thatcher
Ginter	Nordhogen	Troxel
Greiser	O'Brien	Watt
Guenther	Oksendahl	Wog
Hoенck	Olson, Barnes	Young

Absent and not voting:

Bilden Drew

So Ruth Smith was declared elected as Desk Reporter.

The President of the Senate then administered the oath of office to the Desk Reporter-elect.

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

ROLL CALL

The question being on the election of Emil Strand as Sergeant-at-Arms, the roll was called and there were ayes, 47; nays, 0; absent and not voting, 2.

Those voting in the affirmative were:

Adam	Kamrath	Olson, McHenry
Beaton	Kehoe	Olson, Mountrail
Blank	Lavik	Page
Bond	Lofthus	Porter
Brant	Lynch	Raschko
Braun	Morgan, Richland	Rue
Bridston	Morgan, Walsh	Schrock
Brunsdale	Nelson, Dickey	Semerad
Day	Nelson, Griggs-	Solberg
Feton	Steele	Streibel
Flatt	Nelson, McKenzie	Stucke
Foss	Nelson, Renville	Thatcher
Ginter	Nordhogen	Troxel
Greiser	O'Brien	Watt
Guenther	Oksendahl	Wog
Hoенck	Olson, Barnes	Young

Absent and not voting:

Bilden Drew

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

The Lieutenant Governor administered the oath of office to the Sergeant-at-Arms-elect.

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

The President appointed as such committee Senators Semerad, Porter and Brant.

Senator Nelson of Griggs-Steele moved that the President of the Senate appoint a committee of three to notify the House of Representatives that the Senate is organized and ready for the transaction of business. Motion prevailed.

The President appointed as such committee Senators Nelson of Griggs-Steele, Streibel and Kamrath.

Senator O'Brien moved that the President of the Senate appoint a temporary committee of three on the Revision and Correction of the Journal. Motion prevailed.

The President appointed as such committee Senators O'Brien, Olson of Barnes and Lynch of Divide-Burke.

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

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

Senator Bridston moved that the President of the Senate appoint a committee of five of which the Lieutenant Governor shall be chairman, to act as a Committee on Committees, which motion prevailed.

The President appointed as such committee Senators Bridston, Morgan of Walsh, Stucke and Greiser.

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

The President appointed as such committee Senators Feton, Olson of Mountrail and Hoenck.

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

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

Senator Bond moved that the rules of the Twenty-seventh legislative session be adopted as the temporary rules of the Twenty-eighth legislative session, which motion prevailed.

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

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

Senator Day: "I would like to request that the Lieutenant Governor make a few remarks to the Senate at this time."

Lieutenant Governor Holt: "It is needless for me to tell you that I consider the honor of presiding over the Senate as one that only comes in the life time of a few men in the state. I recognize the responsibility that both you and I have in the conduct of the affairs of this Senate. I can only pledge to you that as far as I am concerned I will do everything in my power to cooperate and expedite the business of the Senate as rapidly as possible.

Ever mindful of the fact that we are now perhaps undergoing the greatest trial period in the history of the nation, we have never faced such a period of stress that taxes the nerves and energies of every citizen of this great country of ours.

The State of North Dakota is and will continue to give every ounce of effort in the winning of this grim war. I know that the Senators here will do everything they can to shorten the period, that we may soon be able to see that victory for which we are striving and that our sons may return home to us.

I do feel the responsibility upon all of us in this great crisis and I hope that we can work harmoniously together in order that we may speed that peace. And with these few remarks I want to say that I know that you and all of us will do our level best."

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

The President appointed on such committee Senators Page, Foss and Nordhougen.

Senator Stucke moved that the Senate now recess for a ten minute period for the purpose of selection of seats, and that the new members remove all papers and personal effects from the desks they now occupy and retire from the floor while the old members are selecting their seats, which motion prevailed.

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

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

Senator Brant: "At this time I would like to move that we place in nomination for election as President Pro Tem of the Senate, the name of Senator C. Norman Brunsdale."

Senator Watt: "It gives me great pleasure to second the nomination of Senator Brunsdale. I have served with Senator Brunsdale for many years and have found him to be a fine, unassuming man, but I found this out—when you put Senator Brunsdale in a corner, where he has to do something, he generally does a first class job."

ROLL CALL

The question being on the election of Senator Brunsdale as President Pro Tem, the roll was called and there were ayes, 42; nays, 0; absent and not voting, 6; passed, 1.

Those voting in the affirmative were:

Adam	Hoenck	Olson, Mountrail
Beaton	Kehoe	Page

Blank	Lynch	Porter
Bond	Morgan, Richland	Raschko
Brant	Morgan, Walsh	Rue
Braun	Nelson, Griggs-	Schrock
Day	Steele	Semerad
Feton	Nelson, McKenzie	Solberg
Flatt	Nelson, Renville	Streibel
Foss	Nordhougen	Thatcher
Ginter	O'Brien	Troxel
Greiser	Oksendahl	Watt
Guenther	Olson, Barnes	Wog
Lavik	Olson, McHenry	Young
Lofthus		

Absent and not voting:

Bilden	Drew	Nelson, Dickey
Bridston	Kamrath	Stucke

Passed:
Brunsdale

So Senator Brunsdale was declared elected as President Pro Tem.

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

Senator Brunsdale: Well, first of all, I feel deeply grateful to the Senate for the honor that it has shown me by electing me to the office of President Pro Tem.

Based on my interpretation of seniority, I do not feel that I am entitled to the office, but by your vote you have decreed otherwise and for that reason I am all the more thankful and all the more humble.

In years gone by, I have enjoyed the sessions I have attended here and particularly the last one. I want to express my thanks and appreciation for the consideration shown at that time.

I have always enjoyed the pleasant relations with all of you men here in years gone by—the minority, and the majority alike. The friendships I have made, I have cherished every time I have gone home from session.

If it should be my lot to be called upon to preside, I shall try to serve as presiding officer as fairly and impartially as I know how, hoping you will overlook my shortcomings and that I may have cooperation and assistance such as I have had before. Thank you."

Senator Watt moved that a committee of seven be appointed to prepare memorial resolutions and arrange a suitable program commemorating the death of Senators Fowler, Gronvold, Murphy, Crandall, Eastgate, Kretchmer, Little, Garner, Porterfield, McGray, McArthur, Matthews, and Morkrud, which motion prevailed.

The President appointed on such committee Senators Watt, Morgan of Walsh, Oksendahl, Young, Stucke, Flatt and Lofthus.

Senator Nelson of Griggs-Steele reported that the House of Representatives had not yet been organized and it was therefore impossible for the Committee of Three appointed to report to the House to act, until such organization had been completed.

Senator Semerad reported that the Committee of Three to notify the Governor that the Senate was organized, had completed their work and asked that this Committee be discharged, which request was granted.

Senator Brant asked that the Senators write the names of their committee preferences on slips of paper and leave at the desk.

Senator Brant moved that the Senate do now recess until one o'clock Wednesday, January 6th, which motion prevailed and the Senate stood recessed.

W. J. TROUT, Secretary.

FIRST DAY AFTER RECESS AND SECOND DAY

Bismarck, January 6, 1943

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

Senator Nelson of Griggs-Steele reported that there has been no organization of the House and the Committee to notify the House has been unable to complete their business.

REPORT OF SELECT COMMITTEES

Mr. President:

Your Committee on Committees begs leave to report as follows:

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

Public Printing: Greiser (chairman), Morgan of Walsh, O'Brien, Beaton, Bond, Troxel and Thatcher.

Respectfully submitted,
 HENRY HOLT, Chairman
 RILIE R. MORGAN
 J. B. BRIDSTON
 E. C. STUCKE
 ROBERT GREISER

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

Mr. President:

Your Committee on Committees begs leave to report as follows:

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

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

Respectfully submitted,
 HENRY HOLT, Chairman
 RILIE R. MORGAN
 J. B. BRIDSTON
 E. C. STUCKE
 ROBERT GREISER

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

Mr. President:

Your Committee on Committees begs leave to report as follows:

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

Mileage and Per Diem: Watt (chairman), Streibel and Bond.

Respectfully submitted,
 HENRY HOLT, Chairman
 RILIE R. MORGAN
 J. B. BRIDSTON
 E. C. STUCKE
 ROBERT GREISER

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

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

Anton Larson	Doorkeeper
Irvin Smith	Calendar and Second Assistant Secretary
Helen MacLachlan	Engrossing and Enrolling
J. O. Bergheim	Proofreader
J. B. Fisher	Bill Room
John W. Benson	Proofreader
Mrs. Dave Hamilton	Mailing Department
Jerry Stair	Telephone
Theodore Thompson	Asst. Mailing Clerk
Joe Moore	Page
John S. Hove	Bill Room
Dominick Goetz	Doorkeeper
Winston Cox	Assistant Secretary
Mary Morgan	Stenographer
Mabel Engeseth	Stenographer
Reuben Olson	Page
Joyce Crossman	Stenographer

ROLL CALL

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

Those voting in the affirmative were:

Adam	Hoencck	Olson, Barnes
Beaton	Kamrath	Olson, McHenry
Blank	Kehoe	Olson, Mountrail
Bond	Lavik	Page
Brant	Lofthus	Raschko
Braun	Lynch	Rue
Bridston	Morgan, Richland	Schrock
Brunsdale	Morgan, Walsh	Semerad
Day	Nelson, Dickey	Solberg
Drew	Nelson, Griggs-	Streibel
Feton	Steele	Stucke
Flatt	Nelson, McKenzie	Thatcher
Foss	Nelson, Renville	Troxel
Ginter	Nordhogen	Watt
Greiser	O'Brien	Wog
Guenther	Oksendahl	Young

Absent and not voting:

Bilden Porter

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

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

W. J. TROUT, Secretary.

SECOND DAY

Bismarck, January 6, 1943

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

Roll call: All Senators present except Bilden and Kamrath.

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

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

HARRY O'BRIEN, Chairman.

Senator O'Brien moved that the report be adopted, which motion prevailed and the report was adopted.

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

Senator Young moved that the Senate do now recess until 2:45 p. m., which motion prevailed.

The Senate re-convened at the expiration of the recess period.

Senator Young moved that the Senate stand recessed until 1:00 p. m., Thursday, January 7th, which motion prevailed.

W. J. TROUT, Secretary.

SECOND DAY AFTER RECESS AND THIRD DAY

Bismarck, January 7, 1943

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

Senator Braun requested that the Senate be on the 6th order of business, which request was granted.

Senator Braun: Mr. President, the Senate Employment Committee wishes to nominate the following employees at this time.

Ingvald Homelvig.....	Janitor
Ole Stefferud.....	Committee Clerk
E. W. Willoughby.....	Cloak Room
R. G. McCrory.....	Assistant Sergeant-at-Arms
Tom Bertelson.....	Head Janitor
Art Herk.....	Bill Clerk
Dominick Lefor.....	Doorkeeper
Einar Berge.....	Bill Room
Edwin Nething.....	Doorkeeper
Ray Unzelman.....	Page
P. A. Peterson.....	Postmaster
Geo. D. Tripp.....	Chart Room
Oscar Q. Odegaard.....	Janitor
Jens Olson.....	Janitor

ROLL CALL

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

Those voting in the affirmative were:

Adam	Kehoe	Olson, McHenry
Blank	Lavik	Olson, Mountrail
Brant	Lynch	Page
Braun	Morgan, Richland	Porter
Bridston	Morgan, Walsh	Raschko
Brunsdale	Nelson, Griggs-	Rue
Day	Steele	Solberg
Drew	Nelson, McKenzie	Streibel
Feton	Nelson, Renville	Stucke
Foss	Nordhougen	Thatcher
Ginter	O'Brien	Troxel
Guenther	Oksendahl	Wog
Hoenck	Olson, Barnes	Young

Absent and not voting:

Beaton	Greiser	Schrock
Bilden	Kamrath	Semerad

Bond
Flatt

Lofthus
Nelson, Dickey

Watt

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

Senator Nelson of Griggs-Steele reported that there has been no organization of the House and the Committee to notify the House has been unable to complete their business.

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

W. J. TROUT, Secretary.

THIRD DAY

Bismarck, January 7, 1943

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

All Senators present except: Adam, Bilden, Flatt, Schrock, Semerad and Solberg.

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

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

HARRY O'BRIEN, Chairman.

Senator O'Brien moved that the report be adopted, which motion prevailed and the report was adopted.

FIRST READING OF SENATE BILLS

Senator Rue introduced:

Senate Bill No. 1. A Bill for an Act Exempting Marines, Aviators, Soldiers, Sailors and All Other Persons Engaged in the Military Forces of the United States from the Payment of Income Taxes, and for the Postponement of Payment of All Real and Personal Property Taxes, and for the Elimination of All Interest and Penalties Thereon During the Duration of the Present War and Declaring an Emergency.

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

The Committee on Appropriations introduced:

Senate Bill No. 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.

The Committee on Appropriations introduced:

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.

The Committee on Appropriations introduced:

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.

The Committee on Appropriations introduced:

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.

The Committee on Appropriations introduced:

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.

The Committee on Appropriations introduced:

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.

Senator Kehoe moved that a committee of five appointed by the President, be named as a committee to be known as "Committee on Introduction of Bills" and that all bills and resolutions introduced by individual Senators be submitted to such committee for its consideration and approval before any such bills are received or introduced, to the end that duplication, in the introduction of unnecessary bills and resolutions may be reduced to the minimum; and second, that the bills introduced may be in form with the new codes that are to be brought in for approval by this session of the legislature, which motion prevailed.

And the President named as such committee: Kehoe, chairman; Thatcher, O'Brien, Streibel and Brunsdale.

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

Senator Young moved that the Senate do now recess until 1:00 p. m. January 8th, which motion prevailed.

W. J. TROUT, Secretary.

THIRD DAY AFTER RECESS AND FOURTH DAY

Bismarck, January 8, 1943

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

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

W. J. TROUT, Secretary.

FOURTH DAY

Bismarck, January 8, 1943

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

All Senators present except: Bilden, Schrock and Semerad. The Committee on Revision and Correction of the Journal made the following report:

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

HARRY O'BRIEN, Chairman.

Senator O'Brien moved that the report be adopted, which motion prevailed and the report was adopted.

PETITIONS AND COMMUNICATIONS

An invitation was received from Malvin Olson, Commander of Gilbert N. Nelson Post No. 1336, Veterans of Foreign Wars, urging all members of the Senate who are VFW members, or eligible to membership, to attend their meetings in the World War Memorial Building the first and fourth Wednesday of each month beginning with January 20, 1943.

REPORT OF SELECT COMMITTEE

Senator Raschko: Your Committee on Senate Committee Rooms beg to make the following report; we hereby assign the following committees to the following committee rooms:

Room G-1: State Affairs, Tax and Tax Laws, Ways and Means, and Apportionment.

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

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

Room 205: Public Health, Public Safety, Temperance, Highways and Bridges.

Room 204: Insurance, Immigration and Statistics, Warehousing and Grain Grading.

Room 203: Education, Public Welfare, Irrigation.

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

Room 201: Game and Fish, and Rules Committee.

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

Logan Bldg., 3rd St.: Appropriations.

M. J. RASCHKO

P. W. BLANK

WM. A. THATCHER

Committee

Senator Raschko moved the acceptance of the report of the Select Committee on the designation of committee rooms.

ROLL CALL

The question being on Senator Raschko's motion, the roll was called and there were ayes, 46; nays, 0; absent and not voting, 3.

Those voting in the affirmative were:

Adam	Hoenck	Olson, Barnes
Beaton	Kamrath	Olson, McHenry
Blank	Kehoe	Olson, Mountrail
Bond	Lavik	Page
Brant	Lofthus	Porter
Braun	Lynch	Raschko
Bridston	Morgan, Richland	Rue
Brunsdale	Morgan, Walsh	Solberg
Day	Nelson, Dickey	Streibel
Drew	Nelson, Griggs-	Stucke
Feton	Steele	Thatcher
Flatt	Nelson, McKenzie	Troxel
Foss	Nelson, Renville	Watt
Ginter	Nordhogen	Wog
Greiser	O'Brien	Young
Guenther	Oksendahl	

Absent and not voting:

Bilden	Schrock	Semerad
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So the committee report was declared accepted.

FIRST READING OF SENATE BILLS

The Committee on Appropriations introduced:

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.

The Committee on Appropriations introduced:

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.

The Committee on Appropriations introduced:

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.

Senators Kehoe and Streibel introduced:

Senate Concurrent Resolution "A." Authorizing the Commission on Code Revision to Employ Additional Help for the Completion of Its Work and Report to Be Presented to the 28th Legislative Assembly.

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

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

S. B. Salverson.....Mailing Clerk
 Henry Coe.....Janitor
 T. LeRoy Evans.....Messenger to the Governor

ROLL CALL

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

Those voting in the affirmative were:

Adam	HoencK	Oksendahl
Beaton	Kamrath	Olson, Barnes
Blank	Kehoe	Olson, McHenry
Bond	Lavik	Olson, Mountrail
Brant	Lofthus	Page
Braun	Lynch	Porter
Bridston	Morgan, Richland	Raschko
Brunsdale	Morgan, Walsh	Rue
Day	Nelson, Dickey	Solberg
Drew	Nelson, Griggs-	Streibel
Feton	Steele	Thatcher
Flatt	Nelson, McKenzie	Troxel
Foss	Nelson, Renville	Watt
Ginter	Nordhousen	Wog
Greiser	O'Brien	Young
Guenther		
Absent and not voting:		
Bilden	Semerad	Stucke
Schrock		

So the above named employees were declared elected to their respective offices, and the Lieutenant Governor administered the oath of office to these employees.

Senator Nelson of Dickey moved that the absent Senators be excused, which motion prevailed.

Senator Bridston made a motion that after the report of the Committee on Committees has been read that the Senate adjourn to reconvene at 1:30 p. m. Monday, January 11th, which motion prevailed.

Senator Olson of McHenry moved that a committee of one be appointed to escort former Senator Etestad to the rostrum and that he be requested to make a few remarks, which motion prevailed.

The President appointed as such committee, Senator Olson of McHenry, whereupon Senator Etestad was escorted to a place on the rostrum.

Senator Nelson of Dickey requested that the Senate be on the 8th order of business, which request was granted.

Senator Nelson of Dickey moved that the remarks of former Senator Ettestad be printed in the Journal, which motion prevailed.

Former Senator Ettestad: "Mr. President and Members of the Senate: I don't know why I happened to come in here but I always appreciate coming back and seeing the old friends. I am improved quite a bit since I was here last time and I hope I will be better in another year from now and be able to get around all right. It is a long time since I have been able to look over the Senate that is controlled by the Nonpartisan League—the original platformers. If you introduced a bill of that kind, it would receive a unanimous vote—if you spring a repeal of one of those laws, you would have a unanimous vote against repealing it. The whole program has been adopted by the federal government and also recommended to the world through the Atlantic Charter, as we read about it, and I think that the whole world will find after a while that this program will have to be carried out some day. We know that some of these laws happened to be failures, not because they were the wrong idea but because we were not far enough along to realize that the time had come when the changes had to be made. For seven years of dry weather we all came down to pretty near starvation—when there was not much left for us to live on. When I was in the old country, trying to go to school and to study, especially religion—we used to learn that by heart, and in the evening we studied until we couldn't learn any more. The old folks would tell us to go to bed and we would have to get up early in the morning and study on an empty stomach—that way you learn faster; and that is the way we have been doing a good many years. Now we are learning that we can't make a success unless other people get enough to live on.

I was asked some time ago why the Senate is more quiet and dignified than the House. Well, I can't say exactly, I think it is because the Senators are older men. They are at the end of the road; they have been learning for a long time and now as they look back they have learned that they don't know anything! The House is composed of younger men—they are looking to the future; they are in the class that knows everything and so that is the reason.

Now we have organizations: Labor organizations; farmer organizations; business and professional men's organizations; all for our own special interest and that is the trouble as long as we stand class against class we are always going to have hard times to deal with and get the mess straightened out. We need to realize that everybody ought to be working for the benefit of the other classes, in other words, 'parity for everybody'—for labor; for capital; for the farmer. Then we will commence to have a united front. As long as we are class against class, working for selfish interest, there will always be strife. We are now fighting a world war for the same thing and we are going to have to adopt a program for everybody—but as I look at it sometimes, I think that human nature has always been the same from the beginning and I don't know whether we are going to be able to change it much or not.

I don't think I had better take up much time. I might tell you a few stories—one that I heard just recently. We have just had an election and some were elected by a very close

majority, especially the Secretary of State. Puts me in mind of a story I heard: Ole asked his mother if there were no men in Heaven. She said, 'Of course there are men in Heaven.' Then little Ole said, 'How does it come I never see any pictures of angels with whiskers,' and she said, 'There are men in Heaven all right but they only get there by a close shave.'

I don't know that I have very much to talk about and I am not as healthy as I might be so that it is a little hard to talk. Thank you and I want to tell you how much I appreciate meeting old friends and the opportunity to talk to you."

Senator Morgan of Walsh suggested that the Senate be at ease until three o'clock p. m. when the report of the Committee on Committees would be completed, and the President announced that the Senate would be at ease following such suggestion.

At the conclusion of the recess period, a committee from the House was received and informed the Senate that the House was now organized and ready to do business.

Senator Nelson of Griggs-Steele requested that the Senate be on the 6th order of business, which request was granted.

Senator Nelson of Griggs-Steele announced that the Committee of Three appointed to notify the House that the Senate was organized and ready to do business had completed its work and asked that the committee be discharged, which request was granted.

The President announced the Senate would be on the 5th order of business.

Senator Watt moved that the Report of the Committee on Mileage and Per Diem be printed in the Journal without reading, and laid over one legislative day, which motion prevailed.

REPORT OF STANDING COMMITTEE

Mr. President: Your Committee on Mileage and Per Diem beg leave to make the following report:

District	NAME AND ADDRESS	N. P.	G. N.	Soo	Milw.	Car	Bus	TOTAL
1.	Franklin Page, Hamilton						708	708
2.	Walter Troxel, Berthold		44	380		8		432
3.	Harry O'Brien, Park River	388	274					622
4.	Rilie R. Morgan, Grafton	388	231					619
5.	Oliver Bilden, Northwood	388	152					540
6.	Carroll E. Day, Grand Forks ..	388	158					546
7.	J. B. Bridston, Grand Forks....	388	158					546
8.	C. N. Brunsdale, Mayville	388	112					500
9.	Geo. C. Hoenck, Fargo	388						388
10.	Frank H. Beaton, Fargo					382		382
11.	Wm. Watt, Leonard	388				80		468
12.	W. J. Braun, Wahpeton	388	90					478
13.	A. N. Lavik, Milnor	472	90			4		566
14.	J. L. Flatt, Sheldon	472				6		478
15.	P. L. Foss, Valley City						272	272
16.	Steven C. Nelson, Finley	388	170			20		578
17.	R. R. Lofthus, McVile	388	226				6	620
18.	W. H. Porter, Calvin		804					804
19.	H. C. Guenther, Rolla		368	380				748

District	NAME AND ADDRESS	N. P.	G. N.	Soo	Milw.	Car	Bus	TOTAL
20.	Orris G. Nordhougen, Leeds ..	434				430		864
21.	G. F. Drew, Devils Lake		236	380				616
22.	J. J. Kehoe Cando		236	380				616
23.	G. I. Feton, Jamestown	204						204
24.	Milton Young, Berlin	342						342
25.	John G. Nelson, Fullerton			280		22		302
26.	E. H. Brant, Linton					128		128
27.	Milton Rue, Bismarck					2		2
28.	Wm. A. Thatcher, Bottineau ..		198	380				578
29.	Walter R. Bond, Minot			380				380
30.	Philip W. Blank, Mandan					12		12
31.	M. J. Raschko, Dickinson	230						230
32.	C. W. Schrock, New Rockford ..	324						324
33.	R. M. Streibel, Fessenden	186	272			18		476
34.	Martin Olson, Butte			246				246
35.	John J. Adam, Drake			280		16		296
36.	Rob. Greiser, Wishek					200		200
37.	H. R. Morgan, Walcott	388				80		468
38.	Melvin Olson, Nome					340		340
39.	Gust Wog, Belfield	270				36		306
40.	R. H. Lynch, Fortuna			680		14		694
41.	Hjalmar Nelson, Schafer	446	206			8		660
42.	Knut Oksendahl, Rugby		122	388				502
43.	Albert Nelson, Glenburn		80	380				460
44.	Axel Olson, Parshall					300		300
45.	Iver Solberg, Ray					534		534
46.	E. C. Stucke, Garrison			146				146
47.	William Kamrath, Leith	206				10		216
48.	Harry Semerad, Dickinson					252		252
49.	Chas. A. Ginter, Hettinger	266				86		352

WM. WATT, Chairman

WALTER R. BOND

R. M. STREIBEL

REPORT OF SELECT COMMITTEE

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

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

AGRICULTURE AND LIVESTOCK—15 members. Lavik, Chairman; Flatt; Nelson of McKenzie; Troxel, Olson of McHenry; Watt; Beaton; Brunsdale; Bilden; Oksendahl; Nelson of Renville; Drew; Nordhougen; Lofthus; Kamrath.

APPROPRIATIONS—17 members. Watt, Chairman; Young; Morgan of Walsh; Thatcher; Braun; Stucke; Brant; Streibel; Guenther; Olson of Mountrail; Rue; Blank; Day; Brunsdale; Foss; Feton; Page.

APPORTIONMENT—23 members. Kamrath, Chairman; Wog; Nelson of Renville; O'Brien; Olson of Mountrail; Troxel; Schrock; Porter; Nordhougen; Young; Beaton; Hoenck; Ginter; Drew; Greiser; Brunsdale; Bilden; Watt; Bond; Day; Nelson of Griggs-Steele; Kehoe; Olson of Barnes.

BANKS AND BANKING—13 members. Raschko, Chairman; Page; Bridston; Blank; Hoenck; Thatcher; Guenther;

Nelson of McKenzie; Bond; Kamrath; Morgan of Richland; Adam; Lavik.

CORPORATIONS—15 members. Foss, Chairman; Morgan of Walsh; Schrock; Brunsdale; Solberg; Guenther; Greiser; Rue; Kamrath; Braun; Semerad; Raschko; Feton; Bond; Hoenck.

COUNTIES—9 members. O'Brien, Chairman; Brant; Lynch; Braun; Nordhogen; Feton; Blank; Wog; Hoenck.

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

EDUCATION—11 members. Morgan of Walsh, Chairman; Drew; Beaton; Lavik; Solberg; Bridston; Nelson of McKenzie; Feton; Streibel; Raschko; Nelson of Griggs-Steele.

ELECTIONS—11 members. Feton, Chairman; Thatcher; O'Brien; Nelson of Renville; Kehoe; Nelson of Dickey; Porter; Lynch; Olson of Barnes; Morgan of Richland; Day.

ENROLLED AND ENGROSSED BILLS—5 members. Bond, Chairman; Bilden; Morgan of Richland; Beaton; Troxel.

FEDERAL RELATIONS—9 members. Porter, Chairman; Kehoe; Olson of McHenry; Morgan of Richland; Adam; Day; Nelson of Dickey; Troxel; Young.

GAME AND FISH—11 members. Morgan of Richland, Chairman; Guenther; Olson of McHenry; Oksendahl; Nelson of Renville; Lofthus; Blank; Young; Schrock; Flatt; Olson of Barnes.

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

IMMIGRATION AND STATISTICS—9 members. Semerad, Chairman; Guenther; Thatcher; Brant; Olson of Mountrail; Lofthus; Nelson of Dickey; Porter; Oksendahl.

INSURANCE—13 members. Page, Chairman; Bridston; Thatcher; Lofthus; Adam; Flatt; Solberg; Brunsdale; Ginter; Foss; Lavik; Nelson of Griggs-Steele; Olson of Barnes.

IRRIGATION AND DRAINAGE—13 members. Braun, Chairman; Brant; Nelson of McKenzie; Troxel; Solberg; Rue; Kamrath; Raschko; Stucke; Lavik; Nordhogen; Lofthus; Streibel.

JUDICIARY—17 members. Kehoe, Chairman; Braun; Day; Beaton; Hoenck; Stucke; Page; Thatcher; O'Brien; Bilden; Lofthus; Ginter; Porter; Lynch; Olson of Barnes; Oksendahl; Nelson of Griggs-Steele.

MILITARY AND INDIAN AFFAIRS—9 members. Flatt, Chairman; Rue; Stucke; Bridston; Nelson of Renville; O'Brien; Ginter; Morgan of Richland; Nelson of Griggs-Steele.

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

PUBLIC HEALTH—9 members. Stucke, Chairman; Drew; Schrock; Porter; Beaton; Foss; Lynch; Oksendahl; Bond.

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

PUBLIC SAFETY—9 members. Troxel, Chairman; Bilden; Flatt; Nelson of Renville; Brant; Nelson of Dickey; Hoenck; Foss; Lofthus.

PUBLIC WELFARE—9 members. Drew, Chairman; Morgan of Walsh; Stucke; Brant; Kamrath; Page; Blank; Porter; Olson of Barnes.

RAILROADS—13 members. Blank, Chairman; Fetton; Rue; Streibel; Morgan of Richland; Nelson of McKenzie; Wog; Olson of McHenry; Day; Greiser; Hoenck; Semerad; Raschko.

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

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

STATE AFFAIRS—17 members. Bridston, Chairman; Young; Morgan of Walsh; Olson of Mountrail; Wog; Streibel; Watt; Greiser; Brunsdale; Blank; Flatt; Solberg; O'Brien; Lavik; Drew; Raschko; Rue.

TAX AND TAX LAWS—17 members. Brant, Chairman; Wog; Brunsdale; Solberg; Young; Lynch; Bridston; Semerad; Olson of Barnes; Schrock; Day; Adam; Raschko; Blank; Drew; Fetton; Morgan of Richland.

TEMPERANCE—11 members. Lofthus, Chairman; Flatt; Ginter; Nelson of Griggs-Steele; Adam; Hoenck; Nordhogen; Olson of Barnes; Lynch; Troxel; Semerad.

WAREHOUSE AND GRAIN GRADING—11 members. Beaton, Chairman; Watt; Nordhogen; Lavik; Ginter; Lofthus; Solberg; Fetton; Nelson of Dickey; Drew; Olson of McHenry.

WAYS AND MEANS—17 members. Young, Chairman; Bridston; Morgan of Walsh; Schrock; Flatt; Stucke; Foss; Streibel; Braun; Greiser; Page; Nelson of McKenzie; Lavik; Ginter; Morgan of Richland; Day; Kehoe.

HENRY HOLT, Chairman
J. B. BRIDSTON
RILIE R. MORGAN
ROB. GREISER
E. C. STUCKE

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

FIRST READING OF SENATE BILLS

The Committee on Appropriations introduced:

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.

The Committee on Appropriations introduced:

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.

The Committee on Appropriations introduced:

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.

The President announced the Senate would now adjourn to re-convene at 1:30 p. m. Monday, January 11th.

W. J. TROUT, Secretary.

FOURTH DAY AFTER RECESS AND SEVENTH DAY

Bismarck, January 11, 1943

The Senate re-convened at 1:30 p. m., pursuant to motion of Senator Bridston on Friday, January 8th, with Senator Brunsdale, the President Pro Tem, presiding.

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

Senator Young moved that there being some question as to the procedure adopted by the Senate in introducing bills before the House was organized, that all such bills be re-introduced, which motion prevailed.

Senator Flatt moved that the Senate do now adjourn, which motion prevailed, and the Senate stood adjourned.

W. J. TROUT, Secretary.

SEVENTH DAY

Bismarck, January 11, 1943.

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

Prayer by the chaplain, Rev. Father Justin of Mandan.

Roll call: All Senators present except Beaton, Bilden, Porter and Semerad.

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

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

ORRIS G. NORDHOUGEN, Chairman.

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

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

John Rasler.....	Page
June Baribeau.....	Stenographer
Frank Comatz.....	Janitor
Ruth Clary.....	Committee Clerk
Loris Kellerman.....	Stenographer
Charles Ufer.....	Mailing Clerk

ROLL CALL

The question being on the nomination of the above named employees, the roll was called and there were ayes, 44; nays, 0; absent and not voting, 5.

Those voting in the affirmative were:

Adam	Kamrath	Olson, Barnes
Bond	Kehoe	Olson, McHenry

Brant	Lavik	Olson, Mountrail
Braun	Lofthus	Page
Bridston	Lynch	Raschko
Brunsdale	Morgan, Richland	Rue
Day	Morgan, Walsh	Schrock
Drew	Nelson, Dickey	Solberg
Feton	Nelson, Griggs-	Streibel
Flatt	Steele	Stucke
Foss	Nelson, McKenzie	Thatcher
Ginter	Nelson, Renville	Troxel
Greiser	Nordhogen	Watt
Guenther	O'Brien	Wog
Hoenck	Oksendahl	Young
Absent and not voting:		
Beaton	Blank	Semerad
Bilden	Porter	

So the above named employees were declared elected to their respective positions and were administered the oath of office by the presiding officer, the President Pro Tem.

Senator Raschko requested that the Senate be on the eighth order of business.

Senator Raschko moved that an appropriation of \$200 be allowed to pay for a room down town in the Logan building for the use of the Committee on Appropriations.

ROLL CALL

The question being on the motion of Senator Raschko to make an appropriation of \$200 for the payment of a committee room for the use of the Committee on Appropriations, the roll was called and there were ayes, 44; nays, 0; absent and not voting, 5.

Those voting in the affirmative were:

Adam	Kamrath	Olson, Barnes
Bond	Kehoe	Olson, McHenry
Brant	Lavik	Olson, Mountrail
Braun	Lofthus	Page
Bridston	Lynch	Raschko
Brunsdale	Morgan, Richland	Rue
Day	Morgan, Walsh	Schrock
Drew	Nelson, Dickey	Solberg
Feton	Nelson, Griggs-	Streibel
Flatt	Steele	Stucke
Foss	Nelson, McKenzie	Thatcher
Ginter	Nelson, Renville	Troxel
Greiser	Nordhogen	Watt
Guenther	O'Brien	Wog
Hoenck	Oksendahl	Young
Absent and not voting:		
Beaton	Blank	Semerad
Bilden	Porter	

So Senator Raschko's motion prevailed.

A committee of three from the House was received who notified the Senate that the House was ready to receive the Senate in joint session.

Senator Watt moved that the report of the Committee on Mileage and Per Diem as printed in the Journal be amended as follows:

In line 3, strike out the figures 622 and insert "662".

In line 20, strike out the figures under "Car" and insert 434 in lieu of "430" and strike out the figures "864" and insert "434".

In line 41, strike out the figures "446" and insert "223". Strike out the figures "206" under "G. N." and insert "103", and insert the figures "220" under "Bus". Change the totals from "660" to "554".

And when so amended, recommend the same do pass.

ROLL CALL

The question being on the report of the Committee on Mileage and Per Diem, the roll was called and there were ayes, 44; nays, 0; absent and not voting, 5.

Those voting in the affirmative were:

Adam	Kamrath	Olson, Barnes
Bond	Kehoe	Olson, McHenry
Brant	Lavik	Olson, Mountrail
Braun	Lofthus	Page
Bridston	Lynch	Raschko
Brunsdale	Morgan, Richland	Rue
Day	Morgan, Walsh	Schrock
Drew	Nelson, Dickey	Solberg
Feton	Nelson, Griggs-	Streibel
Flatt	Steele	Stucke
Foss	Nelson, McKenzie	Thatcher
Ginter	Nelson, Renville	Troxel
Greiser	Nordhougen	Watt
Guenther	O'Brien	Wog
Hoenck	Oksendahl	Young

Absent and not voting:

Beaton	Blank	Semerad
Bilden	Porter	

So the report was declared adopted.

Senator Bond moved that the Committee on Mileage and Per Diem be discharged as their duties had been performed, which motion prevailed.

Senator Nelson of Dickey moved that the absent Senators be excused, which motion prevailed.

Senator Watt moved that Senator Day of Grand Forks be named a Committee of One to inquire as to the absence of Senator Bilden, which motion prevailed.

Senator Bridston moved that the Committee on Printing be authorized to confer with a like committee from the House relative to the form and printing of the journals, bills and calendar for both the House and the Senate, which motion prevailed.

Senator Watt moved that the Senate now recess to take part in the joint session of the House, and after said joint session, the Senate re-convene for the first reading of Senate bills, after which the Senate recess until 1:30 p. m., Tuesday, January 12, 1943, which motion prevailed.

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

After the adjournment of the joint session, the Senate re-convened pursuant to Senator Watt's motion for the reading of Senate Bills.

FIRST READING OF SENATE BILLS

Senator Rue introduced:

Senate Bill No. 1. A Bill for an Act Exempting Marines,

Aviators, Soldiers, Sailors and All Other Persons Engaged in the Military Forces of the United States from the Payment of Income Taxes, and for the Postponement of Payment of All Real and Personal Property Taxes, and for the Elimination of All Interest and Penalties Thereon During the Duration of the Present War and Declaring an Emergency.

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

The Committee on Appropriations introduced:

Senate Bill No. 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.

The Committee on Appropriations introduced:

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.

The Committee on Appropriations introduced:

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.

The Committee on Appropriations introduced:

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.

The Committee on Appropriations introduced:

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.

The Committee on Appropriations introduced:

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.

The Committee on Appropriations introduced:

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.

The Committee on Appropriations introduced:

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.

The Committee on Appropriations introduced:

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.

Senator Kehoe and Streibel introduced:

Senate Concurrent Resolution "A." Authorizing the Commission on Code Revision to Employ Additional Help for the Completion of Its Work and Report to Be Presented to the 28th Legislative Assembly.

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

The Committee on Appropriations introduced:

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.

The Committee on Appropriations introduced:

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.

The Committee on Appropriations introduced:

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.

Committee on Appropriations introduced:

Senate Bill No. 14. A Bill for an Act Making an Appropriation to Defray the Expenses for the Bee Keepers Act.

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

Committee on Appropriations introduced:

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.

Committee on Appropriations introduced:

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.

Committee on Appropriations introduced:

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.

Committee on Appropriations introduced:

Senate Bill No. 18. A Bill for an Act Making an Appropriation for Services and Expenses for the Public Utility Division.

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

Committee on Appropriations introduced:

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.

Committee on Appropriations introduced:

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.

Committee on Appropriations introduced:

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.

Committee on Appropriations introduced:

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.

Committee on Appropriations introduced:

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.

Senators Streibel and Adam introduced:

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 first time and referred to the Committee-on State Affairs.

At the conclusion of the first reading of Senate Bills Nos. 1 to 24 incl. and Senate Concurrent Resolution "A", the Senate recessed until 1:30 p. m. Tuesday, January 12th, pursuant to Senator Watt's motion.

W. J. TROUT, Secretary.

SEVENTH DAY AFTER RECESS AND EIGHTH DAY

Bismarck, January 12, 1943

The Senate reconvened at 1:30 p. m., pursuant to motion of Senator Watt, with the President presiding.

Senator Feton informed the Senate that the Committee of Three appointed to confer with a like committee from the House to arrange for a joint session had completed its work and moved that the committee be discharged, which motion prevailed.

Senator Young moved that the Senate do now adjourn, which motion prevailed and the Senate stood adjourned.

W. J. TROUT, Secretary.

EIGHTH DAY

Bismarck, January 12, 1943

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

Prayer by the chaplain, Rev. Father Justin of Mandan.

Roll call: All Senators present except Beaton, Bilden, Blank, Kamrath and Porter.

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

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

ORRIS G. NORDHOUGEN, Chairman.

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

PETITIONS AND COMMUNICATIONS

A communication was read from the Board of County Commissioners of Williams County requesting the 28th Legislative Assembly to enact legislation to confine the sale of all county and state owned agricultural lands for the duration of the war and for at least two years thereafter, to persons in the service of the armed forces or who have been honorably discharged from such service in the present war, which was referred to the Committee on Agriculture and Livestock.

Senator Young: I understand that the communications received from the Governor are of a nature that require an Executive Session for their consideration. Therefore I move that the Senate do now go into Executive Session for the consideration of the same. Which motion prevailed.

At the conclusion of the Executive Session, it was announced that the communications from the Governor had been referred to the Committee on State Affairs.

The Lieutenant Governor announced that he would have to be excused and asked the President Pro Tem, Senator Brunsdale, to preside.

Senator Raschko moved that the committee of three appointed to make arrangements for committee rooms be discharged as their duties had been performed, which motion prevailed.

Senator Day: "Your Select Committee of One appointed to investigate the absence of Senator Bilden begs leave to submit the following report: I called Senator Bilden on the long distance telephone, found him at Northwood and he assured me he would be here in a day or two."

Senator Day moved that the Select Committee of One to investigate the absence of Senator Bilden be discharged, which motion prevailed.

FIRST READING OF SENATE BILLS

The Committee on Appropriations introduced:

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.

The Committee on Appropriations introduced:

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.

The Committee on Appropriations introduced:

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 first time and referred to the Committee on Appropriations.

The Committee on Appropriations introduced:

Senate Bill No. 28. A Bill for an Act Making an Appropriation 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.

Senator Nelson of Dickey moved that the absent senators be excused, which motion prevailed.

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

W. J. TROUT, Secretary.

NINTH DAY

Bismarck, January 13, 1943.

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

Prayer by the chaplain, Rev. Simpson of Mandan.

Roll call: All Senators present except Bilden, Greiser and Porter.

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

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

ORRIS G. NORDHOUGEN, Chairman.

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

REPORT OF STANDING COMMITTEE

REPORT OF JOINT COMMITTEE ON PRINTING

Mr. President: Your Committee on Public Printing, 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

Senator Morgan moved that the report of the Joint Committee on Printing be printed in the Journal, and action deferred one legislative day, which motion prevailed.

REPORT OF SELECT COMMITTEE

Mr. President: Your Select Committee of Committees hereby reports as follows:

That the Senators named in the hereto attached lists be selected and appointed to serve upon and to constitute the membership of the joint committees of the Senate.

PUBLIC BUILDINGS: Rue, Chairman; Semerad, Bond, Adam, Nelson of Griggs-Steele, Nelson of McKenzie, and Hoenck.

CHARITABLE INSTITUTIONS: Olson of Barnes, Chairman; Beaton, Drew, Bilden, Oksendahl, Nelson of Dickey, and Guenther.

EDUCATIONAL INSTITUTIONS: Day, Chairman; Lynch, Porter, Blank, Raschko, Greiser, and Bond.

INSURANCE: Nelson of Griggs-Steele, Chairman; Thatcher, Lofthus, Olson of McHenry, and Page.

PENAL INSTITUTIONS: Oksendahl, Chairman; Streibel, Feton, Stucke, and Troxel.

STATE LIBRARY: Hoenck, Chairman; Ginter, O'Brien, Solberg, Bond, Schrock, and Kamrath.

JOINT RULES: Thatcher, Chairman; Morgan of Richland, Stucke, Porter and Kehoe.

LABOR: Olson of Mountrail, Chairman; Braun, Nordhogen, Rue, Nelson of Renville, Day and Solberg.

HENRY HOLT,
Chairman
J. B. BRIDSTON
RILIE R. MORGAN
E. C. STUCKE

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

The Committee on Appropriations introduced:

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.

The Committee on Appropriations introduced:

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 first time and referred to the Committee on Appropriations.

The Committee on Appropriations introduced:

Senate Bill No. 31. A Bill for an Act Making an Appropriation for the 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.

The Committee on Appropriations introduced:

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.

The Committee on Appropriations introduced:

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.

The Committee on Appropriations introduced:

Senate Bill No. 34. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs and Equipment of the North Dakota State Farm, Bismarck, North Dakota.

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

Senator Troxel introduced:

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.

Senator Nelson of Dickey moved that the absent Senators be excused.

Senator Watt: "I object to that motion as we have one member of our body who has been absent for eight days, and it is very unusual for a Senator to absent himself as Senator Bilden has, without the consent of the Senate."

Senator Day: "There has been considerable discussion about that report I gave yesterday. I believe that Senator Bilden may be here today. He is a druggist and it is entirely possible that with the shortage of help (this being war times) —and I think it is the only drug store in Northwood, that he may have had considerable difficulty in getting help. I

would like to raise my voice in objection to complete disapproval of Senator Bilden's absence until he has had time to be here and make an explanation, if he has one."

Lieutenant Governor Holt: "I want to say that I had a letter from Senator Bilden which I referred to the Committee on Committees, in which he stated that because of lack of help he would be a little late in reporting for duty, and I join with Senator Day in saying that he is trying to operate a drug store, the only one in the city of Northwood and he is very short of help. I would like to see the matter go over just one day and see what happens tomorrow."

Senator Watt: "In view of these remarks from Senator Day and the Lieutenant Governor, I will withdraw my objection to the motion of Senator Nelson of Dickey."

The question being on the motion of Senator Nelson of Dickey that the absent Senators be excused, the motion prevailed on an aye and nay vote.

Senator Young moved that the remarks of Senator Watt, Senator Day and Lieutenant Governor Holt be printed in the Journal, which motion prevailed.

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

W. J. TROUT, Secretary.

TENTH DAY

Bismarck, January 14, 1943

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

Prayer by the chaplain, Rev. Simpson of Mandan.

Roll call: All Senators present except Bilden, Greiser and Guenther.

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

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

ORRIS G. NORDHOUGEN, Chairman.

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

PETITIONS AND COMMUNICATIONS

Senator Nelson of Dickey presented a communication from Erwin Mattson, Farmers Union secretary of Fullerton stating that he had been instructed to write Senator Nelson for their Local requesting that the Sales Tax be abolished, which communication was referred to the Committee on Tax and Tax Laws.

Senator Flatt moved the nomination of Myrtle Steen as Clerk of the Appropriation Committee and Eva Goetz as Enrolling and Engrossing Clerk.

The question being on the election of the above named employees, the roll was called and there were ayes, 46; nays, 0; absent and not voting, 3.

ROLL CALL

Those voting in the affirmative were:

Adam	Kehoe	Olson, Mountrail
Beaton	Lavik	Page
Blank	Lofthus	Porter
Bond	Lynch	Raschko
Brant	Morgan, Richland	Rue
Braun	Morgan, Walsh	Schrock
Bridston	Nelson, Dickey	Semerad
Brunsdale	Nelson, Griggs-	Solberg
Day	Steele	Streibel
Drew	Nelson, McKenzie	Stucke
Feton	Nelson, Renville	Thatcher
Flatt	Nordhougen	Troxel
Foss	O'Brien	Watt
Ginter	Oksendahl	Wog

Hoenck	Olson, Barnes	Young
Kamrath	Olson, McHenry	
Absent and not voting:		
Bilden	Greiser	Guenther

So the above named employees were declared elected.

FIRST READING OF SENATE BILLS

Senators Page, Raschko, Blank and Lavik introduced:

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 the first time and referred to the Committee on Apportionment.

Senator Nelson of Dickey moved that the absent Senators be excused, which motion prevailed.

Senator Day: "Mr. President, I move that the President appoint a committee of three to confer with a like committee from the House for the purpose of considering the advisability of drafting a resolution addressed to the proper officials in Washington in reference to the farm machinery quota for the State of North Dakota."

Senator Young: "I move an amendment to that motion to include the entire gas rationing."

The question being on Senator Young's motion, the same was put and prevailed.

The question now being on the original motion of Senator Day, as amended, the same was put, and prevailed.

The President appointed as such Committee of Three, Senators Day, Nordhousen and Flatt.

Senator Morgan of Walsh moved the adoption of the report of the Joint Committee on Printing as printed in the Journal of the Ninth Day.

Senator Nelson of Dickey moved an amendment of the report to include the punching of all of the 3500 journals, which motion prevailed.

Senator Streibel moved the further amendment of the report to include County Superintendents on the mailing list (upon their request), which motion prevailed.

ROLL CALL

The question now being on the original motion of Senator Morgan, as amended, to adopt the report of the Joint Committee on Printing, the roll was called and there were ayes, 46; nays, 0; absent and not voting, 3.

Those voting in the affirmative were:

Adam	Kehoe	Olson, Mountrail
Beaton	Lavik	Page
Blank	Lofthus	Porter
Bond	Lynch	Raschko
Brant	Morgan, Richland	Rue
Braun	Morgan, Walsh	Schrock
Bridston	Nelson, Dickey	Semerad
Brunsdale	Nelson, Griggs-	Solberg
Day	Steele	Streibel
Drew	Nelson, McKenzie	Stucke
Feton	Nelson, Renville	Thatcher

Flatt	Nordhougen	Troxel
Foss	O'Brien	Watt
Ginter	Oksendahl	Wog
Hoenck	Olson, Barnes	Young
Kamrath	Olson, McHenry	

Absent and not voting:

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

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

FIRST READING OF SENATE RESOLUTIONS

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.

Referred to Committee on Printing.

A communication was read from the Greater North Dakota Association stating that they have a motion picture of the various state institutions and that the Association will appreciate the courtesy of the House Chamber and the opportunity of showing the pictures at a joint session, during the coming week.

Senator Page moved that the President appoint a Committee of Three to confer with a like Committee from the House to decide whether they want the pictures shown, and to make arrangements for the showing of same, which motion prevailed.

The President appointed as such committee: Senators Page, Thatcher and O'Brien.

Senator Schrock announced that a former member of the Senate, former-Senator Elling M. Indergaard, was in the chamber. The President appointed Senator Schrock as a Committee of One to escort former Senator Indergaard to the rostrum, who then addressed the Senate.

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

W. J. TROUT, Secretary.

ELEVENTH DAY

Bismarck, January 15, 1943

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

Prayer by the chaplain, Rev. Simpson of Mandan.

Roll call: All Senators present except Brunsdale, Guenther and Solberg.

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

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

In the 15th line from the bottom of page 40, after the word "Morgan" insert the words, "as amended".

And when so corrected recommend that the same be approved.

ORRIS G. NORDHOUGEN, Chairman.

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

PETITIONS AND COMMUNICATIONS

Senator Drew presented a communication from the school officers of the Edmore Public Schools in regard to proposed legislation to legalize a levy of 27 mills in high school districts, which was referred to the Committee on Education.

Senator Kehoe presented a resolution from the County Commissioners of the State of North Dakota, in session in the City of Mandan, which was referred to the Committee on Tax and Tax Laws.

Senator Young moved that this resolution be printed in the Journal, which motion prevailed.

BE IT RESOLVED by the County Commissioners of the State of North Dakota now in session at the City of Mandan in such state, that we hereby request and urge the Legislative Assembly of such state now in session, to enact proper and appropriate legislation, requiring that the five-twelfths of all money hereafter coming into the State Treasury as the proceeds of sales taxes, which five-twelfths are now allocated to General Relief, Needy Aged, and Needy Blind and Dependent Children, and remaining after deducting five-twelfths of all necessary expense for administering the Sales Tax Act of North Dakota, be allocated to and for disbursement in the various counties of the State of North Dakota in the same proportion in which such taxes are collected from such counties.

BE IT FURTHER RESOLVED that certified copies hereof be transmitted by the secretary to the Senate and House of Representatives of the State of North Dakota.

Signed:

B. C. KOESTER, President.

STATE OF NORTH DAKOTA }

COUNTY OF MORTON }

I, the undersigned, duly appointed, qualified and acting secretary of the North Dakota County Commissioners' Association, do hereby certify that the foregoing and hereto attached is a complete, true and accurate copy of the Resolution adopted by such association at its session held in the City of Mandan, in the State of North Dakota, on the 14th day of January, 1943.

Dated January 14, 1943.

D. A. MALSTROM, Secretary.

FIRST READING OF SENATE BILLS

Senators Stucke and Young introduced:

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 Creation of a Safety Department and a Safety Fund and for the Inspection of Steam Boilers, Pressure Vessels, and Passenger and Freight Elevators and an Inspection Fee of Steam Boilers, for Making of Rules and Regulations Relating to Safety; Providing for the Manner in Which a Surplus May Be Created and Maintained; Providing for the Payment 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 Townships 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.

The Committee on Appropriations introduced:

Senate Bill No. 38. A Bill for an Act Making an Appropriation for the Purchase of Foods, Meats, Etc., for the

State Tuberculosis Sanatorium; and Declaring an Emergency.

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

Introduced by Committee on Employment:

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

Referred to the Committee on State Affairs.

Senator Nelson of Dickey moved that the absent Senators be excused, which motion prevailed.

The Lieutenant Governor administered the oath of office to Myrtle Steen as Clerk of the Committee on Appropriations.

Senator Nelson of Dickey moved that the action on the Report of the Joint Committee on Printing, as passed yesterday, be reconsidered, which motion prevailed.

Senator Brant moved that the report of the Joint Committee on Printing be amended to read "1750" journals instead of "3500".

Senator Watt moved as a substitute motion that the Report of the Committee on Printing be adopted as presented, which motion prevailed.

Senator Day moved that further action on the Report of the Joint Committee on Printing be deferred one legislative day, which motion was declared lost on an aye and nay vote.

Senator Watt demanded a roll call on his motion.

ROLL CALL

The question being on the motion of Senator Watt that the Report of the Joint Committee on Printing be adopted, the roll was called and there were ayes, 40; nays, 5; absent and not voting, 4.

Those voting in the affirmative were:

Adam	Hoenck	O'Brien
Beaton	Kamrath	Oksendahl
Bilden	Kehoe	Olson, Barnes
Blank	Lavik	Olson, McHenry
Bond	Lofthus	Olson, Mountrail
Brant	Lynch	Raschko
Braun	Morgan, Richland	Rue
Bridston	Morgan, Walsh	Schrock
Day	Nelson, Dickey	Stucke
Feton	Nelson, Griggs-	Thatcher
Flatt	Steele	Watt
Foss	Nelson, McKenzie	Wog
Ginter	Nelson, Renville	Young
Greiser	Nordhogen	

Those voting in the negative were:

Drew	Porter	Troxel
Page	Streibel	

Absent and not voting:

Brunsdale	Semerad	Solberg
Guenther		

So the motion of Senator Watt prevailed.

Senator Flatt moved that the rules be suspended and that Senate Concurrent Resolution "C" which had been referred to the Committee on State Affairs, be acted upon at this time, which motion prevailed.

SECOND READING OF SENATE RESOLUTION

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

Which resolution was declared adopted on an aye and nay vote.

Senator Young moved that the same form be used on the Senate stationery as has been used in previous years, which motion prevailed.

Senator Bilden: "I rise to a point of personal privilege. I regret that I was unable to be present at the opening of the Session, due to circumstances over which I had no control, and which I believe have already been explained—all I can do is to offer my apologies to the Senate and hope they will be accepted."

Senator Watt moved that Senator Bilden's remarks be printed in the Journal, which motion prevailed.

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

W. J. TROUT, Secretary.

TWELFTH DAY

Bismarck, January 16, 1943

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

Prayer by the chaplain, Rev. T. A. Simpson of Mandan.

Roll call: All Senators present except Brunsdale, Feton, Foss, Guenther, Hoenck, Olson of Barnes, Raschko, Schrock, Semerad, Solberg and Stucke.

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

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

ORRIS G. NORDHOUGEN, Chairman.

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

MESSAGE TO THE HOUSE

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.

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.

WM. A. THATCHER

Chairman of Joint Rules Committee of Senate

GEO. SCHWARTZ

Chairman of Joint Rules Committee of House

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

Senator Page reported that the Committee of Three ap-

pointed to confer with a like committee from the House to arrange for the showing of moving pictures made by the Greater North Dakota Association had made such joint arrangements and that the pictures will be shown next Monday in the House Chamber at 1:00 p. m.

Senator Page moved that the Committee of Three to make the above arrangements be discharged.

Senator Olson of Mountrail made a substitute motion that the Committee of Three be retained for the time being to make arrangements for a moving picture to be shown by the Mine Inspector, which motion prevailed.

FIRST READING OF SENATE BILLS AND RESOLUTIONS

The Committee on Appropriations introduced:

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.

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

Senators Olson of Mountrail and Olson of McHenry introduced:

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 State Affairs.

Senator Nelson of Dickey moved that the absent Senators be excused, which motion prevailed.

Senator Adam moved that action taken yesterday adopting the report of the Joint Committee on Printing be reconsidered.

Senator Bridston made a substitute motion that further discussion of the report of the Joint Committee on Printing be postponed one legislative day, which motion prevailed.

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

PETITIONS AND COMMUNICATIONS

The following resolutions were read by the Secretary, from the North Dakota County Commissioners Association in convention at Mandan.

Gentlemen:

Your resolution committee has had under consideration the following, which we recommend for your consideration and approval:

1. Re-enactment of the one-cent gas tax.
2. Re-enactment of the 2% sales tax.
3. Limiting compulsory insurance of road building and maintaining equipment.
4. This association accept an invitation of the county officials to be included in their restoration of salaries bill a provision that the County Commissioners compensation be restored to six dollars per day and seven cents per mile for all miles traveled to and from meetings and other necessary travel in the conduct of official business. Furthermore that the maximum compensation permissible for commissioners of counties which have specified population be increased from \$650.00 to \$900.00.

5. That legislation be enacted providing that title to real estate resting in husband and wife shall pass to the survivor without proceedings in court, (in absence of valid will to the contrary).
6. That county boards conduct the sale and leasing of tax deed lands in a manner so as to encourage longer periods of tenure, thereby affording greater security for both owner and tenant.
7. That present laws affecting redemption and re-purchase of tax deed lands be amended to provide that when re-purchase or redemption is made prior to the 1st day of April, the redemptioner shall be entitled to the profits of the owner for the current year, and such lands shall be immediately placed on the tax lists. When redemption is made after April 1st, the county shall retain the income for the current year and the real estate shall be placed on the tax list for the following year, in the name of the redemptioner. In either case redemption shall be made subject to existing leases.
8. Due to the increasing number of our citizens entering defense, military service and the operation of gas rationing, a large number of automobiles in the state will be out of active service. Therefore, we feel that the penalties provided by the present Motor Vehicle Law for failure to purchase current license plates be modified in such cases where the automobile is not being operated on our public highways.
9. That the present Motor Vehicle Laws relative to trucks and the operation thereof upon our highways be not amended.

Dated this 14th day of January, 1943.

H. A. KLUVER, Chairman
 CARL BORGE
 B. O. BRY
 DICK FENSKE
 J. D. O'KEEFFE

Passed by the North Dakota County Commissioners Association in convention at Mandan, North Dakota, this 14th day of January, 1943.

D. A. MALSTROM, Secretary.

WHEREAS, the practice of periodic conferences of those who are responsible for the conduct of the affairs of our counties is of great benefit to the taxpayers and citizens of our State, and

WHEREAS, the authority of County Commissioners to charge their respective Counties per diem and mileage or necessary expenses incurred while in attendance at their annual state convention, which are conducted for the benefit of County Government, is in serious question,

NOW THEREFORE BE IT RESOLVED, by the members of the North Dakota County Commissioners Association, that we respectfully recommend to the 28th Legislative Assembly to enact appropriate legislation clarifying the law on this point and making it possible for County Commissioners and County Auditors to attend their respective annual conferences and be reimbursed by their Counties for necessary mileage and expenses necessarily incurred, while in attendance at such conferences.

RESOLVED FURTHER, that one copy of this resolution be delivered to the Governor, one copy to each branch of the Legislature, and a copy be spread on the minutes of this Association.

H. A. KLUVER, Chairman
 CARL BORGE
 B. O. BRY
 DICK FENSKE
 J. D. O'KEEFFE

Passed by the North Dakota County Commissioners Association in convention at Mandan, North Dakota, this 13th day of January, 1943.

D. A. MALSTROM, Secretary.

WHEREAS, Chapter 269 of the 1941 Session Laws, provides that real and personal property taxes are not due until ten months after assessments are made, and

WHEREAS, many of the taxing districts receive no benefits whatever from current tax levies, until after the close of the fiscal year, for which such levies were made, and

WHEREAS, such delays brought about through the provisions of Chapter 269 impose unsurmountable obstacles, in the way of the normal operation of many governmental subdivisions, and serve no good purpose,

NOW, THEREFORE BE IT RESOLVED, that the North Dakota County Commissioners Association respectfully recommends to the 28th Legislative Assembly that appropriate legislation be enacted to restore the date of December 31st, when all taxes levied during the current year shall become due.

RESOLVED FURTHER, that one copy of this resolution be delivered to the Governor, one copy to each branch of the Legislature and a copy be spread on the minutes of this Association.

H. A. KLUVER, Chairman
 CARL BORGE
 B. O. BRY
 DICK FENSKE
 J. D. O'KEEFFE

Passed by the North Dakota County Commissioners Association in convention at Mandan, North Dakota, this 13th day of January, 1943.

D. A. MALSTROM, Secretary.

Senator Young moved that the resolutions from the North Dakota County Commissioners Association in convention at Mandan be printed in the Journal, which motion prevailed.

The Lieutenant Governor announced that the three resolutions would be referred to the Committee on State Affairs.

Senator Nelson of Griggs-Steele announced that Former Senator Dahl was in the Senate Chamber and moved that a Committee of One be appointed to escort Former Senator Dahl to the rostrum and that he be asked to make a few remarks.

The Lieutenant Governor appointed as a Committee of One,

Senator Nelson of Griggs-Steele to escort Former Senator Dahl to the rostrum, and who thereupon addressed the Senate.

Senator Young moved that the Senate do now recess until 1:30 p. m., Monday, January 18th, which motion prevailed and the Senate stood recessed.

W. J. TROUT, Secretary.

TWELFTH DAY AFTER RECESS AND
FOURTEENTH DAY

Bismarck, January 18, 1943

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

Senator Nelson of Griggs-Steele moved that the remarks of Former Senator C. P. Dahl be printed in the Journal, which motion prevailed.

Former Senator Dahl: "Lieutenant Governor Holt; honorable members of the 28th Legislative Assembly; and citizens of North Dakota:

"I am going to ask you to get comfortable in your seats because when I get up to talk I always felt there was one thing that I had missed. Senator Watt once told me that he liked to sit down and listen to about a four-hour speech and this gives me the privilege.

"It is really fun for me to be back here today. I would rather be up here with the Lieutenant Governor than back there where I sat in the last two sessions because—I will tell you why—I think that the 16th District has sent a man that is much more able to serve, and who has much more ability to fill that chair than I could, and consequently I am proud that the 16th District has sent Steve Nelson here.

"Now then, this is Saturday and all important business is held over, so I suppose the time is all mine!

"These are abnormal times and often when we have conditions like this, we are prone to embark upon reforms and economical reconstructions that are not given as much thought and consideration as they should be. I think that this session, more so than probably many of the previous ones, is going to have some very knotty problems to untangle, due to the condition of the country, as it is today.

"I have always said that you and I as citizens—we who have offered ourselves as public servants—we who have accepted that trust from our constituents, we must dedicate ourselves to that trust, though our emoluments are very meager, nevertheless the gravity and the importance of the situation make it such that we must endeavor to deliver to our posterity a democracy just as good or better than the one that we have inherited and keep this as a free nation for all free people. I thank you."

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

W. J. TROUT, Secretary.

FOURTEENTH DAY

Bismarck, January 18, 1943

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

Prayer by the chaplain, Rev. O. O. Andvik of Mandan.

Roll call: All Senators present except Raschko, Schrock and Semerad.

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

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

ORRIS G. NORDHOUGEN, Chairman.

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

PETITIONS AND COMMUNICATIONS

Communications received by the Lieutenant Governor were read as follows:

From Iver Kasbo of Warwick regarding the trees in the Turtle Mountains, which was referred to the Committee on Game and Fish.

From W. T. DePuy, State Counsel, OPA, informing the members of the Senate that Mr. Paul H. Blaisdell, Consultant on the Government Mileage Conservation Plan, will be available for consultation by North Dakota state officials and others on Wednesday, January 27, 1943, at 1:30 p. m., at a meeting to be held in the hearing room on the ground floor of the capitol, which was referred to the Committee on State Affairs.

A communication was received but not read (as each member has a copy on his desk) from the Department of Disabled American Veterans of North Dakota stating that Romanus J. Downey, Floyd Henderson and Fay DeWitt have been appointed to represent the Department at this session of the legislature with reference to proposed legislation, which was referred to the Committee on Military Affairs.

REPORT OF STANDING COMMITTEE

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

On page 6, change the 14th Order of Business to read as follows, "Signing of Bills, Resolutions and Memorials."

COMMITTEES

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

On agriculture and livestock, to consist of fifteen members.

On appropriations, to consist of seventeen members.

On apportionment, to consist of twenty-three members.

On banks and banking, to consist of thirteen members.

On corporations, to consist of fifteen members.

On counties, to consist of nine members.

On delayed bills, to consist of five members.

On education, to consist of eleven members.

On elections, to consist of nine members.

- On enrollment and engrossment, to consist of five members.
 - On federal relations, to consist of nine members.
 - On game and fish, to consist of eleven members.
 - On highways, bridges and ferries, to consist of eleven members.
 - On immigration and statistics, to consist of nine members.
 - On insurance, to consist of thirteen members.
 - On irrigation and drainage, to consist of thirteen members.
 - On judiciary, to consist of seventeen members.
 - On military and Indian affairs, to consist of nine members.
 - On mines and minerals, to consist of nine members.
 - On public health, to consist of nine members.
 - On public lands, to consist of seven members.
 - On public printing, to consist of seven members.
 - On public safety, to consist of nine members.
 - On railroads, to consist of thirteen members.
 - On revision and correction of the Journal, to consist of three members.
 - On rules, to consist of five members.
 - On state affairs, to consist of seventeen members.
 - On taxes and tax laws, to consist of seventeen members.
 - On temperance, to consist of eleven members.
 - On warehousing, grain and grain grading, to consist of eleven members.
 - On ways and means, to consist of seventeen members.
 - On welfare, to consist of nine members.
 - And also the following joint committees:
 - On public buildings, to consist of seven members.
 - On charitable institutions, to consist of seven members.
 - On educational institutions, to consist of seven members.
 - On insurance, to consist of five members.
 - On penal institutions, to consist of five members.
 - On state library, to consist of five members.
 - On joint rules, to consist of five members.
 - On labor, to consist of seven members.
- In line three of Section 42 change the word "fortieth" to "thirty-five."

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

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

FIRST READING OF SENATE BILLS

Senators Morgan of Richland and Braun introduced:

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

The President announced that the next business before the Senate would be action on Senator Adam's motion to reconsider the adoption of the Report of the Joint Committee on Printing, which had been deferred one legislative day.

Senator Braun moved that Senator Adam's motion be laid on the table, which motion prevailed.

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

Senator Nelson of Dickey moved that the absent Senators be excused, which motion prevailed.

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

W. J. TROUT, Secretary.

FIFTEENTH DAY

Bismarck, January 19, 1943

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

Prayer by the chaplain, Rev. O. O. Andvik of Mandan.

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

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

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

ORRIS G. NORDHOUGEN, Chairman.

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

PETITIONS AND COMMUNICATIONS

The following communications were received by the Lieutenant Governor and read by the Secretary:

From Arthur E. Thompson, Superintendent of Public Instruction, regarding the use of the Hearing Room on February 2, 3, and 4 for the use of a meeting of the county superintendents of schools, which was referred to the committee for showing of moving pictures, Senator Page, chairman.

From Adolph Lund of Grand Forks, asking the earnest study of the Senate regarding the payment of double income tax, which was referred to the Committee on Tax and Tax Laws.

REPORTS OF STANDING COMMITTEES

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

Under Salaries & Wages in line 12, strike out the figures \$61,890.00 and insert \$65,664.46 in lieu thereof.

Under Salaries & Wages in line 13, strike out the figures \$26,000.00 and insert \$31,546.86 in lieu thereof.

Under Operating Expense in line 15, strike out the figures \$16,000.00 and insert \$17,000.00 in lieu thereof.

Under Operating Expense in line 16, strike out the figures \$2,000.00 and insert \$2,375.00 in lieu thereof.

Under Operating Expense in line 19, strike out the figures \$5,000.00 and insert \$4,000.00 in lieu thereof.

Under Operating Expense in line 24½, strike out the figures \$2,500.00 and insert \$3,000.00 in lieu thereof.

Under Operating Expense in line 26, strike out the figures \$30,000.00 and insert \$33,000.00 in lieu thereof.

Under Operating Expense in line 27, strike out the word clothing & figures \$1,000.00 and insert Laundry Supplies and \$1,500.00 in lieu thereof.

In line 33 for total Maintenance, strike out the figures \$176,295.00 and insert \$189,991.32 in lieu thereof.

Under Improvements & Repairs in line 38, strike out the figures \$4,000.00 and insert \$8,000.00 in lieu thereof.

In line 51 for the total, strike out the figures \$197,955.00 and insert \$215,651.32 in lieu thereof.

And under Section 1 in line 3, strike out the figures \$172,955.00 and insert the figures \$190,651.32 in lieu thereof.

And when so amended recommend the same do pass.

WM. WATT, Chairman.

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

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

Under Miscellaneous Items after line 42, insert line 42½ to read as follows: 3. Two Dairy Cows, \$300.00.

In line 43 for the total, strike out the figures \$56,424.00 and insert the figures \$56,724.00 in lieu thereof.

And under Section 1 in line 3, strike out the figures \$33,424.00 and insert the figures \$33,724.00 in lieu thereof.

And when so amended recommend the same do pass.

WM. WATT, Chairman.

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

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 22, have had the same under consideration and recommend that the same be amended as follows:

Under Salaries & Wages in line 12, strike out the figures \$252,950.00 and insert the figures \$268,004.00 in lieu thereof.

Under Operating Expense in line 23, strike out the figures \$7,500.00 and insert the figures \$9,000.00 in lieu thereof.

Under Operating Expense in line 24, strike out the figures \$7,500.00 and insert the figures \$10,000.00 in lieu thereof.

In line 34 of Total Maintenance, strike out the figures \$609,270.00 and insert the figures \$628,324.00 in lieu thereof.

In line 49 for the total, strike out the figures \$625,020.00 and insert the figures \$644,074.00 in lieu thereof.

And under Section 1 in line 4, strike out the figures \$251,020.00 and insert the figures \$270,074.00 in lieu thereof.

And when so amended recommend the same do pass.

WM. WATT, Chairman.

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

Mr. President: Your Committee on Appropriations to

whom was referred Senate Bill No. 25, have had the same under consideration and recommend that the same do pass.

WM. WATT, Chairman.

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

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 38, have had the same under consideration and recommend that the same be amended as follows:

Amend title of bill to read: 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.

In line 4 of Section 1, strike out the figures \$10,000.00 and insert the figures \$12,100.00 in lieu thereof.

In line 5 of Section 1, after the words meats, etc., insert: "and for Watermain and Hydrants to Dairy Barn."

And when so amended recommend the same do pass.

WM. WATT, Chairman.

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

MESSAGE FROM THE HOUSE

Bismarck, January 19, 1943

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.

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.

REPORT OF SELECT COMMITTEE

Mr. President: Your Select committee appointed to prepare Memorial Exercises for departed Senators beg leave to make the following report: That we are prepared to present

the program to the Senate and that it be made a special order for Monday, January 25, 1943, at 3:00 p. m.

WM. WATT, Chairman.

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

Senator Page announced that the committee of three to make arrangements for a moving picture to be shown by the Mine Inspector would be available on February 4th.

Senator Page moved that the Senate authorize the use of the Senate Chamber for the showing of this picture, which motion prevailed.

FIRST READING OF SENATE BILLS AND RESOLUTIONS

Senators Thatcher and Young introduced:

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

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

Senators Day, Flatt and Nordhougen introduced:

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

Senator Day moved that Senate Resolution "F" be read in full at this time, which motion prevailed.

At the conclusion of the reading of Senate Resolution "F," Senator Day moved that the rules be suspended and that Senate Resolution "F" be adopted, which motion prevailed.

Senator Day moved that Senate Resolution "F" be messaged immediately to the House, which motion prevailed.

The Committee on Employment introduced:

Senate Concurrent Resolution "G." A Concurrent Resolution Providing and Designating Senate and House Employees and Naming and Fixing Their Salaries:

BE IT RESOLVED BY THE SENATE OF THE TWENTY-EIGHTH LEGISLATIVE ASSEMBLY OF THE SENATE OF NORTH DAKOTA AND THE HOUSE CONCURRING:

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

SENATE

W. J. Trout, Secretary of the Senate.....	\$ 8.00
Ruth Smith, Desk Reporter	8.00
Winston L. Cox, Assistant Secretary	6.50
Irvin Smith, Assistant Secretary and Calendar Clerk	6.50
June Baribeau, Stenographer	5.00
Joyce Crossman, Stenographer	5.00
Mabel Engeseth, Stenographer	5.00
Loris Kellerman, Stenographer	5.00
Mary C. Morgan, Stenographer	5.00
Arthur Herk, Bill Clerk	5.00
Eva Goetz, Enrolling and Engrossing Clerk	5.00
Helen MacLaghlan, Ass't Enrolling & Engrossing Clerk	5.00

George D. Tripp, Postmaster	5.00
J. O. Bergheim, Proofreader	5.00
John W. Benson, Ass't Proofreader	5.00
Emil Strand, Sergeant-at-Arms	5.00
R. G. McCrory, Ass't. Sergeant-at-Arms	4.50
John S. Hove, Billroom Clerk	4.50
Einar Berge, Ass't Billroom Clerk	4.50
J. B. Fisher, House Messenger	4.50
Myrtle Steen, Appropriation Clerk	4.50
Ruth Clary, Chart Room Clerk	4.50
P. A. Peterson, Ass't Chart Room Clerk	4.50
O. H. Stefferud, Committee Clerk	4.50
Mrs. Dave Hamilton, Mailing Clerk	4.50
S. B. Salverson, Mailing Clerk	4.50
Theodore O. Thompson, Mailing Clerk	4.50
Charles J. Ufer, Mailing Clerk	4.50
Henry Coe, Committee Room Attendant	4.50
Anton Larson, Doorkeeper	4.50
Dominick Lefor, Doorkeeper	4.50
Dominick Goetz, Doorkeeper	4.50
Edwin M. Nething, Doorkeeper	4.50
Tom Bertleson, Janitor	4.50
Frank Comegys, Janitor	4.50
I. J. Homelvig, Janitor	4.50
Oscar O. Odegaard, Janitor	4.50
Jens Olson, Janitor	4.50
Leroy Evans, Messenger to Governor	4.50
Joseph F. Moore, Page	4.50
Rueben L. Olson, Page	4.50
John Rasler, Page	4.50
Ray Unzelman, Page	4.50
E. Willoughby, Cloak Room Attendant	4.50
Jerry Stair, Telephone Attendant	4.50
Chaplain	3.00

HOUSE

W. M. Smart, Chief Clerk	\$ 8.00
Marie Tunell, Desk Reporter	8.00
Kenneth L. Morgan, Ass't Chief Clerk	6.50
Fred Ingstad, Sergeant-at-Arms	5.00
Sigrid A. Scannell, Chief Stenographer	6.00
Ann Allen, Stenographer	5.00
Mrs. Mildred Becker, Stenographer	5.00
Mrs. Audrey M. Fish, Stenographer	5.00
Bertha Ovri, Bill Clerk	5.00
E. M. Bong, Enrolling and Engrossing Clerk	5.00
Theodore G. Buchholz, Enrolling and Engrossing Clerk	5.00
V. E. Haskins, Proofreader	5.00
Clara Rishling, Proofreader	5.00
Albert Homelvig, Bill Room Clerk	5.00
Mrs. Louise Finke, Committee Clerk	5.00
Clara Thon, Committee Clerk	5.00
Lucille Collette, Committee Clerk	5.00
Miles Nelson, Chief Mailing Clerk	5.00
E. O. Hougen, Calendar Clerk	5.00
E. W. Chapman, Mailing Clerk	4.50
Peter Oberst, Mailing Clerk	4.50
Lorraine Anderson, Telephone Attendant	4.50
Oswald Kruisk, Doorkeeper	4.50
M. H. Mortenson, Doorkeeper	4.50

G. F. Inman, Doorkeeper	4.50
Alex Beilage, Doorkeeper	4.50
David Welch, Page	4.50
Earl Dawson, Page	4.50
Colwell Crockett, Page	4.50
Emil F. Braun, Page	4.50
Earl McInnes, Postmaster	4.50
Jacob Hegland, Committee Clerk	4.50
E. Koenig, Night Watchman	4.50
Chaplain	3.00

Senator Flatt moved that Senate Concurrent Resolution "G" be printed in the journal in full, and further action be deferred one legislative day, which motion prevailed.

Senators Page and Thatcher introduced:

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 Elections.

The Committee on Appropriations introduced:

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.

Senator Morgan of Walsh introduced:

Senate Bill No. 43. A Bill for an Act to Create and Establish a Commission for Survey and Control of Feeble Mindeed; Providing for the Number of Members, Their Qualifications, Term of Office, How Appointed and Compensation; Providing for Its Organization; Prescribing Its Powers and Duties; Providing for a County Commission for Survey and Control of Feeble Minded and Prescribing Its Powers and Duties; 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 Feeble Minded Persons to Be Furnished All County Judges; Prohibiting the Issuance of Marriage Licenses to Feeble Minded 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.

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

Senator Bond introduced:

Senate Bill No. 44. A Bill for an Act to Encourage and Promote the Payment of Personal Property Taxes by Providing for a Rebate on Prepayments; Providing Certain Exceptions; and Declaring an Emergency.

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

Senators Kehoe, Stucke and Day introduced:

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.

Senator Nelson of Dickey moved that the absent Senators be excused, which motion prevailed.

Senator Streibel moved that Senate Concurrent Resolution "A" be withdrawn, which motion prevailed.

Senator Drew moved that a committee be appointed to take care of the problem of disposing of the surplus session laws that are now on hand, which motion prevailed.

The President announced that he would refer this matter to the Committee on Printing.

FIRST READING OF 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.

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

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

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

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

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

House Bill No. 31. A Bill for an Act Making an Appropriation for the Payment of the Expenses to Be Incurred by Boys' and Girls' Club Work at State and District Fairs.

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

House Bill No. 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 Appropriations.

Senator Young moved that the Senate do now adjourn, which motion prevailed and the Senate stood adjourned.

W. J. TROUT, Secretary.

SIXTEENTH DAY

Bismarck, January 20, 1943

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

Prayer by the chaplain, Rev. O. O. Andvik of Mandan.

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

MESSAGE TO THE HOUSE

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.

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

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

ORRIS G. NORDHOUGEN, Chairman.

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

REPORTS OF STANDING COMMITTEES

The Committee on Enrollment and Engrossment made the following report:

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

Senate Bill No. 20.

Senate Bill No. 21.

Senate Bill No. 22.

Senate Bill No. 38.

And find the same correctly Engrossed.

W. R. BOND, Chairman.

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

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 23, have had the same under consideration and recommend that the same be amended as follows:

Under Salaries & Wages in line 13, strike out the figures \$230,670.00 and insert the figures \$272,912.00 in lieu thereof.

Under Operating Expense in line 16, strike out the figures \$10,000.00 and insert the figures \$12,000.00 in lieu thereof.

Under Operating Expense in line 24, strike out the figures \$6,000.00 and insert the figures \$8,000.00 in lieu thereof.

Under Operating Expense in line 27, strike out the figures \$125,000.00 and insert the figures \$135,000.00 in lieu thereof.

Under Operating Expense in line 29, strike out the figures \$14,000.00 and insert the figures \$16,000.00 in lieu thereof.

In line 35 for Total Maintenance, strike out the figures \$621,580.00 and insert the figures \$679,822.00 in lieu thereof.

In line 56 for the Total, strike out the figures \$667,388.00 and insert the figures \$725,630.00 in lieu thereof.

And under Section 1 in line 4, strike out the figures \$327,388.00 and insert the figures \$385,630.00 in lieu thereof.

And when so amended recommend the same do pass.

WM. WATT, Chairman.

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

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 27, have had the same under consideration and recommend that the same do pass.

WM. WATT, Chairman.

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

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 31, have had the same under consideration and recommend that the same be amended as follows:

Under Section 1 in line 2, strike out the figures \$1,305,680.00 and insert the figures \$1,524,180.00 in lieu thereof.

Under Salaries & Wages in line 13, strike out the figures \$458,000.00 and insert the figures \$551,000.00 in lieu thereof.

Under Operating Expense in line 17, strike out the figures \$1,000.00 and insert the figures \$4,000.00 in lieu thereof.

Under Operating Expense in line 19, strike out the figures \$10,000.00 and insert the figures \$11,000.00 in lieu thereof.

Under Operating Expense in line 23, strike out the figures \$20,000.00 and insert the figures \$22,000.00 in lieu thereof.

Under Operating Expense in line 24, strike out the figures \$5,000.00 and insert the figures \$6,000.00 in lieu thereof.

Under Operating Expense in lines 34 & 35, item Number 13, strike out the figures \$4,000.00 and insert the figures \$7,500.00 in lieu thereof.

Under Operating Expense in line 38, strike out the figures \$325,000.00 and insert the figures \$435,000.00 in lieu thereof.

Under Operating Expense in line 40, strike out the figures \$12,000.00 and insert the figures \$15,000.00 in lieu thereof.

Under Operating Expense in line 41, strike out the figures \$19,000.00 and insert the figures \$20,000.00 in lieu thereof.

Under Operating Expense in line 42, strike out the figures \$15,000.00 and insert the figures \$16,000.00 in lieu thereof.

In line 54 for Total Maintenance, strike out the figures \$1,305,680.00 and insert the figures \$1,524,180.00 in lieu thereof.

In line 57 for the Total, strike out the figures \$1,311,680.00 and insert the figures \$1,530,180.00 in lieu thereof.

And when so amended recommend the same do pass.

WM. WATT, Chairman.

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

FIRST READING OF SENATE BILLS

Senator Troxel introduced:

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 first time and referred to the Committee on Appropriations.

The Committee on Tax and Tax Laws introduced:

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

The Committee on Tax and Tax Laws introduced:

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.

The Committee on Tax and Tax Laws introduced:

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

Senator Morgan of Walsh introduced:

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 Judiciary.

Senators Brant and Semerad introduced:

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 Agriculture and Livestock.

Senator Nelson of Dickey moved that the absent Senators be excused, which motion prevailed.

Senator Page moved that the Senate make it a special order of business to attend a joint session in the House Chamber at 3:00 p. m. today to hear a discussion of the Code Commission, which motion prevailed.

Senator Watt moved that the Committee on Supplies be instructed to contact the Board of Administration regarding the use of the postage meter for postage for this assembly, which motion prevailed.

SECOND 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 second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 45; nays, 0; absent and not voting, 4.

Those voting in the affirmative were:

Adam	Kehoe	Olson, Mountrail
Beaton	Lavik	Page
Bilden	Lofthus	Porter
Blank	Lynch	Raschko
Bond	Morgan, Walsh	Rue
Brant	Nelson, Dickey	Schrock
Braun	Nelson, Griggs-	Semerad
Brunsdale	Steele	Solberg
Day	Nelson, McKenzie	Streibel
Drew	Nelson, Renville	Stucke
Feton	Nordhougen	Thatcher
Flatt	O'Brien	Troxel
Foss	Oksendahl	Watt
Ginter	Olson, Barnes	Wog
Hoeneck	Olson, McHenry	Young
Kamrath		

Absent and not voting:

Bridston	Guenther	Morgan, Richland
Greiser		

So the bill passed 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, 45; nays, 0; absent and not voting, 4.

Those voting in the affirmative were:

Adam	Kehoe	Olson, Mountrail
Beaton	Lavik	Page
Bilden	Lofthus	Porter
Blank	Lynch	Raschko
Bond	Morgan, Walsh	Rue
Brant	Nelson, Dickey	Schrock
Braun	Nelson, Griggs-	Semerad
Brunsdale	Steele	Solberg
Day	Nelson, McKenzie	Streibel
Drew	Nelson, Renville	Stucke
Feton	Nordhogen	Thatcher
Flatt	O'Brien	Troxel
Foss	Oksendahl	Watt
Ginter	Olson, Barnes	Wog
Hoенck	Olson, McHenry	Young
Kamrath		

Absent and not voting:

Bridston	Guenther	Morgan, Richland
Greiser		

So the bill passed and the title was agreed to.

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, 45; nays, 0; absent and not voting, 4.

Those voting in the affirmative were:

Adam	Kehoe	Olson, Mountrail
Beaton	Lavik	Page
Bilden	Lofthus	Porter
Blank	Lynch	Raschko
Bond	Morgan, Walsh	Rue
Brant	Nelson, Dickey	Schrock
Braun	Nelson, Griggs-	Semerad
Brunsdale	Steele	Solberg
Day	Nelson, McKenzie	Streibel
Drew	Nelson, Renville	Stucke
Feton	Nordhogen	Thatcher
Flatt	O'Brien	Troxel
Foss	Oksendahl	Watt
Ginter	Olson, Barnes	Wog
Hoенck	Olson, McHenry	Young
Kamrath		

Absent and not voting:

Bridston	Guenther	Morgan, Richland
Greiser		

So the bill passed and the title was agreed to.

Senator Lofthus requested that the Senate revert to the 9th order of business, which request was granted.

Senator Lofthus moved that a Committee of One be ap-

pointed to escort Former Senator Fredrickson to the rostrum, which motion prevailed.

The President appointed Senator Lofthus as such Committee of One.

Senator Lofthus escorted Former Senator Fredrickson to the rostrum, and Mr. Fredrickson addressed the Senate.

Senator Adam requested that the Senate revert to the 7th order of business, which request was granted.

Senator Adam moved that Senate Concurrent Resolution "H" be introduced at this time, which motion prevailed.

FIRST READING OF SENATE CONCURRENT RESOLUTION

Senators Solberg and Adam introduced:

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.

Senator Flatt moved that Senate Concurrent Resolution "G" be adopted as printed in the journal, which motion prevailed.

SECOND READING OF SENATE CONCURRENT RESOLUTIONS

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 the concurrent resolution, the roll was called and there were ayes, 45; nays, 0; absent and not voting, 4.

Those voting in the affirmative were:

Adam	Kehoe	Olson, Mountrail
Beaton	Lavik	Page
Bilden	Lofthus	Porter
Blank	Lynch	Raschko
Bond	Morgan, Walsh	Rue
Brant	Nelson, Dickey	Schrock
Braun	Nelson, Griggs-	Semerad
Brunsdale	Steele	Solberg
Day	Nelson, McKenzie	Streibel
Drew	Nelson, Renville	Stucke
Feton	Nordhogen	Thatcher
Flatt	Oksendahl	Troxel
Foss	Olson, Barnes	Watt
Ginter	O'Brien	Wog
Hoencck	Olson, McHenry	Young
Kamrath		

Absent and not voting:

Bridston	Guenther	Morgan, Richland
Greiser		

So the concurrent resolution passed and the title was agreed to.

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, 45; nays, 0; absent and not voting, 4.

Those voting in the affirmative were:

Adam	Kehoe	Olson, Mountrail
Beaton	Lavik	Page
Bilden	Lofthus	Porter
Blank	Lynch	Raschko
Bond	Morgan, Richland	Rue
Brant	Nelson, Dickey	Schrock
Braun	Nelson, Griggs-	Semerad
Brunsdale	Steele	Solberg
Day	Nelson, McKenzie	Streibel
Drew	Nelson, Renville	Stucke
Feton	Nordhougen	Thatcher
Flatt	O'Brien	Troxel
Foss	Oksendahl	Watt
Ginter	Olson, Barnes	Wog
Hoenck	Olson, McHenry	Young
Kamrath		

Absent and not voting:

Bridston	Guenther	Morgan, Walsh
Greiser		

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

Senator Morgan of Walsh 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.

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, 45; nays, 0; absent and not voting, 4.

Those voting in the affirmative were:

Adam	Kehoe	Olson, Mountrail
Beaton	Lavik	Page
Bilden	Lofthus	Porter
Blank	Lynch	Raschko
Bond	Morgan, Walsh	Rue
Brant	Nelson, Dickey	Schrock
Braun	Nelson, Griggs-	Semerad
Brunsdale	Steele	Solberg
Day	Nelson, McKenzie	Streibel
Drew	Nelson, Renville	Stucke
Feton	Nordhougen	Thatcher
Flatt	O'Brien	Troxel
Foss	Oksendahl	Watt

Ginter
Hoenck
Kamrath

Olson, Barnes
Olson, McHenry

Wog
Young

Absent and not voting:

Greiser
Guenther

Bridston

Morgan, Richland

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

Senator Watt 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.

Senator Young moved that the Senate do now adjourn in order to attend the joint session in the House Chamber to hear a discussion by Capt. Kuhfeld on the work of the Code Commission, which motion prevailed.

W. J. TROUT, Secretary.

SEVENTEENTH DAY

Bismarck, January 21, 1943

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

Prayer by the chaplain, Rev. T. W. Tysdal.

Roll call: All Senators present except Bridston, Greiser, Guenther and Page.

The President announced that he would have to leave and called Senator Brant to the Chair to preside.

MESSAGES TO THE HOUSE

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.

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

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

On page 71, change the roll call to read "Morgan of Walsh" voting in the affirmative and "Morgan of Richland" absent and not voting.

And when so corrected recommend that the same be approved.

ORRIS G. NORDHOUGEN, Chairman.

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

PETITIONS AND COMMUNICATIONS

A communication was read by the Secretary from the North Dakota County Commissioners Association in convention at Mandan, January 13th.

Senator Young moved that the communication be printed in full in the journal, which motion prevailed.

WHEREAS, almost every County in the State is now carrying upon its books a large amount of delinquent personal property taxes, which are in arrears from three to ten years. The same having accumulated during the years of drought and depression, and are now of very questionable value under the present law, and

WHEREAS, the accumulation of penalties and interest is in many cases larger than the original tax, and such accumulation is a definite barrier to the collection of any portion of the amount due. As a result the taxing districts suffer the loss of the entire amount, and

WHEREAS, it is the belief of the members of this Association, that many of these tax debtors, are now willing and able to pay their delinquent personal property taxes, if the same were adjusted to meet their ability to pay.

NOW THEREFORE BE IT RESOLVED, that this Association recommends to the 28th Legislative Assembly, that legislation be enacted providing for the cancellation of all penalties and interest on personal property taxes, falling due in the year of 1940 and prior years, upon payment of the original amount plus 5% of such original tax, providing that the same shall be paid in cash on or before December 31st, 1943.

RESOLVED FURTHER, that one copy of this resolution be delivered to the Governor, one copy to each branch of the Legislature, and a copy be spread on the minutes of this Association.

H. A. KLUVER, Chairman
 CARL BORGE
 B. O. BRY
 DICK FENSKE
 J. D. O'KEEFFE

Passed by the North Dakota County Commissioners Association in convention at Mandan, North Dakota, this 13th day of January, 1943.

D. A. MALSTROM, Secretary

The presiding officer referred the communication to the Committee on Tax and Tax Laws.

REPORT OF STANDING COMMITTEE

The Committee on Enrollment and Engrossment made the following report:

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

Senate Bill No. 31.

Senate Bill No. 23.

And find the same correctly engrossed.

W. R. BOND, Chairman.

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

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 26, have had the same under consideration and recommend that the same do pass.

WM. WATT, Chairman.

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

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 28, have had the same under consideration and recommend that the same do pass.

WM. WATT, Chairman.

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

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 29, have had the same under consideration and recommend that the same be amended as follows:

Under Section 1, line 4, strike out the figures \$236,273.61 and insert the figures \$262,985.09 in lieu thereof.

Under Salaries & Wages in line 11, strike out the figures \$14,000.00 and insert the figures \$15,700.00 in lieu thereof.

Under Salaries & Wages in line 12, strike out the figures \$23,000.00 and insert the figures \$25,000.00 in lieu thereof.

Under Salaries & Wages in line 13, strike out the figures \$55,000.00 and insert the figures \$60,260.00 in lieu thereof.

Under Operating Expense in line 30, strike out the figures \$12,000.00 and insert the figures \$13,000.00 in lieu thereof.

Under Operating Expense after line 36, add line 36½ to read as follows: 22. Insurance-Fire & Tornado Fund \$7,651.48.

In line 37 for Total Maintenance, strike out the figures \$252,075.00 and insert the figures \$269,686.48 in lieu thereof.

Under Improvements & Repairs in line 44, strike out the figures \$2,500.00 and insert the figures \$3,500.00 in lieu thereof.

Under Improvements & Repairs after line 44, add line 44½ to read as follows: 7. New Water Main & Hydrant \$7,000.00.

Under Equipment in line 49, strike out the figures \$2,000.00 and insert the figures \$2,500.00 in lieu thereof.

Under Equipment in line 54, strike out the figures \$900.00 and insert the figures \$1,500.00 in lieu thereof.

In Line 60 for the Total, strike out the figures \$292,273.61 and insert the figures \$318,985.09 in lieu thereof.

And when so amended recommend the same do pass.

WM. WATT, Chairman.

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

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 30, have had the same under consideration and recommend that the same be amended as follows:

Under Section 1 in line 2, strike out the figures \$6,000.00 and insert the figures \$8,000.00 in lieu thereof.

Under Section 1 in line 3, strike out the figures \$50,000.00 and insert the figures \$70,000.00 in lieu thereof.

Under Section 1 in line 5, strike out the figures \$340,190.00 and insert the figures \$354,640.00 in lieu thereof.

Under Salaries & Wages in line 14, strike out the figures \$95,080.00 and insert the figures \$108,650.00 in lieu thereof.

In line 36 of Total Maintenance, strike out the figures \$343,970.00 and insert the figures \$357,540.00 in lieu thereof.

In line 52 for Total Penitentiary proper, strike out the figures \$371,170.00 and insert the figures \$384,740.00 in lieu thereof.

In line 54 under STATE BUREAU OF CRIMINAL IDENTIFICATION, strike out the figures \$4,000.00 and insert the figures \$4,500.00 in lieu thereof.

In line 55 under STATE BUREAU OF CRIMINAL IDENTIFICATION, strike out the figures \$2,620.00 and insert the figures \$3,000.00 in lieu thereof.

In line 64 for TAG & SIGN PLANT, strike out the figures \$50,000.00 and insert the figures \$70,000.00 in lieu thereof.

In line 65 for COFFIN FACTORY, strike out the figures \$6,000.00 and insert the figures \$8,000.00 in lieu thereof.

In line 66 for the Total, strike out the figures \$446,190.00 and insert the figures \$482,640.00 in lieu thereof.

And when so amended recommend the same do pass.

WM. WATT, Chairman.

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

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 33, have had the same under consideration and recommend that the same be amended as follows:

Under Salaries & Wages in lines 10 & 11, item number 1, strike out the figures \$65,600.00 and insert the figures \$68,000.00 in lieu thereof.

In line 31 for Total Maintenance, strike out the figures \$1,405,950.00 and insert the figures \$1,408,350.00 in lieu thereof.

In line 44 for the Total, strike out the figures \$1,754,850.00 and insert the figures \$1,757,250.00 in lieu thereof.

Under Section 1 in line 3, strike out the figures \$1,754,850.00 and insert the figures \$1,757,250.00 in lieu thereof.

And when so amended recommend the same do pass.

WM. WATT, Chairman.

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

Mr. President: Your Committee on Appropriations to

whom was referred Senate Bill No. 42, have had the same under consideration and recommend that the same do pass.

WM. WATT, Chairman.

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

MESSAGE FROM THE HOUSE

House of Representatives
Bismarck, January 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.

W. M. SMART, Chief Clerk.

FIRST READING OF SENATE CONCURRENT RESOLUTION

Senators Stucke and Kehoe introduced:

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.

Senator Stucke moved that Senate Concurrent Resolution "I" be read in full at this time, which motion prevailed.

At the conclusion of the reading of Senate Concurrent Resolution "I," Senator Stucke moved that the rules be suspended and that a roll call be had, which motion prevailed.

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 the Resolution, the roll was called and there were ayes, 44; nays, 0; absent and not voting, 5.

Those voting in the affirmative were:

Adam	Kehoe	Olson, McHenry
Beaton	Lavik	Olson, Mountrail
Bilden	Loffthus	Porter
Blank	Lynch	Raschko
Bond	Morgan, Richland	Rue
Brant	Morgan, Walsh	Schrock
Braun	Nelson, Dickey	Semerad
Brunsdale	Nelson, Griggs-	Solberg
Day	Steele	Streibel
Drew	Nelson, McKenzie	Stucke
Feton	Nelson, Renville	Thatcher
Foss	Nordhousen	Troxel
Ginter	O'Brien	Watt
Hoencck	Oksendahl	Wog
Kamrath	Olson, Barnes	Young

Absent and not voting:

Bridston	Greiser	Page
Flatt	Guenther	

So the Resolution passed and the title was agreed to.

Senator Braun moved that the vote by which Senate Con-

current Resolution "I" was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senator Stucke moved that Senate Concurrent Resolution "I" be printed in full in the Journal and not printed as a bill, which motion prevailed.

SENATE CONCURRENT RESOLUTION NO "I"

Introduced by Senators Stucke and Kehoe

A Concurrent Resolution Providing a Special Rule Fixing the Procedure to Govern in the Adoption of the 1943 Revised Codes of North Dakota.

WHEREAS, as appears from the report of the Joint Committees on Rules as recorded in the journal of the Senate and the House of Representatives on the twelfth day of business of each of said bodies, Senators Stucke and Kehoe and Representatives Twichell and Schwartz were appointed by the Joint Committees on Rules, to prepare and introduce an appropriate resolution to govern the adoption of the 1943 Revised Codes of North Dakota,

BE IT FURTHER RESOLVED BY THE SENATE OF THE STATE OF NORTH DAKOTA, THE HOUSE OF REPRESENTATIVES CONCURRING:

That the bill, containing the Seven Codes of the State of North Dakota, which codes are being prepared by the Code Revision Commission, acting under their appointment pursuant to Chapter 110 of the 1939 Session Laws of North Dakota, and which bill is to be introduced at the present session of the Legislative Assembly, be passed without having been printed, that the attaching of the certificates of the enrolling officers as such to such bill shall in and of itself constitute the enrollment thereof, and that the rules fixing the procedure governing bills in the Senate and House of Representatives from and including introduction to enrollment shall govern in so far as they are not in conflict with this resolution, and are, in so far as they are in conflict with this resolution, hereby declared suspended and inapplicable in the procedure of the enactment of the bill containing such codes.

Senator Day moved that a Committee of One be appointed to escort Former Lieutenant Governor T. H. H. Thoresen to the rostrum to address the Senate, which motion prevailed.

The presiding officer appointed Senator Day as a Committee of One to escort Mr. Thoresen to the rostrum.

Mr. Thoresen: Senator Brant and Members of the Senate: It is always a very happy occasion for me when I can come back here and meet the old Senators that were here when I had the privilege and honor to preside over this body, six years ago. How time does fly! It is one of the pleasantest memories of my life. I want to say this afternoon, that I was down here two years ago and solicited the aid of this Senate, as well as the House for some legislation pertaining to the city of which I happen to be the chief executive, and because it happens so seldom to you men in public life, I want to take this occasion to thank you on behalf of the people in Grand Forks for what you did for us two years ago. Because of your consideration and willingness to cooperate, I can report to you that it saved the people of Grand Forks the tidy little sum of \$180,000—which to our

minds is quite a substantial sum, and on behalf of the people of my city, I do wish to thank, not only the Senate but thru you, the House of Representatives.

You are meeting at this time under more difficult conditions than we did six years ago, and under more difficult conditions than has ever confronted a legislative session in the State of North Dakota. With the world at large in a turmoil, you are faced with problems that have never been confronted by a legislative body. The soul of America is awakening and is being reborn. We find as we evaluate the things of life that those things that but a few years ago we thought meant so much to us—the acquisition of property and all that goes with it—this meant much to Americans in years gone by and we have an international reputation for that.

Today as we survey the situation we find that the things that only a few years ago, or up to the present time we thought was of such great value is being re-valued and do not mean so much to us.

We are finding occasion to place new values upon old things that have somewhat been taken for granted. So today as you meet in this session, we find the greatest assets that we have are in our boys and girls who have left our homes and our midst and are today out all over the world to champion the cause of American idealism. Those have become of more value to us now. And the things that we accumulated in the days gone by, we are gladly and willingly throwing our money and our property into a common stock pile in order that these boys and girls who are carrying some of America into far-flung parts of the world may be safeguarded and returned safely back to us.

The other things that is increasing in value in these times are those principles of American idealism—life, liberty and the freedom that we may worship and express ourselves as we see fit and as our consciences dictate. That, all of a sudden, has become of more value to us than we had realized. So the soul of America is awakening and being reborn with new values placed upon the assets that really make us happy; our boys and girls and the ideals of American life. We are in this struggle, and we have entered the struggle of world conflict with no evil in our hearts towards any man or any country but with the righteous wrath for the down-trodden and enslaved and to uphold the ideals throughout the world of free people so that in our deliberations here may the Almighty Father who guides us here so that we may enter into the right spirit and that we may put upon the altar of unselfishness, the same devotion to those principles that our boys and girls are giving in the far-flung regions of the world and may the time be speeded when we shall have a righteous exaltation of victory in our hearts again.

May I thank you for this privilege and wish you the best of luck in your deliberations. I thank you."

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

Senator Nelson of Dickey moved that the remarks of Former Senator Lars Fredrickson on Tuesday, January 19th, be printed in the journal, which motion prevailed.

Mr. Fredrickson: "Mr. President and Members of the Senate: I was taken so by surprise when my old friend,

Lofthus, grabbed me, that I have lost all control of myself. I don't know what to say at all. I know you are busy men and I will not take up your time very much. I would like to say I am very happy to be here and greet my old friends whom I knew during my twelve year membership in the Senate and to become acquainted with the new members.

I have enjoyed the two days spent here very much. I realize you have serious problems before you and I am satisfied that you are going to do your work that you are sent here for and that you always have in mind the best interest of the state of North Dakota and the taxpayers. I thank you."

MESSAGE TO THE HOUSE

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.

FIRST READING OF SENATE BILLS

Senator Morgan of Walsh introduced:

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.

Senator Nelson of Dickey moved that the absent Senators be excused, which motion prevailed.

SECOND 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 second time.

ROLL CALL

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

Those voting in the affirmative were:

Adam	Kehoe	Olson, McHenry
Beaton	Lavik	Olson, Mountrail
Bilden	Lofthus	Porter
Blank	Lynch	Raschko
Bond	Morgan, Richland	Rue
Brant	Morgan, Walsh	Schrock
Braun	Nelson, Dickey	Semerad
Brunsdale	Nelson, Griggs-	Solberg
Day	Steele	Streibel
Drew	Nelson, McKenzie	Stucke
Feton	Nelson, Renville	Thatcher
Foss	Nordhousen	Troxel
Ginter	O'Brien	Watt

Hoenek	Oksendahl	Wog
Kamrath	Olson, Barnes	
Absent and not voting:		
Bridston	Greiser	Page
Flatt	Guenther	Young

So the bill passed and the title was agreed to.

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, 44; nays, 0; absent and not voting, 5.

Those voting in the affirmative were:

Adam	Kehoe	Olson, McHenry
Beaton	Lavik	Olson, Mountrail
Bilden	Lofthus	Porter
Blank	Lynch	Raschko
Bond	Morgan, Richland	Rue
Brant	Morgan, Walsh	Schrock
Braun	Nelson, Dickey	Semerad
Brunsdale	Nelson, Griggs-	Solberg
Day	Steele	Streibel
Drew	Nelson, McKenzie	Stucke
Feton	Nelson, Renville	Thatcher
Foss	Nordhougen	Troxel
Ginter	O'Brien	Watt
Hoenek	Oksendahl	Wog
Kamrath	Olson, Barnes	Young

Absent and not voting:

Bridston	Greiser	Page
Flatt	Guenther	

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

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

Which motion prevailed.

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 second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 44; nays, 0; absent and not voting, 5.

Those voting in the affirmative were:

Adam	Kehoe	Olson, McHenry
Beaton	Lavik	Olson, Mountrail
Bilden	Lofthus	Porter

Blank	Lynch	Raschko
Bond	Morgan, Richland	Rue
Brant	Morgan, Walsh	Schrock
Braun	Nelson, Dickey	Semerad
Brunsdale	Nelson, Griggs-	Solberg
Day	Steele	Streibel
Drew	Nelson, McKenzie	Stucke
Feton	Nelson, Renville	Thatcher
Foss	Nordhougen	Troxel
Ginter	O'Brien	Watt
Hoenck	Oksendahl	Wog
Kamrath	Olson, Barnes	Young
Absent and not voting:		
Bridston	Greiser	Page
Flatt	Guenther	

So the bill passed and the title was agreed to.

MESSAGE TO THE HOUSE

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.

Senator Young: "I have a matter that I would like to bring to the attention of the Senate—perhaps it is a question that should be taken up by the Appropriation Committee or the Public Welfare but I think it is of a nature that the entire Senate should consider.

We have been passing deficiency appropriations, for state institutions.

I find in the Welfare Board report that we have on hand the sum of \$714,092.00 for old age pension or \$204,092 more than is required by law on January 1st, which is 75% on hand at that time. This amount matched with federal and county funds would mean a half a million dollars more which could have been paid to the old age pension. I wouldn't think so much of this at the present time, if in past years the amount of money that we appropriated for old age pension had always been used. There has been a large surplus—one time we had a million deficit for the Welfare debt for Poor Relief and if I remember correctly a surplus of \$200,000.00 for old age pensions. I can't find it in my heart to be niggardly in the matter of old age pensions—it has been the intent to give them more but it seems to me now that to appropriate more would not do the business. If the State Welfare Director doesn't make higher payments with the added cost of living, over past years, we will have to find some other method of handling. I therefore am going to move that the President appoint a Committee of Three to investigate

this matter and if possible bring before the Senate a resolution in regard to this."

The question was put on Senator Young's motion and motion prevailed.

The presiding officer appointed as such Committee of Three, Senators Young, Kehoe and Streibel.

Senator Thatcher moved that the remarks of Senator Young be printed in the Journal, which motion prevailed.

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

W. J. TROUT, Secretary.

EIGHTEENTH DAY

Bismarck, January 22, 1943

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

Prayer by the chaplain, Rev. T. W. Tysdal.

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

MESSAGE TO THE HOUSE

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.

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

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

ORRIS G. NORDHOUGEN, Chairman.

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

PETITIONS AND COMMUNICATIONS

A communication, handed in at the desk by Senator Flatt, from Rollie Weiss, Assistant Secretary of the 27th legislative assembly, who is now in the navy, and sending greetings to the Senate members, was read by the Secretary.

Senator Flatt requested that the Senate be on the fourteenth order of business, which request was granted, for the signing of Senate Concurrent Resolution "F."

SIGNING OF RESOLUTION

The Secretary announced that the President was about to sign:

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

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

REPORTS OF STANDING COMMITTEES

The Committee on Enrollment and Engrossment made the following report:

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

Senate Bill No. 29.

Senate Bill No. 30.

Senate Bill No. 33.

And find the same correctly Engrossed.

W. R. BOND, Chairman.

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

The Committee on Enrollment and Engrossment made the following report:

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

Senate Concurrent Resolution "F."

And find the same correctly Enrolled.

W. R. BOND, Chairman.

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

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 45, have had the same under consideration and recommend that the same be amended as follows:

After the word "shall" in line 9, and preceding the word "before" in line 10, strike out the words "within six months after the will is admitted to probate and".

And when so amended recommend the same do pass.

J. J. KEHOE, Chairman.

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

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 50, have had the same under consideration and recommend that the same do pass.

J. J. KEHOE, Chairman.

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

Senator Beaton reported for the Select Committee on Stationery and Supplies that they had investigated the matter of postage, and that the Senate desk is to be furnished with a mailing book from the Mailing Bureau, that mail will have to be handed to the postmaster before each mailing time, 9:15 a. m., 2:15 and 4:15 p. m. Stamped letters will be received up to 4:50 p. m., as a certain amount of postage will be furnished to the senate members.

Senator Bond moved that Senator Beaton's report be printed in the Journal, which motion prevailed.

Senator Nelson of Dickey moved that the absent Senators be excused, which motion prevailed.

MESSAGE TO THE HOUSE

Senate Chamber
Bismarck, 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.

W. J. TROUT, Secretary.

MESSAGES FROM THE HOUSE

House of Representatives
Bismarck, January 22, 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.

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.

SECOND 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 second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 46; nays, 0; absent and not voting, 3.

Those voting in the affirmative were:

Adam	Kamrath	Olson, Mountrail
Beaton	Kehoe	Page
Bilden	Lavik	Porter
Blank	Lofthus	Raschko
Bond	Lynch	Rue
Brant	Morgan, Richland	Schrock
Braun	Morgan, Walsh	Semerad
Brunsdale	Nelson, Dickey	Solberg
Day	Nelson, Griggs-	Streibel
Drew	Steele	Stucke
Feton	Nelson, McKenzie	Thatcher
Flatt	Nordhougen	Troxel
Foss	O'Brien	Watt
Ginter	Oksendahl	Wog
Greiser	Olson, Barnes	Young
Hoенck	Olson, McHenry	

Absent and not voting:

Bridston	Guenther	Nelson, Renville
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So the bill passed and the title was agreed to and the emergency clause carried.

Senator Watt 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.

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, 46; nays, 0; absent and not voting, 3.

Those voting in the affirmative were:

Adam	Kamrath	Olson, Mountrail
Beaton	Kehoe	Page
Bilden	Lavik	Porter
Blank	Lofthus	Raschko
Bond	Lynch	Rue
Brant	Morgan, Richland	Schrock
Braun	Morgan, Walsh	Semerad
Brunsdale	Nelson, Dickey	Solberg
Day	Nelson, Griggs-	Streibel
Drew	Steele	Stucke

Feton	Nelson, McKenzie	Thatcher
Flatt	Nordhogen	Troxel
Foss	O'Brien	Watt
Ginter	Oksendahl	Wog
Greiser	Olson, Barnes	Young
Hoenck	Olson, McHenry	

Absent and not voting:

Bridston	Guenther	Nelson, Renville
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So the bill passed and the title was agreed to, and the emergency clause carried.

Senator Watt 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. 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, 46; nays, 0; absent and not voting, 3.

Those voting in the affirmative were:

Adam	Kamrath	Olson, Mountrail
Beaton	Kehoe	Page
Bilden	Lavik	Porter
Blank	Lofthus	Raschko
Bond	Lynch	Rue
Brant	Morgan, Richland	Schrock
Braun	Morgan, Walsh	Semerad
Brunsdale	Nelson, Dickey	Solberg
Day	Nelson, Griggs-	Streibel
Drew	Steele	Stucke
Feton	Nelson, McKenzie	Thatcher
Flatt	Nordhogen	Troxel
Foss	O'Brien	Watt
Ginter	Oksendahl	Wog
Greiser	Olson, Barnes	Young
Hoenck	Olson, McHenry	

Absent and not voting:

Bridston	Guenther	Nelson, Renville
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So the bill passed and the title was agreed to.

Senate Bill No. 30. A Bill for an Act Making an Appropriation 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, 45; nays, 0; absent and not voting, 4.

Those voting in the affirmative were:

Adam	Kamrath	Olson, McHenry
Beaton	Kehoe	Olson, Mountrail
Bilden	Lavik	Page
Blank	Lofthus	Porter
Bond	Lynch	Rue

Brant	Morgan, Richland	Schrock
Braun	Morgan, Walsh	Semerad
Brunsdale	Nelson, Dickey	Solberg
Day	Nelson, Griggs-	Streibel
Drew	Steele	Stucke
Feton	Nelson, McKenzie	Thatcher
Flatt	Nordhougen	Troxel
Foss	O'Brien	Watt
Ginter	Oksendahl	Wog
Greiser	Olson, Barnes	Young
Hoенck		
Absent and not voting:		
Bridston	Nelson, Renville	Raschko
Guenther		

So the bill passed and the title was agreed to.

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, 46; nays, 0; absent and not voting, 3.

Those voting in the affirmative were:

Adam	Kamrath	Olson, Mountrail
Beaton	Kehoe	Page
Bilden	Lavik	Porter
Blank	Lofthus	Raschko
Bond	Lynch	Rue
Brant	Morgan, Richland	Schrock
Braun	Morgan, Walsh	Semerad
Brunsdale	Nelson, Dickey	Solberg
Day	Nelson, Griggs-	Streibel
Drew	Steele	Stucke
Feton	Nelson, McKenzie	Thatcher
Flatt	Nordhougen	Troxel
Foss	O'Brien	Watt
Ginter	Oksendahl	Wog
Greiser	Olson, Barnes	Young
Hoенck	Olson, McHenry	

Absent and not voting:

Bridston	Guenther	Nelson, Renville
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So the bill passed and the title was agreed to.

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, 46; nays, 0; absent and not voting, 3.

Those voting in the affirmative were:

Adam	Kamrath	Olson, Mountrail
Beaton	Kehoe	Page
Bilden	Lavik	Porter
Blank	Lofthus	Raschko
Bond	Lynch	Rue

Brant	Morgan, Richland	Schrock
Braun	Morgan, Walsh	Semerad
Brunsdale	Nelson, Dickey	Solberg
Day	Nelson, Griggs-	Streibel
Drew	Steele	Stucke
Fetow	Nelson, McKenzie	Thatcher
Flatt	Nordhougen	Troxel
Foss	O'Brien	Watt
Ginter	Oksendahl	Wog
Greiser	Olson, Barnes	Young
Hoenck	Olson, McHenry	

Absent and not voting:

Bridston	Guenther	Nelson, Renville
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So the bill passed and the title was agreed to, and the emergency clause carried.

MESSAGE TO THE HOUSE

Senate Chamber
Bismarck, January 22, 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.

FIRST READING OF HOUSE BILLS AND RESOLUTIONS

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 and Livestock.

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 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.

Was read the first time and referred to the 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.

Was read the first time and referred to the 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.

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

MESSAGE FROM THE HOUSE

House of Representatives
Bismarck, January 22, 1943

Mr. President: I have the honor to return:

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.

Senator Young moved that the Senate do now adjourn, which motion prevailed and the Senate stood adjourned.

W. J. TROUT, Secretary.

NINETEENTH DAY

Bismarck, January 23, 1943

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

Prayer by the chaplain, Rev. C. J. Fylling.

Roll call: All Senators present except Senators Bridston, Feton, Foss, Guenther, Nelson of Renville, Olson of Barnes, Stucke and Wog.

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

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

ORRIS G. NORDHOUGEN, Chairman.

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

MESSAGES TO THE HOUSE

Senate Chamber
Bismarck, 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.

Senator Morgan of Walsh requested that the Senate be on the 14th order of business for the signing of bills, which request was granted.

SIGNING OF BILLS

The Secretary announced that the President was about to sign:

Senate Bill No. 25. A Bill for an Act Making an Appro-

provision for the Payment of Salaries for Employees of the Grafton State School, and Declaring an Emergency.

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

MESSAGE TO THE HOUSE

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.

Very respectfully,

W. J. TROUT, Secretary.

REPORTS OF STANDING COMMITTEES

The Committee on Enrollment and Engrossment made the following report:

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

Senate Bill No. 25.

Senate Concurrent Resolution "I."

Senate Concurrent Resolution "G."

And find the same correctly enrolled.

W. R. BOND, Chairman.

By H. R. M.

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

The Committee on Enrollment and Engrossment made the following report:

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

Senate Bill No. 45.

And find the same correctly engrossed.

W. R. BOND, Chairman.

By H. R. M.

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

Mr. President: Your Committee on Game and Fish to whom was referred Senate Bill No. 35, have had the same under consideration and recommend that the same do pass.

H. R. MORGAN, Chairman.

Senator Morgan of Richland moved that the report be adopted, which motion prevailed and the report was adopted.

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

H. R. MORGAN, Chairman.

Senator Morgan of Richland moved that the report be adopted, which motion prevailed and the report was adopted.

FIRST READING OF SENATE BILLS

The Committee on Game and Fish introduced:

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

The Committee on Judiciary introduced:

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.

The Committee on Game and Fish introduced:

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

Senators Morgan of Richland and Guenther introduced:

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 Game and Fish.

Senators Stucke, Rue and Day introduced:

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.

President Pro Tem Brunsdale called Senator Thatcher to the chair, at this time, to preside.

Senator Nelson of Dickey moved that the absent senators be excused, which motion prevailed.

SECOND READING OF SENATE BILLS

Senator Braun moved that further action on Senate Bill No. 45 be deferred until Monday, 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, 41; nays, 0; absent and not voting, 8.

Those voting in the affirmative were:

Adam	Kamrath	Olson, McHenry
Beaton	Kehoe	Olson, Mountrail
Bilden	Lavik	Page
Blank	Lofthus	Porter
Bond	Lynch	Raschko
Brant	Morgan, Richland	Rue
Braun	Morgan, Walsh	Schrock
Brunsdale	Nelson, Dickey	Semerad
Day	Nelson, Griggs-	Solberg
Drew	Steele	Streibel
Flatt	Nelson, McKenzie	Thatcher
Ginter	Nordhogen	Troxel
Greiser	O'Brien	Watt
Hoenck	Oksendahl	Young
Absent and not voting:		
Bridston	Guenther	Stucke
Feton	Nelson, Renville	Wog
Foss	Olson, Barnes	

So the bill passed and the title was agreed to.

MESSAGE TO THE SENATE

House Chamber

Bismarck, January 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 Appro-

priation 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.

Senator Bond requested that the Senate return to the sixth order of business, which request was granted.

Senator Bond reported that the Enrolling and Engrossing Committee had a meeting and there were some questions that came up before the committee and clerks that require some instructions. The clerks reported to the committee that occasionally there was a misspelled word in a bill as it came to their room and they asked what they should do in that case. There is also a stenographic error every once in a while, that makes the reading of the bill so that it doesn't make sense and it is plainly an error and they desire some instructions, as to what if anything they should do. Another matter is that in a good many of the bills abbreviations are used, even the desk clerk does not just interpret the abbreviation as it is meant.

Senator Raschko moved that in the case of a misspelled word, the Chairman of the Committee which had acted on the bill be authorized to make the correction and if the Chairman or his committee do not wish to assume the responsibility for the correction, that the bill be referred back to the Senate and corrections shown in the journal, which motion prevailed.

Senator Page reported that the Committee of Three had investigated as to the availability of the hearing room for the use of a meeting of the county superintendents on Feb. 2, 3, 4th had found that there is no other use being made of the hearing room on those dates and that it may therefore be had for the above use at that time.

Senator Morgan of Richland moved that the vote by which the report of the Game and Fish Committee on Senate Bill No. 35 was passed, be reconsidered, which motion prevailed.

Senator Streibel moved that the report of the Committee on Game and Fish on Senate Bill No. 35 be re-referred back to that committee, which motion prevailed.

Senator Nordhougen moved that the Senate do now adjourn, which motion prevailed and the Senate stood adjourned.

W. J. TROUT, Secretary.

TWENTY-FIRST DAY

Bismarck, January 25, 1943

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

Prayer by the chaplain, Rev. C. L. Wallace of Mandan.

Roll call: All Senators present except Senators Bridston, Guenther and Semerad.

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

Senator Morgan of Walsh moved that the Secretary of the Senate be instructed to notify the House of Representatives that the Senate is holding a special Memorial Service for departed Senators at 3:00 o'clock p. m., which motion prevailed.

Senator Brant moved that a special invitation be extended to H. W. Allen, former Senator from Emmons county, for the special Memorial Services, which motion prevailed.

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

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

ORRIS G. NORDHOUGEN, Chairman.

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

MESSAGE TO THE HOUSE

Senate Chamber

Bismarck, January 25, 1943

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

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

W. J. TROUT, Secretary.

MESSAGE FROM THE HOUSE

House of Representatives

Bismarck, January 25, 1943

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

House Bill No. 5. A Bill for an Act Making an Appro-

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

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

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

W. M. SMART, Chief Clerk.

PETITIONS AND COMMUNICATIONS

Senator Porter presented a resolution from the members of the North Dakota Fair Association urging the 28th Legislative Assembly to appropriate at least \$500 biennially to each of the eight established fairs for 4-H Club work, provided such fairs have been in operation continuously for the ten years prior to 1943, which was referred to the Committee on Appropriations.

REPORTS OF STANDING COMMITTEES

The Committee on Enrollment and Engrossment made the following report:

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that:

Senate Bill No 25,

Was delivered to the Governor for his approval at the hour of 1:35 o'clock p. m., January 25, 1943.

W. R. BOND, Chairman.

The Committee on Enrollment and Engrossment made the following report:

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that:

Senate Concurrent Resolution "F,"

Was delivered to the Secretary of State at the hour of 1:40 o'clock p. m., Monday, January 25, 1943.

W. R. BOND, Chairman.

FIRST READING OF SENATE BILLS AND CONCURRENT RESOLUTIONS

The Committee on Public Welfare introduced:

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.

Senator Young introduced:

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.

Senator Young introduced:

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 State Affairs.

Senator Young introduced:

Senate Concurrent Resolution "J." A Resolution Providing for the Amendment of Section 121 of the Constitution as Amended by Article 37 of the Amendments Thereto Relating to Qualifications of Electors.

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

Senator Nelson of Dickey moved that the absent Senators be excused, which motion prevailed.

Senator Nelson of Dickey moved that the President appoint a Committee of Three for the purpose of arranging for the Senate photographs, which motion prevailed.

President Pro Tem Brunsdale appointed as such committee: Senators Nelson of Dickey, Rue and Troxel.

SECOND 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.

Senator Drew moved that Senate Bill No. 45 be amended as follows:

In line 15 of the printed bill, after the word "inherit," insert the words "one-half of the allowance."

Senator Kehoe made a substitute motion that Senate Bill No. 45 be re-referred to the Committee on Judiciary, which motion prevailed, and the bill was so ordered re-referred.

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, 42; nays, 4; absent and not voting, 3.

Those voting in the affirmative were:

Adam	Lavik	Olson, McHenry
Beaton	Lofthus	Olson, Mountrail
Bilden	Lynch	Page
Blank	Morgan, Richland	Porter
Bond	Morgan, Walsh	Raschko
Brant	Nelson, Dickey	Rue
Braun	Nelson, Griggs-	Schrock
Brunsdale	Steele	Solberg
Day	Nelson, McKenzie	Stucke
Drew	Nelson, Renville	Thatcher
Feton	Nordhougen	Troxel
Foss	O'Brien	Watt
Ginter	Oksendahl	Wog
Hoenck	Olson, Barnes	Young
Kamrath		

Those voting in the negative were:

Flatt	Kehoe	Streibel
Greiser		

Absent and not voting:

Bridston Guenther Semerad

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

Senator Morgan of Walsh moved that the Senate do now recess for five minutes before going into the Memorial Session for departed Senators, which motion prevailed, and the Senate stood recessed.

The Senate re-convened for the purpose of holding the Memorial Service for the departed senators.

MEMORIAL PROGRAM

The memorial session was called to order by President Pro Tem Brunsdale, who then called Senator Watt to the Chair to preside.

Rev. Stewart: "Our Father who art in Heaven, hallowed be thy Name. Thy Kingdom come; Thy will be done here on earth as it is in Heaven. Thy word is declared up to us that the Heavens show forth thy honor and thy glory and may we, as we take up the duties and the responsibilities of another new day, come in the spirit of Him who said 'Thou shall love the Lord thy God with all thine heart, and with all thy soul, and with all thy strength, and with all thy might, and thy neighbor as thyself.'

We have met together, Our Heavenly Father, to honor the memories of those who served so faithfully and well for us in these legislative halls for the best interests of our great state. And we would thank Thee for their wise counsels, for their untiring devotion, for their high motives and the sacrifices they made for our great state.

May we be reminded that "Life is real, Life is earnest

And the Grave is not it's goal.

Dust Thou art to Dust returnest

Was not spoken of the soul.

Lives of great men all remind us

We can make our lives sublime

And departing, leave behind us,

Footsteps in the sands of Time."

Come near, we pray Thee, to the loved ones who mourn and who are lonely this day, because of the passing of their dear ones. Help them to remember 'I am the Resurrection and the Life—He that believeth in me, tho he were dead, yet shall he live and whosoever live and believeth in me shall never die,' and as we take up the burdens, the problems, the responsibilities that our servants have laid down, we pray Thee that we may be loyal to the God of our Fathers, loyal to our country and to our state and the principles and ideals upon which they were founded, loyal to our friends, loyal to our homes and our families, and loyal to ourselves and may the peace of God which passeth all understanding keep our hearts and minds now and forevermore thru Jesus Christ, our Lord. Amen."

A musical selection by a Senate quartette composed of Senators Raschko, Streibel, Schrock and Morgan of Richland was next on the program.

FIRST READING OF SENATE MEMORIAL
RESOLUTIONS

SENATE MEMORIAL RESOLUTION "A"

Presented by Senator Hoenck

WHEREAS, the late Senator Arthur W. Fowler, long an outstanding member of this assembly passed to his eternal reward on May 26th, 1942.

WHEREAS, the late Senator Fowler represented the Ninth Legislative District in the House of Representatives during the Twentieth Legislative Session and the Senate in the Twenty-first and all the following sessions including the twenty-seventh Legislative Session.

WHEREAS, the passing of this Senator is considered a great loss to the Legislative Assembly, to the State of North Dakota and the Ninth District which he represented in such an able manner, at all times having the best interests of our State at heart in determining the course its Legislature should follow.

WHEREAS, he was a highly respected citizen in his community, a loving husband and a generous father and a friend to all who sought his counsel and advice.

THEREFORE BE IT RESOLVED BY THE SENATE, that we do express our heartfelt appreciation for the valuable services the late Senator Fowler rendered to this State and the keen sorrow and regret on account of his passing.

BE IT FURTHER RESOLVED, that this resolution be printed in the Journal and an engrossed copy be forwarded to Mrs. Arthur Fowler at V. S. N: Air Station at Pensacola, Florida, to his son, Lt. R. Fowler at Pensacola, Florida, his son, Wm. Fowler at Omaha, Nebraska, his daughter, Mrs. R. A. Bardwell at Fargo, his brother, C. S. Fowler at Fargo and his sister, Mrs. E. A. Slocum of Fargo.

SENATE MEMORIAL RESOLUTION "B"

Presented by Senator Oksendahl

WHEREAS, the late Senator Fingar Thorson Gronvold, Rugby, North Dakota, was called to his eternal reward on November 7, 1941. He represented his Legislative District for thirteen sessions; 1899-1901, he was a member of the House. He was a member of the Senate in 1909, 1911, 1913, 1915, 1917, 1931, 1933, 1935, 1937, 1939 and 1941 and during all his public life he was a very friendly, congenial man, interested in the welfare of his old associates and pleasantly instructive to the new members of the Senate, always willing to give of his time and ability. He has always been a farmer besides operating his garage, together with his three sons. He was a life long member of the Lutheran Church, and a very good supporter. He was Chairman of the Board of Directors for the Good Samaritan Hospital, at Rugby, for a number of years.

WHEREAS, in his passing, North Dakota has lost a true friend, a leader in the preservation of sound liberal government, very honestly administered, a man whose desire and interest was the furtherance of all good and worthy causes for the betterment of the State, his local community, and his fellowmen:

THEREFORE, BE IT RESOLVED, by the Senate that we

do hereby express our heartfelt appreciation of the loyal service of our distinguished citizen, the late Fingar Thorson Gronvold, and that we further express the keen sorrow which which we feel because of his passing; and,

BE IT FURTHER RESOLVED, that this resolution be printed in the Journal and that an engrossed copy be forwarded by the Secretary of the Senate to his wife, Mrs. Alice Gronvold, his sons, Aarnon Gronvold, Joel Gronvold and Adelbert Gronvold, and his daughters, Mrs. Ruth Gronvold Skyberg, Mrs. Esther Gronvold Sauvain, and Mrs. Eunice Gronvold Kalloch.

SENATE MEMORIAL RESOLUTION "C"

Presented by Senator Lofthus

WHEREAS, the late Senator Robert J. Gardiner of the Seventeenth Legislative District was called to his eternal reward on October 6, 1941; and

WHEREAS, he served as Representative in the Legislative Sessions in 1910 and 1912, and as State Senator in the Sessions of 1915, 1921 and 1923, and was a prominent figure in the County and State Pioneer History; and

WHEREAS, he has always been characterized by a high degree of devotion to those principles of good government, which are essential to its efficient and honest administration, and by a sincere endeavor on his part to further the well-being of all its interests locally.

THEREFORE, BE IT RESOLVED, by the Senate of the State of North Dakota that we express our keen sorrow for his passing; and

BE IT FURTHER RESOLVED, that we extend to his wife and two daughters our sincere sympathy; that this Resolution be printed in the Journal and the engrossed copy of the same be sent to his family at Brocket, North Dakota.

SENATE MEMORIAL RESOLUTION "D"

Presented by Senator Lofthus

WHEREAS, The late Senator C. I. Morkrid of Petersburg, North Dakota, Seventeenth Legislative District, was called by death on December 23, 1942; and

WHEREAS, from the time he came to the United States in 1881—from his native Norway, where he was born in Skjolden, Sogn, July 22, 1859—he constantly manifested a keen interest in the upbuilding of the land of his adoption; and

WHEREAS, as a pioneer of North Dakota, where he lived since 1882, he held a number of administrative positions in his home district and served as Representative in the State Legislature in 1913 and as State Senator in 1917 and 1919.

THEREFORE, BE IT RESOLVED, by the Senate of the State of North Dakota, that we express our appreciation for his high qualities as a good citizen always characterizing his work and his sincerity of purpose during his tenure of office; and

BE IT FURTHER RESOLVED, that the Senate convey to his wife and children our keen sorrow and sympathy on account of his passing; and that a copy of this Resolution be forwarded by the Secretary of the Senate to them.

SENATE MEMORIAL RESOLUTION "E"

Presented by Senator Greiser

WHEREAS, the late Senator Paul T. Kretschmar, who

represented the Thirty-sixth Legislative District in the North Dakota Senate in 1911, 1913, 1915, 1917, 1923, 1925, 1927 and 1929 has been called to his eternal reward and during his public service and life, as a private citizen, he was a splendid example of integrity, loyalty, conscientious endeavor, and good citizenship and,

WHEREAS, in his passing, North Dakota has lost a true friend, a leader in the preservation of sound, liberal government, honestly administered, a man whose desire and interest was the furtherance of all good and worthy causes for the betterment of the State, his local community, and his fellowmen:

THEREFORE, BE IT RESOLVED, by the Senate that we do hereby express our heartfelt appreciation of the loyal service of our distinguished citizen, the late Paul T. Kretschmar, and that we further express the keen sorrow which we feel because of his passing; and,

BE IT FURTHER RESOLVED, that this resolution be printed in the Journal and that an engrossed copy be forwarded by the Secretary of the Senate to his wife, Mrs. Paul T. Kretschmar of Venturia, North Dakota.

SENATE MEMORIAL RESOLUTION "F"

Presented by Senator Rue

WHEREAS, the late Senator Clarence Belden Little, of the 27th Legislative District, was called to his eternal reward on September 25, 1941, when in his 84th year of life; and

WHEREAS, Senator Little was a member of the North Dakota Senate which convened in its first session November 19, 1889, seventeen days after President Harrison signed the proclamation of admission to the Union of Sovereign States; and

WHEREAS, he faithfully served this State as a Senator from Burleigh County for ten successive assemblies, ending his terms in 1907, in which his tenure of public office always was characterized by a high degree of devotion to high principles of honest government built on solid foundation.

THEREFORE, BE IT RESOLVED, by the Senate that we express our deep appreciation for his sincere and valuable services not only during his tenure in office when North Dakota was in its infancy, but throughout his life in North Dakota; and that we express our keen sorrow at his passing; and

BE IT FURTHER RESOLVED, that we extend to his widow, Mrs. Irene Little, his son, George, and daughter, Mrs. Viroque Bradley, our sincere sympathy; that an engrossed copy of this Resolution be sent to his widow at Bismarck, North Dakota.

SENATE MEMORIAL RESOLUTION "G"

Presented by Senator Hoenck

WHEREAS, the late Senator W. P. Porterfield who represented the Ninth District during the thirteenth Legislative Session, passed to his reward October 9th, 1941, and

WHEREAS, the State of North Dakota and the City of Fargo have keenly felt the loss of this pioneer druggist and civic minded man,

THEREFORE, BE IT RESOLVED BY THE SENATE, that we express our deep felt sympathy to his surviving

brother, Judge Milton Porterfield of Hagerstown, Maryland, and that this Memorial Resolution be entered in the Journal and an engrossed copy be sent to Judge Milton Porterfield at Hagerstown, Maryland.

SENATE MEMORIAL RESOLUTION "H"

Presented by Senator Flatt

WHEREAS, the late John Crandall of the 14th Legislative District was called to his eternal reward since the last Legislative session, and during his public service and during his life, as a private citizen, his was a splendid example of integrity, loyalty, conscientious endeavor, and good citizenship; and,

WHEREAS, in his passing, North Dakota has lost a true friend, a leader in the preservation of sound, liberal government, honestly administered, a man whose desire and interest was the furtherance of all good and worthy causes for the betterment of the State, his local community, and his fellowmen,

THEREFORE BE IT RESOLVED, by the Senate that we do hereby express our 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 engrossed copy be sent by the Secretary of the Senate, to his wife, Mrs. John Crandall of Lisbon, North Dakota.

SENATE MEMORIAL RESOLUTION "I"

Presented by Senator Morgan of Walsh

WHEREAS, God in His wisdom saw fit to summon to eternal rest, His servant and our former colleague, the late P. J. Murphy, on January 20, 1942; and,

WHEREAS, the late Senator Murphy, who spent all his life in North Dakota, has rendered outstanding service to the people of this commonwealth; as a teacher in a public school; as a member of the Board of Education of the Grafton special school district; for 20 years as a member of the State Senate of North Dakota, and during the last three years of his life as the president of the State Board of Higher Education; and,

WHEREAS, his public and private life was unselfishly devoted to the service of his fellow men and the people of this state and his every act was characterized by farsighted wisdom and loyalty to ideals; and

WHEREAS, his passing is a severe loss to the State of North Dakota and a cause for personal grief to his former associates in the Senate of the State of North Dakota.

NOW, THEREFORE, BE IT RESOLVED, by the Senate 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 keen sorrow at his passing; and

BE IT FURTHER RESOLVED, that this resolution be inscribed on the records of the Senate and the Secretary of the Senate be instructed to send a properly executed and engrossed copy of this resolution to his wife, Mrs. Mary Murphy at Grafton, North Dakota.

SENATE MEMORIAL RESOLUTION "J"

Presented by Senator Flatt

WHEREAS, George A. Mathews was called to his eternal reward in April, 1941; and

WHEREAS, George A. Mathews was born at Potsdam, New York, June 4, 1852. His father was a soldier in the Civil War at the close of which the family removed to the State of Iowa. He was educated in the common schools, Upper Iowa University and the Law Department of the University of Iowa from which institution he was graduated in 1878. He was admitted to the bar in Iowa the same year and began practice in Corning, Iowa. He moved to Brookings, Dakota Territory (now South Dakota) in 1879 and continued the practice of law; he was prosecuting attorney for the Fifth Judicial Circuit for the Territory of Dakota in 1884; he was a member of the Territorial Council and served as its President in 1887; he was elected as Delegate to Congress and served from March 4, 1889 to November 2, 1889, when the States of North and South Dakota were admitted to the Union. He continued in the practice of law at Brookings, South Dakota, up to the time of his death.

WHEREAS, he belonged to the Territorial Council before North Dakota became a State, which would be equivalent to the Senate;

THEREFORE, BE IT RESOLVED, by the Senate that we express our heartfelt appreciation for the valuable services rendered by our distinguished citizen; and that we express our keen sorrow at his passing; and

BE IT FURTHER RESOLVED, That this resolution be printed in the Journal and a copy of same be filed with the Secretary of State.

SENATE MEMORIAL RESOLUTION "K"

Presented by Senator Bilden

WHEREAS, The Divine Reaper has seen fit to take to his eternal rest our associate, J. E. Eastgate, on March 26, 1941; and

WHEREAS, Mr. J. E. Eastgate was an outstanding citizen and a man of great agricultural foresight and ability, and came to Dakota Territory in the early seventies, establishing himself in Grand Forks County, operating and putting into practice, dry land farming and "Drifting Soils," strip farming and other land conserving practices, which he presented to the Dry Farming Congress in 1910. He was a believer in the production of pure bred cattle, and in 1906 started a herd of Aberdeen Angus and operated one of the demonstration farms under the direction of the Agricultural College for twenty-five years. He was chosen a master farmer and in 1928 his picture was hung in the Hall of Fame at the Agricultural College; and

WHEREAS, He served as Senator from the Fifth District from 1921 to 1936, a beloved and honorable member, giving whole-heartedly of his ability and experience and the furtherance of his belief in the permanency of our State; and

THEREFORE, BE IT RESOLVED, That this resolution be printed in the Journal and that an enrolled copy be forwarded by the Secretary of the Senate to his wife, Mrs. J. E. Eastgate of Larimore, North Dakota.

SENATE MEMORIAL RESOLUTION "L"

Presented by Senator Stucke

WHEREAS, the late Senator C. W. McGray, Garrison, North Dakota, passed away November 19, 1941, at Long Beach, California, a short summary of his activities follows:

Senator McGray was born at Prescott, Wisconsin, January 20, 1870. In 1903, he came to North Dakota and settled at old Coleharbor where he was associated in business with his brother, Otis F. McGray.

When the town of Underwood was founded he settled there. Later he moved to Bismarck. And in 1924 came to Garrison, North Dakota, where he established the McGray Motor Company. Senator McGray was at one time, heavily interested in banking and real estate business. Senator McGray was affectionately known by young and old as "Bill"; he was deeply interested in civic affairs and he was a really truly public spirited individual. He was generous almost to a fault; always a sunny disposition. "Bill" got the most out of life and this, he richly deserved.

He represented McLean County, the 46th Legislative District, in 1915 and 1917. He leaves a wife, Winnifred Hart McGray and a son, Archie Hart McGray, an attorney, in Uncle Sam's armed service;

WHEREAS, in his passing, North Dakota has lost a true friend whose whole life was dedicated to make this a better place in which to live.

THEREFORE, BE IT RESOLVED, by the Senate of the Twenty-eighth Legislative Assembly of the State of North Dakota, that we express our appreciation for the services rendered both as a citizen and a legislator; and

BE IT FURTHER RESOLVED, that this Resolution be printed in the Journal of the Senate and the Secretary of the Senate be instructed to send an engrossed copy of this Resolution to his wife, Winnifred Hart McGray, at 615 Second Street, Bismarck, North Dakota, and to his son, Archie Hart McGray, Army Air Corp Proving Ground, Elgin Field, Zalparaiso, Florida.

SENATE MEMORIAL RESOLUTION "M"

Presented by Senator Thatcher

WHEREAS, a wise and ever ruling God has seen fit to remove from our midst, our former friend and colleague, the late Dougal H. McArthur, on June 20, 1942; and

WHEREAS, the late Senator McArthur, who spent a large part of his life in North Dakota, in business and as a public official, and, for two terms a member of the State Senate of North Dakota; and

WHEREAS, through his entire life he championed the cause of freedom and liberty for his fellow citizens at all times; and

WHEREAS, his death is a severe loss to this state and nation and grief to his many friends, and especially to his friends in the Senate of this State;

NOW, THEREFORE, BE IT RESOLVED, by the Senate of the Twenty-eighth Legislative Assembly of the State of North Dakota that we express our sincere appreciation of his loyal and devoted service and we further express our sorrow at his passing; and

BE IT FURTHER RESOLVED, that this resolution be inscribed on the records of this Senate and that the Secretary of the Senate be instructed to send a properly engrossed copy of this resolution to the remaining living members of his family.

It was moved by Senator Morgan of Walsh, seconded by

Senator Bond that Senate Memorial Resolutions "A" to "M" inclusive be adopted on a rising vote, which motion prevailed.

Senator Flatt: "Arthur W. Fowler was born in Highland Township, Cass County, the son of George Fowler, an early pioneer and settler.

Senator Fowler's boyhood was spent in the village of Sheldon, attending the poorly-equipped and managed school.

He was an ambitious boy and proved that he was willing to work for whatever he wanted.

He was determined to get all the education he could with the hope of utilizing it in life's struggle for success.

He was a good lawyer and a capable business man and during his active years accumulated a small fortune.

His material wealth is an unjust way to measure so capable a man.

His untiring interest in the government made a successful impression in political circles.

His willingness to share his experience and knowledge with his fellowmen won him the highest esteem of his associates, whether in political accord or not, no favor was ever asked, but what Senator Fowler would graciously respond.

No Senator was ever more highly appreciated and loved by this body, nor more sorrowfully missed than Senator Fowler.

I shall always be grateful for the many personal considerations he extended to me, and my community is proud that he was a local son."

Senator Stucke: "I presume I have a right to say a few kind words about Senator Fowler. While he and I never, or almost never, agreed, looking back I can not but hold the highest respect for my good friend, Art.

I never saw him except with a smile, or perhaps once in a while in a debate when things got hot, but when things cooled off again, the smile returned and he and I shook hands and he would say, 'Well, we had a little fun anyway, didn't we, Doc?' and I would say, 'Yes, we did.' I know that Art liked me and I surely appreciated Art.

I do this because I happen, fortunately or unfortunately, to be minority floor leader, and oftentimes I was called upon to challenge some of his remarks, but after all is said and done, I loved Art Fowler. God bless Art Fowler."

Senator Hoenck: "I have known Art Fowler ever since I came to North Dakota. A lot has been said about him today—many flattering remarks, but we, the citizens of Fargo, feel that Art belonged to us to a certain extent. He was one of those citizens who felt community responsibility. Anything in Fargo that was of community interest, you could rely upon Art Fowler's interest in carrying out the plan. One memorial to Art Fowler is the splendid Chamber of Commerce building in Fargo which he was instrumental in collecting funds to help build.

There is much to be said about Art. The most embarrassing thing to me was when I came here and was introduced as the Senator who would take Art Fowler's place. I felt humiliated because from what I had learned there is no one from the 9th district who can ever take Art Fowler's place, nor no one from any other district who can take his place.

I think he has built himself in this body a standing memorial to the services he did here."

Judge Morris: "Mr. President, Members of the Senate, Visitors: After listening to those wonderful tributes that the men of this body have just rendered to those who have gone on before it seems a little superfluous to stand here and undertake to make further remarks.

This has been an impressive and an appropriate ceremony. We commemorate, we honor the memory here today of the men who served in this body and who have passed into the Great Beyond. We honor them, of course—first, as Senators of North Dakota but we would also honor them as citizens and servants of this great commonwealth. We would honor them, not only for the things that they did here but we would honor them for the things that they did throughout their lives in behalf of justice and good government, for their good fellowship, development of their communities and everything that marks a citizen as a 'good citizen'.

I would not stand here and attempt to discuss with you the meaning of death or the Great Beyond, even the meaning of life—I would leave that to the theologians and philosophers; men and women who have devoted years of study to those deep and unfathomable subjects, but I would for just a few minutes, remind you of the human, the manly, the earthly qualities of these men who have from time to time come here and served in this great and honorable body.

First, those men have the honor, the respect, the trust, the loyalty, the confidence of the people in their own communities. They would never have been sent to this body, had they not merited the trust of the people in their respective districts. The men and women who elected them to come down here to the capitol of North Dakota, and participate in making the laws under which we should live and then when they came here by their services, by their devotion to their duties, they endeared themselves to you. There have been many wonderful words spoken in this service today and embodied in those resolutions which were read here, there were well deserved words regarding these men who stood out in their community—who stood out in this state, as meriting the confidence of the people.

Many of them—perhaps most of them, might be called pioneers of this state. Men who helped wrest from the prairies, the farms, the cities, the schools, in fact a prosperous, a civilized and God-fearing community—they helped wrest from the hand of nature, the things which we need, not only to sustain human life but to build communities, to create congregations, societies, and organizations that might aspire to leading the people of our state on an upward path of thought and righteousness.

And so today, we do homage to them as pioneers. To them we would do homage just as fellow workers in the great cause of government and humanity.

I presume that no man has ever come to the state senate of North Dakota who has not come at some sacrifice to himself. Yes, it is an honor—it is a great honor to be a Senator of the State of North Dakota but it means that you must leave your business, or your farm, or your professions. You must lay aside the making of money to devote yourselves

to the welfare of this great state and that is what those men did when they came here. They came not for the money they could make. O yes, you might say 'Perhaps they came for the honor'. Well, it is true tht they perhaps like you and I, appreciate honors that are conferred upon us but still there was something more in the hearts and minds of these men that brought them here. I dare say the same thing that brings you here brought them here, and that is a devotion to a cause, a devotion to an idea, a willingness to sacrifice and an eagerness to serve, and so we honor them today as men who have sacrificed themselves and who were willing to devote a portion of their lives to the service of the people of the state and the good of North Dakota.

Yes, sometimes we may wonder after all, especially now with the momentous events that are occurring throughout the world, whether our part may not be too small in the affairs of men and I presume perhaps to their minds, and perhaps to ourselves, has occurred the suggestion as to whether or not it was really worthwhile to devote the time and the energy necessary to do a good job here in this Senate chamber. But after all, we must remember that even though the affairs of the world perhaps over-shadow us as individuals, that when the time of crisis comes it is the people of any nation who are willing to devote themselves to self sacrifice and service, who are the backbone of that nation and that carry it on through the trials and the difficulties and bring it finally to ultimate success and security—so it was with those men here. Possibly their labors on the bills, possibly their votes on bills, possibly their work on committees was not so important that it would shake the foundations of the world—no, but it had its influence just as the labor of you men today has its influence upon the affairs of the world. It is said that you cannot drop a pebble into the ocean but some effect of the ripple of that pebble passes to the shores of all far distant lands, and so it is with us who labor and with those who have labored, in behalf of the public interests. What we do in our own limited way has its effect upon the great cause of the nations, and so today I am happy to join with you men in honoring those who gave through this body, the Senate of the State of North Dakota, the best that they had in behalf of the nation, and I am sure that if their spirit hovers o'er us now that they would join with us in that great song and prayer, 'America, America, God shed His grace on Thee and crown thy good with brotherhood from sea to shining sea'."

Senator Stucke moved that the remarks of Judge Morris be printed in the Journal, which motion prevailed.

Benediction by Rev. Stewart: "May the Lord bless you and keep you. May the Lord cause His face to shine upon you and be gracious unto you. May the Lord lift up His countenance upon you and give you peace, now and forevermore through Jesus Christ, our Lord. Amen."

Senator Thatcher moved that the Senate do now adjourn in memory of departed Senators, which motion prevailed, and the Senate stood adjourned.

W. J. TROUT, Secretary.

TWENTY-SECOND DAY

Bismarck, January 26, 1943

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

Prayer by the chaplain, Rev. C. L. Wallace of Mandan.

Roll call: All Senators present except Senator Guenther.

MESSAGE TO THE HOUSE

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.

Very respectfully,

W. J. TROUT, Secretary.

Senator Young requested that the Senate be on the 14th order of business for the signing of bills, which request was granted.

SIGNING OF CONCURRENT RESOLUTIONS

The Secretary announced that the President was about to sign:

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.

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

MESSAGE TO THE HOUSE

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 Resolution Providing a Special Rule Fixing the Procedure to Govern in the Adoption of the 1943 Revised Codes of North Dakota.

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

Very respectfully,

W. J. TROUT, Secretary.

The President announced that he would have to leave at this time and called Senator Flatt to the chair to preside.

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

Mr. President: Your Committee on Revision and Correction of the Journal have carefully examined the Journal of the twenty-first day and find the same correct.

ORRIS G. NORDHOUGEN, Chairman.

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

PETITIONS AND COMMUNICATIONS

A communication was received by the Lieutenant Governor from the Secretary of State, advising that copies of Senate Concurrent Resolution "F" had been sent by air mail to the various federal officials therein designated.

A communication was read by the Secretary which had been received by Senator Drew from F. W. Breakey, President of the Farmers Mill and Elevator Association at Devils Lake regarding the Poultry Improvement Board, which was referred to the Committee on Agriculture and Livestock.

REPORTS OF STANDING COMMITTEES

The Committee on Enrollment and Engrossment made the following report:

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

Senate Memorial Resolution "A"
 Senate Memorial Resolution "B"
 Senate Memorial Resolution "C"
 Senate Memorial Resolution "D"
 Senate Memorial Resolution "E"
 Senate Memorial Resolution "F"
 Senate Memorial Resolution "G"
 Senate Memorial Resolution "H"
 Senate Memorial Resolution "I"
 Senate Memorial Resolution "J"
 Senate Memorial Resolution "K"
 Senate Memorial Resolution "L"
 Senate Memorial Resolution "M"

And find the same correctly Enrolled.

W. R. BOND, Chairman.

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

Mr. President: Your Committee on Tax and Tax Laws to whom was referred Senate Bill No. 47, have had the same under consideration and recommend that the same be amended as follows:

In line 68—Strike out the word "time" and insert in lieu thereof the word "date".

In line 106 after the last word "of", insert the following "the property in this State above liens is of the value of", and renumber lines accordingly.

And when so amended recommend the same do pass.

E. H. BRANT, Chairman.

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

Mr. President: Your Committee on 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.

E. H. BRANT, Chairman.

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

FIRST READING OF SENATE BILLS AND SENATE CONCURRENT RESOLUTION

The Committee on Tax and Tax Laws introduced:

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 Tax and Tax Laws.

The Committee on Tax and Tax Laws introduced:

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

Senators Stucke, Rue and Day introduced:

Senate Bill No. 63. A Bill for an Act to Regulate the Possession, Sale and Distribution of Barbital; Defining Barbital; Limiting the Sale of Barbital to Licensed Pharmacists Upon Prescription; and Providing a Penalty for the Violation of the Provisions of the Act.

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

Senators Olson of Mountrail and Nelson of Renville introduced:

Senate Concurrent Resolution "K." A Concurrent Resolution Providing for the Amendment of Article 54 of the Constitution of the State of North Dakota.

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

Senator Nelson of Dickey moved that the absent Senator be excused, which motion prevailed.

FIRST 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 first time and referred to the Committee on Appropriations.

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 Appropriations.

MESSAGES TO THE SENATE

House of Representatives
Bismarck, January 26, 1943

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

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.

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.

Senator Morgan of Walsh requested that the Senate be on the 8th order of business, which request was granted.

Senator Morgan of Walsh moved that the Senate return House Concurrent Resolution "C," which the House has requested, which motion prevailed.

MESSAGE TO THE HOUSE

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.

Senator Young moved that the Senate do now adjourn, which motion prevailed, and the Senate stood adjourned.

W. J. TROUT, Secretary.

TWENTY-THIRD DAY

Bismarck, January 27, 1943

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

Prayer by the chaplain, Rev. C. L. Wallace of Mandan.

Roll call: All Senators present except Senator Guenther.

Senator Young moved that the Senate be on the fourteenth order of business for the purpose of signing Senate Memorial Resolutions, which motion prevailed.

SIGNING OF RESOLUTIONS

The Secretary announced that the President was about to sign:

Senate Memorial Resolution "A"
 Senate Memorial Resolution "B"
 Senate Memorial Resolution "C"
 Senate Memorial Resolution "D"
 Senate Memorial Resolution "E"
 Senate Memorial Resolution "F"
 Senate Memorial Resolution "G"
 Senate Memorial Resolution "H"
 Senate Memorial Resolution "I"
 Senate Memorial Resolution "J"
 Senate Memorial Resolution "K"
 Senate Memorial Resolution "L"
 Senate Memorial Resolution "M"

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

The President announced that he would have to leave at this time, and called Senator Morgan of Walsh to the chair to preside.

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

Mr. President: Your Committee on Revision and Correction of the Journal have carefully examined the Journal of the Twenty-second Day and find the same correct.

ORRIS G. NORDHOUGEN, Chairman.

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

REPORTS OF STANDING COMMITTEES

The Committee on Enrollment and Engrossment made the following report:

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

Senate Bill No. 47.

And find the same correctly Engrossed.

W. R. BOND, Chairman.

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

The Committee on Appropriations made the following report:

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 14, have had the same under consideration and recommend that the same do pass.

WM. WATT, Chairman.

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

Mr. President: Your Committee on State Affairs to whom was referred Senate Bill No. 24, have had the same under consideration and recommend that the same do pass.

J. B. BRIDSTON, Chairman.

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

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 46, have had the same under consideration and recommend that the same do pass.

WM. WATT, Chairman.

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

Mr. President: Your Committee on 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 heading of the bill after the words "Session Laws of 1941" add the following words "and declaring an emergency."

In Section 4 after line 31 add Section 5. Emergency.) This act is hereby declared to be an emergency measure and shall be in full force and effect from and after its passage and approval.

And when so amended recommend the same do pass.

H. C. MORGAN, Chairman.

Senator Morgan of Richland moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Game and Fish to whom was referred Senate Bill No. 55, have had the same under consideration and recommend that the same be amended as follows:

In the Title of the bill after the words "when declared predatory." add, "and declaring an emergency."

In Section 3 after line 31, add 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.

And when so amended recommend the same do pass.

H. C. MORGAN, Chairman.

Senator Morgan of Richland moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Game and Fish to whom was referred Senate Bill No. 56, have had the same

under consideration and recommend that the same do pass and be re-referred to the Committee on Appropriations.

H. C. MORGAN, Chairman.

Senator Morgan of Richland moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on State Affairs to whom was referred Senate Bill No. 60, have had the same under consideration and recommend that the same be re-referred to the Committee on Public Welfare.

J. B. BRIDSTON, Chairman.

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

MESSAGES FROM THE HOUSE

House of Representatives

Bismarck, January 27, 1943

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

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.

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.

W. M. SMART, Chief Clerk.

REPORT OF SELECT COMMITTEE ON WELFARE

Mr. President: 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 Rep. Kolpin present. The committee organized into one unit by electing Rep. 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 the committee 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 hearing to be Monday, Feb. 1, and Tuesday, Feb. 2. No further business needing immediate attention, the meeting recessed subject to the call of the chairman.

F. J. GRAHAM, Chairman.
R. M. STREIBEL, Secretary.

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

Senator Streibel requested that the report of the Select Committee on Welfare be printed in the Journal, which request was granted.

FIRST READING OF SENATE BILLS AND CONCURRENT RESOLUTIONS

Senators Page and Ginter introduced:

Senate Bill No. 64. A Bill for an Act Amending and Re-enacting Section 1 of Chapter 189 of the Session Laws of 1937, Relating to the Investment of Public Funds in Bonds, Stocks, Certificates of Indebtedness, Notes, Mortgages or Other Evidences of Debt in Which Any Public Funds May Have Been or May Be Invested; and Declaring an Emergency.

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

Senators Young and Morgan of Walsh introduced:

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.

Senators Thatcher and Streibel introduced:

Senate Bill No. 66. A Bill for an Act to Authorize, Regulate and Control the Handling and Distribution, Sale Possession, Purchase and Dispensing of Merchandising Boards, and the Sale and Exhibition of Goods and Merchandise Through the Merchandising Board, Providing the Method of Taxing and Licensing of Merchandising Boards; and Providing Penalties for Violations of the Provisions of Said Act.

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

Senators Porter, Thatcher and Kehoe introduced:

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 Judiciary.

Senators Young, Stucke, Bridston, Blank, Thatcher and Lavik introduced:

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.

Senators Thatcher, Adam and Solberg introduced:

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 and Livestock.

Senator Nelson of Dickey moved that the absent Senator be excused, which motion prevailed.

Senator Bridston moved that the Senate do now go into executive session for the purpose of considering the report of the Committee on State Affairs on an appointment made by the Governor, which motion prevailed.

SECOND READING OF SENATE BILLS

Senate Bill No. 47. An Act 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, 47; nays, 0; absent and not voting 2.

Those voting in the affirmative were:

Adam	Hoenck	Olson, McHenry
Beaton	Kamrath	Olson, Mountrail
Bilden	Kehoe	Page
Blank	Lavik	Porter
Bond	Lofthus	Raschko
Brant	Lynch	Rue
Braun	Morgan, Richland	Schrock
Bridston	Morgan, Walsh	Semerad
Brunsdale	Nelson, Dickey	Solberg
Day	Nelson, Griggs-	Streibel
Drew	Steele	Stucke
Feton	Nelson, McKenzie	Thatcher
Flatt	Nelson, Renville	Troxel
Foss	O'Brien	Watt
Ginter	Oksendahl	Wog

Senator Nordhousen: "Mr. President, I wish to explain my vote and have it printed in the journal. I am in favor of building, and in general construction, of any roads at a time we are in a position to do it, but due to the fact that this is a time of extreme emergency, I vote "No."

Senator Solberg: "Mr. President, I wish to explain my vote and have it printed in the journal. It is hard to find a tax that is just to everybody, but I believe on the fact of it, this is a just tax because the user of the road is going to be paying for it. Much has been said in the past about our common carriers and bonded carriers of the state not wanting to pay for the roads but in this instance, these same carriers are willing to pay this increased tax. In one sense of the word, the common carriers and bonded carriers of our state are going to carry a big burden of this tax. In my mind it is a just tax and I vote "Aye."

FIRST 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 first time and referred to the Committee on Appropriations.

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.

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.

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 and Livestock.

MESSAGE TO THE HOUSE

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.

The Presiding officer, Senator Morgan of Walsh announced that the Senate, in executive session, had confirmed, and consented to, the appointment of John A. Graham as State Examiner of the State of North Dakota for a four year term.

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

W. J. TROUT, Secretary.

TWENTY-FOURTH DAY

Bismarck, January 28, 1943

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

Prayer by the chaplain, Rev. Laten E. Teare.

Roll call: All Senators present except Guenther and Semerad.

MESSAGE TO THE HOUSE

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.

W. J. TROUT, Secretary.

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

Mr. President: Your Committee on Revision and Correction of the Journal have carefully examined the Journal of the Twenty-third Day and find the same correct.

ORRIS G. NORDHOUGEN, Chairman.

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

REPORTS OF STANDING COMMITTEES

The Committee on Enrollment and Engrossment made the following report:

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

Senate Bill No. 53.

Senate Bill No. 55.

And find the same correctly Engrossed.

W. R. BOND, Chairman.

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

Mr. President: 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 be indefinitely postponed.

AXEL OLSON
G. F. DREW
C. W. SCHROCK
FRANK H. BEATON
WILLIAM KAMRATH
ROB. GREISER
GUST WOG
ORRIS G. NORDHOUGEN
ALBERT NELSON
CHAS. A. GINTER
OLIVER BILDEN
WILLIAM KAMRATH, Chairman.

Mr. President: 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 do pass.

M. R. YOUNG
WM. WATT
WALTER TROXEL
GEO. C. HOENCK
J. J. KEHOE
W. H. PORTER
S. C. NELSON
W. R. BOND
C. NORMAN BRUNSDALE
HARRY O'BRIEN
MELVIN OLSON
CARROLL E. DAY
HARRY O'BRIEN, Chairman.

Senator Kamrath moved that the report of the minority of the Committee on Apportionment on Senate Bill No. 36 be adopted.

Senator Young made a substitute motion that the report of the majority of the Committee on Apportionment on Senate Bill No. 36 be substituted for the report of the minority, which motion prevailed.

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 11, have had the same under consideration and recommend that the same be amended as follows:

Under Section 1 in line 8, strike out the figures \$17,145.00 and insert the figures \$18,000.00 in lieu thereof.

Under Section 1 in line 12, strike out the figures \$26,145.00 and insert the figures \$27,000.00 in lieu thereof.

Under Section 1 in line 3, strike out the figures \$26,145.00 and insert the figures \$27,000.00 in lieu thereof.

And when so amended recommend the same do pass.

WM. WATT, Chairman.

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

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 39, have had the same under consideration and recommend that the same be amended as follows:

Strike out lines 1 to 11 inclusive and renumber accordingly.

Under Section 1 in line 14, strike out the figures \$10,000.00 and insert the figures \$5,000.00 in lieu thereof.

And when so amended recommend the same do pass.

WM. WATT, Chairman.

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

Mr. President: Your Committee on Public Health to whom was referred Senate Bill No. 52, have had the same under consideration and recommend that the same be amended as follows:

In line 7 of the engrossed bill strike out the figure \$6,000.00 and insert in lieu thereof \$5,000.00.

And when so amended recommend the same do pass.

E. C. STUCKE, Chairman.

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

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 59, 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 to amend and re-enact Section 1 of Chapter 205 of the Session Laws of North Dakota for the year 1933, relating to rendering void incumbrance upon exempt personal property unless the execution of same be joined in by husband and wife.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF NORTH DAKOTA:

Section 1. AMENDMENT.) That Section 1 of Chapter 205 of the Session Laws of North Dakota for 1933 is hereby amended and re-enacted to read as follows:

Section 1. INCUMBRANCE. PERSONAL PROPERTY, EXEMPTIONS.) No incumbrance of personal property which may be held exempt from execution by the head of a family, if a resident of this state, under the provisions of law, shall be of any validity as to such exempt property, unless the same be by written instrument and unless the husband and wife, if both be living, concur in and execute the same joint instrument in the manner provided in Section 6763 of the Compiled Laws of North Dakota, 1913, provided however, that the provisions of this Act shall not apply to the encumbrance of threshed grains and that owner of such grains may sell and encumber the same without the instrument evidencing the same being joined in and executed by owner's, husband or wife.

Section 2. REPEAL.) That all acts or parts of acts in conflict herewith are hereby repealed.

And when so amended recommend the same do pass.

J. J. KEHOE, Chairman.

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

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 67, have had the same under consideration and recommend that the same do pass.

J. J. KEHOE, Chairman.

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

Mr. President: Your Committee on Judiciary to whom was referred Senate Concurrent Resolution "E," have had the same under consideration and recommend that the same be placed upon the calendar without recommendation.

J. J. KEHOE, Chairman.

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

MESSAGE FROM THE HOUSE

House of Representatives
Bismarck, January 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.

W. M. SMART, Chief Clerk.

REPORTS OF SELECT COMMITTEES

Senator Flatt reported that Dominick Goetz had requested that the Employment Committee release him from his duties as a senate employee, which request was granted by the Senate.

FIRST READING OF SENATE BILLS AND CONCURRENT RESOLUTION

The Committee on Appropriations introduced:

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.

Senators Rue, Streibel, Young, Raschko and O'Brien introduced:

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 Tax and Tax Laws.

Senator Greiser introduced:

Senate Bill No. 71. A Bill for an Act to Repeal Chapter

139 of the Session Laws of 1937, as Amended by Chapter 175 of the Session Laws of 1941, Providing for a Highway Patrol and for Drivers' Licenses.

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

Senators Olson of Mountrail and Solberg introduced:

Senate Bill No. 72. A Bill for an Act to Amend and Re-enact Section 6073 of the 1925 Supplement to the 1913 Compiled Laws of North Dakota, as Amended by Chapter 159 of the Session Laws of 1935, Defining Usury.

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

Senator Brant introduced:

Senate Bill No. 73. A Bill for an Act Amending and Re-enacting Sections 18 and 19 of Chapter 286 of the Session Laws of 1941 Relating to the Terms of Private Sale and Distribution of Proceeds of Land Acquired by the County by Tax Title Proceedings and the Right of the Former Owner to Re-purchase, and Declaring an Emergency.

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

Senators Morgan of Walsh and Kehoe introduced:

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 Education.

Senators Kamrath, Stucke and Day introduced:

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 Minerals.

Senators Kamrath, Stucke and Day introduced:

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 Minerals.

Senator Troxel introduced:

Senate Concurrent Resolution "M." A Concurrent Resolution Requesting the President of the United States to Take Action Restricting the Manufacture and Sale of Intoxicating Beverages.

Senator Troxel moved that the rules be suspended and that Senate Concurrent Resolution "M" be placed on second reading and final passage.

Senator Streibel protested the motion of Senator Troxel and the Presiding officer ruled that he could not put Senator Troxel's motion and that Senate Concurrent Resolution "M" would be referred to the Committee on State Affairs.

Senator Nelson of Dickey moved that the absent Senators be excused, which motion prevailed.

Senator Greiser stated that the Senate had early in the session adopted a Report of the Joint Committee on Printing which called for the printing of 3,500 senate journals daily; that the committee has now found that there is more than is necessary.

Senator Greiser moved that the rules be suspended by the unanimous consent of the Senate and that the vote by which the Senate adopted the Report of the Joint Committee on Printing, be reconsidered, which motion prevailed.

Senator Greiser moved that the Report of the Joint Committee on Printing be amended to read "2,500 journals daily" instead of "3,500," which motion prevailed.

Senator Greiser moved that the Report of the Joint Committee on Printing as amended, be adopted, which motion prevailed.

SECOND READING OF SENATE BILLS

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, 46; nays, 0; absent and not voting, 3.

Those voting in the affirmative were:

Adam	Hoenck	Olson, Barnes
Beaton	Kamrath	Olson, McHenry
Bilden	Kehoe	Olson, Mountrail
Blank	Lavik	Page
Bond	Lofthus	Porter
Brant	Lynch	Raschko
Braun	Morgan, Richland	Schrock
Bridston	Morgan, Walsh	Solberg
Brunsdale	Nelson, Dickey	Streibel
Day	Nelson, Griggs-	Stucke
Drew	Steele	Thatcher
Feton	Nelson, McKenzie	Troxel
Flatt	Nelson, Renville	Watt
Foss	Nordhougen	Wog
Greiser	O'Brien	Young
Ginter	Oksendahl	

Absent and not voting:

Guenther	Rue	Semerad
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So the bill passed and the title was agreed to.

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.

Senator Streibel moved that Senate Bill No. 24 be amended as follows:

In line ten, after the word "of," insert the following words "One Dollar and other sufficient consideration," which motion prevailed.

Senator Streibel moved that the rules be suspended and that Senate Bill No. 24 be considered properly re-engrossed and placed on second reading and final passage, which motion prevailed.

ROLL CALL

The question being on the final passage of the bill, as

amended, the roll was called and there were ayes, 46; nays, 1; absent and not voting, 2.

Those voting in the affirmative were:

Adam	Kamrath	Olson, McHenry
Beaton	Kehoe	Olson, Mountrail
Bilden	Lavik	Porter
Blank	Lofthus	Raschko
Bond	Lynch	Rue
Brant	Morgan, Richland	Schrock
Braun	Morgan, Walsh	Semerad
Bridston	Nelson, Dickey	Solberg
Brunsdale	Nelson, Griggs-	Streibel
Day	Steele	Stucke
Drew	Nelson, McKenzie	Thatcher
Feton	Nelson, Renville	Troxel
Foss	Nordhougen	Watt
Ginter	O'Brien	Wog
Greiser	Oksendahl	Young
Hoenck	Olson, Barnes	

Those voting in the negative were:

Page

Absent and not voting:

Flatt Guenther

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 as called and there were ayes, 48; nays, 0; absent and not voting, 1.

Those voting in the affirmative were:

Adam	Kamrath	Olson, McHenry
Beaton	Kehoe	Olson, Mountrail
Bilden	Lavik	Page
Blank	Lofthus	Porter
Bond	Lynch	Raschko
Brant	Morgan, Richland	Rue
Braun	Morgan, Walsh	Schrock
Bridston	Nelson, Dickey	Semerad
Brunsdale	Nelson, Griggs-	Solberg
Day	Steele	Streibel
Drew	Nelson, McKenzie	Stucke
Feton	Nelson, Renville	Thatcher
Flatt	Nordhougen	Troxel
Foss	O'Brien	Watt
Ginter	Oksendahl	Wog
Greiser	Olson, Barnes	Young

Absent and not voting:

Guenther

So the bill passed and the title was agreed to.

MESSAGE FROM THE HOUSE

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.

Very respectfully,

W. M. SMART, Chief Clerk.

SECOND READING OF SENATE BILLS

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, 48; nays, 0; absent and not voting, 1.

Those voting in the affirmative were:

Adam	Kamrath	Olson, McHenry
Beaton	Kehoe	Olson, Mountrail
Bilden	Lavik	Page
Blank	Lofthus	Porter
Bond	Lynch	Raschko
Brant	Morgan, Richland	Rue
Braun	Morgan, Walsh	Schrock
Bridston	Nelson, Dickey	Semerad
Brunsdale	Nelson, Griggs-	Solberg
Day	Steele	Streibel
Drew	Nelson, McKenzie	Stucke
Feton	Nelson, Renville	Thatcher
Flatt	Nordhougen	Troxel
Foss	O'Brien	Watt
Ginter	Oksendahl	Wog
Greiser	Olson, Barnes	Young
Hoencck		

Absent and not voting:

Guenther

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

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.

Senator Greiser moved that Senate Bill No. 55 be referred to the Committee on Game and Fish, which motion prevailed.

FIRST READING OF HOUSE BILLS AND CONCURRENT 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.

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

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 State Affairs.

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 and Livestock.

The President announced that the Senate would return to the fourth order of business for the reading of petitions and communications.

The Secretary read a communication addressed to the Lieutenant Governor from the Committee on Legislation of the Bismarck Business and Professional Women's club, requesting the enactment of Senate Bill No. 45, in the form in which it may be returned by the Senate Judiciary Committee.

Senator Bridston moved that Senate Concurrent Resolution "M" which had been referred to the Committee on State Affairs, be re-referred to the Committee on Temperance, which motion prevailed.

Senator Nelson of Dickey requested that the Senate be on the sixth order of business, which motion prevailed.

REPORTS OF SELECT COMMITTEES

Senator Nelson of Dickey reported for the Committee of Three to see about photographs of the Senators that they had secured Mr. Risem of the Risem Studio to make the photographs. Mr. Risem will take the new photographs from 11:00 a. m. to 2:30 p. m. on Sunday and all day Monday after nine a. m. Mr. Risem will make a charge of \$185.00 for the new photographs and for the reproduction, \$1.25 a piece, less the engraving.

Senator Morgan moved that the report be accepted and that the committee be continued, which motion prevailed.

Senator Young moved that the Senate do now adjourn, which motion prevailed and the Senate stood adjourned.

W. J. TROUT, Secretary.

TWENTY-FIFTH DAY

Bismarck, January 29, 1943

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

Prayer by the chaplain, Rev. Laten E. Teare.

Roll call: All Senators present except Senators Bilden, Day, Flatt and Guenther.

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

Mr. President: Your Committee on Revision and Correction of the Journal have carefully examined the Journal of the twenty-fourth day and find the same correct.

ORRIS G. NORDHOUGEN, Chairman.

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

Senator Stucke requested that the Senate be on the 8th order of business for the purpose of moving to amend a committee report, which request was granted.

Senator Stucke moved that the report of the Committee on Public Health on Senate Bill No. 52, be amended to read as follows:

“In line 7 of the printed bill” instead of “In line 7 of the engrossed bill”, which motion prevailed.

MESSAGE TO THE HOUSE

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.

PETITIONS AND COMMUNICATIONS

The Secretary read a communication from H. A. Swenson of Devils Lake enclosing a resolution from the Board of Commissioners of that city, relating to appropriate legislation to be enacted to restore the due date of taxes to December 31st, which was referred to the Committee on Tax and Tax Laws.

MESSAGE FROM THE HOUSE

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.

REPORTS OF STANDING COMMITTEES

The Committee on Enrollment and Engrossment made the following report:

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that

Senate Memorial Resolution "A"
Senate Memorial Resolution "B"
Senate Memorial Resolution "C"
Senate Memorial Resolution "D"
Senate Memorial Resolution "E"
Senate Memorial Resolution "F"
Senate Memorial Resolution "G"
Senate Memorial Resolution "H"
Senate Memorial Resolution "I"
Senate Memorial Resolution "J"
Senate Memorial Resolution "K"
Senate Memorial Resolution "L"
Senate Memorial Resolution "M"

and

Senate Concurrent Resolution "G"

Were delivered to the Secretary of State at the hour of 4:30 P. M. o'clock, January 27, 1943.

W. R. BOND, Chairman.

The Committee on Enrollment and Engrossment made the following report:

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that

Senate Concurrent Resolution "I"

Was delivered to the Governor for his approval at the hour of 4:30 P. M. o'clock, January 28, 1943.

W. R. BOND, Chairman.

The Committee on Enrollment and Engrossment made the following report:

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

Senate Bill No. 11.

Senate Bill No. 39.

Senate Bill No. 52.

Senate Bill No. 59.

And find the same correctly engrossed.

W. R. BOND, Chairman.

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

Mr. President: Your Committee on Game and Fish to whom was referred Senate Bill No. 35, have had the same under consideration and recommend that the same be amended as follows:

In the Title of the printed bill after the numerals 1941, add, "relative to going afield with guns before hunting season."

In line 1. after Section 10322a51. add the following, "of the Session Laws of 1941 is hereby repealed."

And when so amended recommend the same do pass.

H. R. MORGAN, Chairman.

Senator Morgan of Richland moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 69, have had the same under consideration and recommend that the same do pass.

WM. WATT, Chairman.

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

Mr. President: Your Committee on Agriculture and Live-stock to whom was referred Senate Concurrent Resolution "L," have had the same under consideration and recommend that the same do pass.

A. N. LAVIK, Chairman.

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

Mr. President: Your Committee on Agriculture and Live-stock to whom was referred House Concurrent Resolution "C," have had the same under consideration and recommend that the same do pass.

A. N. LAVIK, Chairman.

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

Mr. President: Your Committee on Agriculture and Live-stock to whom was referred House Concurrent Resolution "F," have had the same under consideration and recommend that the same do pass.

A. N. LAVIK, Chairman.

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

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

Senator Bridston: "Two years ago in 1941 when the members of the majority faction of this body were thinking and

doing a little talking about the next presiding officer, we did so with our tongues in our cheeks. There were a lot of them anticipating a little trouble and at least some unpleasantness.

The 1941 session was organized and the Honorable Oscar Hagen was the presiding officer. Just yesterday somebody told me that he had not been brought up to the rostrum and that is why I am on my feet. The members of the majority faction agreed after the 1941 session that the Honorable Oscar Hagen was not only an efficient presiding officer but was absolutely fair. He recognized not only the minority of the senate, but the majority as well and it gives me great pleasure to move that the President appoint a Committee of Two, at this time, to escort the Honorable Oscar Hagen to the rostrum," which motion prevailed.

The President appointed as such committee: Senators Bridston and Stucke.

Former Lieutenant Governor Hagen: "Mr. President and Gentlemen of the Senate: It certainly is an honor to be escorted to the rostrum. I thought I had been around here so long during this session that I was a nuisance in trying to do a little bit of reporting—trying to get some stories to write about, some of the things you folks do here, but you have thwarted me in that attempt because you have not been doing very much to write about!

It was an honor to preside over this body last session—I enjoyed every minute of it. Every Senator was cooperative, the majority as well as the minority. The plain rule that I used in presiding over this body was that the majority must always rule—they have the right to rule in America, and the minority must always be heard—they have that right in America; and that rule will guide a presiding officer through any session.

Now I don't want to take the liberty of talking to you men about much of anything today because I have my own mind made up on most things that are before the legislature today and it would not be right for me to stand up here more or less as a lobbyist. You are meeting under wartime conditions—you are meeting under the conditions of a wave of so-called 'prosperity' which makes your job difficult in both ways. People are working all over the state for less money than they can get along with—less money than they can get elsewhere; it is up to you to see what you can do for them.

You know from experience that when good years come along and we throw our money away carelessly; when we get too enthusiastic about throwing money around, it is true that disaster will follow. So you have a problem on your hands that is worse than during the dry years. We had only one problem then—trying to get the money to carry on, because many of the things you do in this session, when the bad years come again, will be charged to you in spite of the fact that you have done the best you could under the conditions.

So I don't want to take up any more of your time. I wish you the best of luck and I know the Senate is conscientiously and honestly trying to work out the problems to the best of their ability. I thank you."

Senator Foss: "Every county has a man of ability and ideals whose fine influence is felt throughout their county.

We have a man who has given unstintingly of his time in Barnes county to all things pertaining to the welfare of the people of the county and to the development of the state. This young man (he may not seem young to some of you folks but to us in Barnes county he seems a young man) has served in the Senate for several sessions. He is with us today and I would like to have him make a few remarks to the Senate. I move that the President appoint a Committee of One to escort Former Senator Aandahl to the rostrum," which motion prevailed.

The President appointed Senator Foss as a Committee of One to escort Former Senator Aandahl to the rostrum.

Former Senator Aandahl: "Mr. President and Members of the Senate: It is needless to say that it is extremely pleasant to be here and to renew friendships with the former Senators and to meet the new Senators who have come in during the current session.

As I think of this legislative session, I feel that this legislature is probably faced with a more serious problem than is ordinarily true and probably more serious than a lot of us realize upon first thought; but we are laboring under the impact of war conditions and those conditions give a good deal of uncertainty to everything that is being done. We just don't know how the picture may be tomorrow or what the changes might be and because of that fact the members of the legislature have an extremely difficult task to perform.

I have watched the press closely. I have watched the reaction in both the House and the Senate and I still feel as I have always felt that the members of all factions are going to get their heads together—that the difficulties are going to be ironed out and that something really sound and progressive for the state will come in the form of the legislation that is going to be passed by this session. I have full confidence in what the men of the North Dakota legislature are going to do during this session and I wish to extend to you my best wishes and my hope for your success in the work that you have to do."

Senator Young: "In the absence of Senator Day, I have a proxy in which he requested that I have Former Senator Nick Nelson escorted to the rostrum. Nick has been a friend of all of us and I move that the President appoint a Committee of One to escort Former Senator Nick Nelson from Grand Forks county to the rostrum," which motion prevailed.

The President appointed Senator Young as a Committee of One to escort Former Senator Nick Nelson to the rostrum.

Former Senator Nelson: "Mr. President and Members of the Senate: It is good to look back into these good old faces that I have served with so many sessions down here in Bismarck. There is something that I have noticed—I was just over to the House—we are at war—there is a lot of sorrow in most of these families but when I look over the members of the House and the members of the Senate, the faces are a little different than they were away back ten years ago when the drouth was on and it didn't rain; when we did not have any crops and when everybody was in distress. It is a little easier to run the state government, and a little easier to run these farms even if help is scarce, when you can get some returns.

Now I overheard a conversation the other day about two fellows that came from a foreign land and they came by plane, and one of them remarked to the other, "This must be a wonderful, large farm" as they were flying over North Dakota. Sure, North Dakota is just one large farm. And when they came over the state capitol, they said 'Look at that large farmhouse—that poor farm woman must have an awful lot to tend to—look what a lot of bedrooms there are."

I had a few things in mind that I wanted to say. When the boys come back after they have done their bit, and when this war is over, what are we going to do with them? We have to find them a home. We have to find them a farm somewhere. The Governor mentioned it in his message but I don't know whether he thought of this thing or not, but talk is cheap and we have got to finance these boys some way, either through government or individual agencies, and help these youngsters buy these farms. We have too many tenants in North Dakota today—that is the trouble with North Dakota—we need more stuff like the old pioneers.

I am going to wind up by telling a little story. Way back in the seventies, we had a little town in our county by the name of Stickney—it was the end of the Great Northern railway. When my old Dad was over there one day, he saw two covered wagons go through Stickney. He stopped them and talked to them and discovered one of them was an Irish family and the other was a Norwegian family, hitting for the west. They found out at the land office in Stickney that there was no more land in Grand Forks county so they were proceeding out to Nelson county, to Nash township. That was where the boys had squatted the year before. So the first night they camped in a beautiful coulee, north of Larimore—it was getting late and the sun was down and the oxen were tired. The Irishman drove gray oxen and the Norwegian drove red oxen. They turned the oxen out to feed and the women made supper while the men fixed up a smudge as the mosquitoes were bad. They camped that night and the next day they proceeded out to their homesteads and they got there about sunset, and they did the same thing they had done the night before—turned the oxen out to feed and camped till morning. The next morning they lifted the breaking plow out of the Norwegian's wagon and hooked up the red oxen and plowed a piece of soil, with the assistance of their wives. They worked for two days to build a little sod shack—the women helped carry sod and when that little shack was completed the Irishman and his family had to have a house to live in. They left the women to trim up the first sod shack and proceeded two miles further west and built a sod house for the Irishman, it took three days to build this one without the assistance of the women. They took the Irishman's oxen and hooked up to the Irishman's plow and broke sod for that house. After three days they had that sod house completed and they went back to the Norwegian's sod house and they were plenty tired. They visited and managed to have a good sleep before the next morning. Then the Irishman loaded up his family and proceeded out to the new home. He hooked the gray oxen to the plow and broke all day with good luck. The Norwegian did the same. That night the Norwegian family walked over

and visited the Irishman and found they had broken an acre and a half a piece. This was good luck. The next morning it was a little colder—it was a little chilly but the Irishman hooked up the gray oxen again to break more sod. 'What happened? He struck rock. That old oxen heaved into the beam on that plow and broke it. The Irishman got disgusted because that old oxen had broken the beam on the plow. He looked at the plow, looked at the country—saw rock here and a cluster of rocks there—there are a lot of rocks in those hills, and he said 'This is no country for a white man.' He got disgusted just looking at all the rocks. So he rounded up his oxen, dragged the plow up to the cabin and said, 'Mother, load up—we are going back—this is no country for us.' She said 'Don't get so disgusted and so uneasy. Let's stay another week.' 'No,' he said. That old stern Irishman said 'We are going back.' She had to load up and they loaded the wreckage of the old plow and started east. But the Irish mother said 'We can't leave without saying 'Good-bye' to those nice Norwegian people that we have traveled with all this time—you can't be that hard.' The Irishman started to drive the oxen 'Haw Jerry, Haw Billy' and the first thing they were up in front of the Norwegian's home. When the Norwegian came out he saw there was something wrong by their faces. He said 'What is the matter?' They didn't answer at first. The Irish woman had tears in her eyes and the Norwegian said 'You look disgusted.' Then the Irishman said 'We are leaving this country—it is no good.' The Norwegian said 'This is a beautiful country. Look at the beautiful sunsets—this is a good country with plenty of fresh air.' But the Irishman said they were going back. He told the Norwegian to look in the wagon at his broken plow. The Norwegian asked what happened and the Irishman told him how the oxen had broken the beam on the plow. The Norwegian said 'I come from a country that is all rock—just rock on top of rock. We will go down into the ravine where we saw some oak. I will take my wagon and my red oxen and we will saw down one of those oaks and cut it into the length of a plow beam. We will whittle off several plow-beams.' He talked them into doing it and they went down, taking the Norwegian's tools as he was a blacksmith by trade and they went down there and cut a piece of oak, brought it back and hewed out several plow beams. They bored holes in the wood and attached the Irishman's plow to a new beam. The Irishman put the plow in his wagon and the next morning went back. He hit a lot of rock with the oxen heaving against the beam, but he never broke one because they were made of good old North Dakota white oak.

Now these two old pioneers, they fared well after that. They have wonderful farm homes. They have helped build up their communities with schools and churches. They have helped make this state prosperous for you fellows, and for me to be here today.

If you want me to tell you who the Irishman was, I can do that. If you want me to tell you who the Norwegian was, I can do that. The Irishman that I have reference to is Senator William Watt, and the Norwegian was the late Senator Finger Gronvold. I thank you."

Senator Nelson of Dickey moved that the remarks of Former Lieutenant Governor Oscar Hagen and Former Sen-

ators Aandahl and Nelson be printed in the Journal, which motion prevailed.

FIRST READING OF SENATE BILLS

The Committee on Public Welfare introduced:

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 Welfare.

The Committee on Appropriations introduced:

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.

The Committee on Appropriations introduced:

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.

Senator Nelson of Dickey moved that the absent Senators be excused, which motion prevailed.

SECOND READING OF SENATE BILLS AND CONCURRENT RESOLUTIONS

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, 44; nays, 0; absent and not voting, 5.

Those voting in the affirmative were:

Adam	Lavik	Olson, Mountrail
Beaton	Lofthus	Page
Blank	Lynch	Porter
Bond	Morgan, Richland	Raschko
Brant	Morgan, Walsh	Rue
Braun	Nelson, Dickey	Schrock
Brunsdale	Nelson, Griggs-	Semerad
Drew	Steele	Solberg

Feton	Nelson, McKenzie	Streibel
Foss	Nelson, Renville	Stucke
Ginter	Nordhougen	Thatcher
Greiser	O'Brien	Troxel
Hoenck	Oksendahl	Watt
Kamrath	Olson, Barnes	Wog
Kehoe	Olson, McHenry	Young
Absent and not voting:		
Bilden	Day	Guenther
Bridston	Flatt	

So the bill passed and the title was agreed to.

Senator Greiser moved the following amendment to Senate Bill No. 36:

In line six, strike out the word "Towner".

In line nine, strike out the words "Pierce and Rolette" and insert in lieu thereof the words "Logan, McIntosh and Emmons".

In line sixteen, strike out the words "Emmons, Logan and McIntosh" and insert in lieu thereof the words "Towner, Pierce and Rolette", which motion was declared lost on a standing vote.

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 the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 25; nays, 20; absent and not voting, 4.

Those voting in the affirmative were:

Blank	Hoenck	Olson, Barnes
Bond	Kehoe	Page
Brant	Lavik	Porter
Braun	Morgan, Richland	Raschko
Bridston	Morgan, Walsh	Rue
Brunsdale	Nelson, Griggs-	Troxel
Drew	Steele	Watt
Feton	O'Brien	Young
Foss	Oksendahl	

Those voting in the negative were:

Adam	Nelson, Dickey	Semerad
Beaton	Nelson, McKenzie	Solberg
Ginter	Nelson, Renville	Streibel
Greiser	Nordhougen	Stucke
Kamrath	Olson, McHenry	Thatcher
Lofthus	Olson, Mountrail	Wog
Lynch	Schrock	

Absent and not voting:

Bilden	Flatt	Guenther
Day		

So the bill passed and the title was agreed to.

Senator Young moved that the vote by which Senate Bill No. 36 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senator Nelson of Dickey: "Mr. President—I want to explain my vote. I haven't heard any demand for this division from my home district and for that reason I vote 'No.'"

MESSAGE TO THE HOUSE

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.

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.

Was read the second time.

ROLL CALL

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

Those voting in the affirmative were:

Adam	Lavik	Olson, Mountrail
Beaton	Lofthus	Page
Blank	Lynch	Porter
Brant	Morgan, Richland	Raschko
Braun	Morgan, Walsh	Rue
Bridston	Nelson, Dickey	Schrock
Brunsdale	Nelson, Griggs-	Solberg
Drew	Steele	Streibel
Feton	Nelson, McKenzie	Stucke
Foss	Nelson, Renville	Thatcher
Ginter	Nordhogen	Troxel
Greiser	O'Brien	Watt
Hoenck	Oksendahl	Wog
Kamrath	Olson, Barnes	Young
Kehoe	Olson, McHenry	

Absent and not voting:

Bilden	Day	Guenther
Bond	Flatt	Semerad

So the bill passed and the title was agreed to.

Senator Morgan of Walsh moved that the vote by which Senate Bill No. 39 was passed be reconsidered, which motion prevailed.

Senator Morgan of Walsh moved the following amendment to Senate Bill No. 39:

In the title of the bill, add the words "and declaring an emergency," which motion prevailed.

Senator Morgan of Walsh moved that the rules be suspended, that Senate Bill No. 39 be considered properly re-engrossed and placed on second reading and final passage, which motion prevailed.

SECOND 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 second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 44; nays, 0; absent and not voting, 5.

Those voting in the affirmative were:

Adam	Lavik	Olson, Mountrail
Beaton	Lofthus	Page
Blank	Lynch	Porter
Brant	Morgan, Richland	Raschko
Braun	Morgan, Walsh	Rue
Bridston	Nelson, Dickey	Schrock
Brunsdale	Nelson, Griggs-	Semerad
Drew	Steele	Solberg
Peton	Nelson, McKenzie	Streibel
Foss	Nelson, Renville	Stucke
Ginter	Nordhougen	Thatcher
Greiser	O'Brien	Troxel
Hoencck	Oksendahl	Watt
Kamrath	Olson, Barnes	Wog
Kehoe	Olson, McHenry	Young

Absent and not voting:

Bilden	Day	Guenther
Bond	Flatt	

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

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, 43; nays, 1; absent and not voting, 5.

Those voting in the affirmative were:

Adam	Lavik	Olson, Mountrail
Beaton	Lofthus	Page
Blank	Lynch	Porter
Brant	Morgan, Richland	Raschko
Braun	Morgan, Walsh	Rue
Bridston	Nelson, Dickey	Schrock
Brunsdale	Nelson, Griggs-	Semerad
Drew	Steele	Solberg
Peton	Nelson, McKenzie	Streibel
Foss	Nelson, Renville	Stucke
Ginter	Nordhougen	Thatcher
Greiser	O'Brien	Troxel
Hoencck	Oksendahl	Wog

Kamrath	Olson, Barnes	Young
Kehoe	Olson, McHenry	

Those voting in the negative were:
Watt

Absent and not voting:
Bilden Day Guenther
Bond Flatt

So the bill passed and the title was agreed to.

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, 34; nays, 10; absent and not voting, 5.

Those voting in the affirmative were:

Blank	Lavik	Page
Brant	Lofthus	Porter
Braun	Lynch	Raschko
Bridston	Morgan, Richland	Rue
Brunsdale	Morgan, Walsh	Schrock
Drew	Nelson, Dickey	Solberg
Feton	Nelson, Griggs-	Thatcher
Foss	Steele	Troxel
Ginter	Nordhougen	Watt
Hoenck	O'Brien	Wog
Kamrath	Oksendahl	Young
Kehoe	Olson, Barnes	

Those voting in the negative were:
Adam Nelson, Renville Semerad
Beaton Olson, McHenry Streibel
Greiser Olson, Mountrail Stucke
Nelson, McKenzie

Absent and not voting:
Bilden Day Guenther
Bond Flatt

So the bill passed and the title was agreed to.

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.

Senator Morgan of Richland moved that Senate Bill No. 67 be re-referred to the Committee on Agriculture and Livestock, which motion prevailed on a standing vote and Senate Bill No. 67 was so ordered re-referred to the Committee on Agriculture and Livestock.

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

Senator Beaton moved that Senate Concurrent Resolution "E" be re-referred to the Committee on Judiciary for im-

portant amendments, which motion prevailed, on a standing vote.

FIRST 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 first time and referred to the Committee on Appropriations.

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 first time and referred to the 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.

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

Senator Nordhougen moved that no bills of controversial nature be acted upon at the Saturday, January 30th, session, which motion prevailed.

Senator Young moved that the Senate do now adjourn, which motion prevailed and the Senate stood adjourned.

W. J. TROUT, Secretary.

TWENTY-SIXTH DAY

Bismarck, January 30, 1943

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

Prayer by the chaplain, Rev. Laten E. Teare.

Roll call: All Senators present except Senators Beaton, Bilden, Bond, Day, Feton, Foss, Greiser, Guenther, Nelson of McKenzie, Nordhousen, Raschko, Schrock, Semerad and Stucke.

MESSAGE TO THE HOUSE

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.

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

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

On page 147, fourth line from the bottom, change the figure "29th" to "30th".

And when so corrected recommend that the same be approved.

HARRY O'BRIEN, Acting Chairman.

Senator O'Brien moved that the report be adopted, which motion prevailed and the report was adopted.

PETITIONS AND COMMUNICATIONS

A communication was received from the Legislative Committee of the Nonpartisan Women's Club of Coleharbor requesting the legislature to see that the old age pension act be enforced, which was referred to a special committee on welfare.

REPORTS OF STANDING COMMITTEES

The Committee on Enrollment and Engrossment made the following report:

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

Senate Bill No. 35.

And find the same correctly Engrossed.

W. R. BOND, Chairman.

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

Mr. President: Your Committee on Tax and Tax Laws to whom was referred Senate Bill No. 44, have had the same under consideration and recommend that the same be indefinitely postponed.

E. H. BRANT, Chairman.

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

Mr. President: Your Committee on Game and Fish to whom was referred House Bill No. 54, have had the same under consideration and recommend that the same do pass.

H. R. MORGAN, Chairman.

Senator Morgan of Richland moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Game and Fish to whom was referred Senate Bill No. 55, have had the same under consideration and recommend that the same be amended as follows:

In the engrossed bill after Section 3 in line 31 after the words "any one year" and before what is now Section 4, add Sections 4, 5 & 6 which corresponds with Sections 2- 3- & 4 of Chapter 154 of the Session Laws of 1941 to read as follows:

Section 4. The Governor, by such an order upon recommendation by said commissioner, may declare all varieties of foxes predatory in any given area, for any given period of time during any part of the year when in his judgment foxes have become too numerous or destructive in such area and when and where so declared predatory, no license shall be required to pursue, take or trap foxes.

Section 5. Any order issued by the Governor pursuant to this section shall have the force of law and the appropriate penalties now prescribed by law for the unlawful killing of game shall follow and be applicable to violations of any such order. Each order so made shall not be valid after the closing of the regular session of the legislature next succeeding its issuance.

Section 6. PUBLICATION OF ORDERS.) All orders, rules and regulations affecting the entire State as provided for herein shall be published once in the official newspaper in each county affected by such orders. No order, rule or regulation shall take effect until after such publication.

After Section 6. add Section 7. 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.

H. R. MORGAN, Chairman.

Senator Morgan of Richland moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Tax and Tax Laws to whom was referred Senate Bill No. 62, have had the same under consideration and recommend that the same do pass.

E. H. BRANT, Chairman.

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

FIRST READING OF SENATE BILLS AND CONCURRENT RESOLUTIONS

Senators Flatt, Lavik and O'Brien introduced:

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.

Senator Page introduced:

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.

Senators Solberg and Ginter introduced:

Senate Bill No. 82. A Bill for an Act to Amend and Re-enact Chapter 59 of the Laws of North Dakota for 1917, as Amended by Chapter 220, Laws of 1919, as Amended by Chapter 298 of the Laws of 1923 (Being Section 2122A of the 1925 Supplement) as Amended by That Initiated Measure Reducing Assessed Valuation Approved by the People on June 29, 1932, Relating to the Basis of Assessment of Homesteads for Taxation Purposes, and to Reduce Such Basis from Fifty Per Cent of the Full and True Value Thereof to Twenty-five Per Cent of the Full and True Value Thereof; Repealing Acts in Conflict Herewith; and Declaring an Emergency.

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

Senator Flatt introduced:

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 State Affairs.

The Committee on Ways and Means introduced:

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 Ways and Means.

The Committee on Ways and Means introduced:

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 Ways and Means.

The Committee on Ways and Means introduced:

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 Ways and Means.

The Committee on Ways and Means introduced:

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 Ways and Means.

The Committee on Ways and Means introduced:

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 Ways and Means.

The Committee on Ways and Means introduced:

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 Ways and Means.

The Committee on Ways and Means introduced:

Senate Bill No. 90. A Bill for an Act to Amend and Re-enact Section 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 Ways and Means.

The Committee on Ways and Means introduced:

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 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 Ways and Means introduced:

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 Ways and Means.

The Committee on Ways and Means introduced:

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 Ways and Means.

The Committee on Ways and Means introduced:

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 Ways and Means.

The Committee on Appropriations introduced:

Senate Bill No. 95. A Bill for an Act Making an Appropriation for the Payment of Premiums to the State Fire and Tornado Fund for Insurance at the School for the Deaf, the School for the Blind, the State Penitentiary, the State Work Farm and the State Capitol.

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

Senators O'Brien and Lavik introduced:

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 State Affairs.

Senator Nelson of Dickey moved that the absent Senators be excused, which motion prevailed.

SECOND READING OF SENATE BILLS AND CONCURRENT 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 second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 33; nays, 2; absent and not voting, 14.

Those voting in the affirmative were:

Adam	Lavik	Olson, Mountrail
Blank	Lofthus	Page
Brant	Lynch	Porter
Braun	Morgan, Walsh	Rue
Bridston	Nelson, Dickey	Solberg

Brunsdale	Nelson, Griggs-	Streibel
Drew	Steele	Thatcher
Flatt	Nelson, Renville	Troxel
Ginter	O'Brien	Watt
Hoenck	Olson, Barnes	Wog
Kamrath	Olson, McHenry	Young
Kehoe		

Those voting in the negative were:
Morgan, Richland Oksendahl

Absent and not voting:

Beaton	Foss	Raschko
Bilden	Greiser	Schrock
Bond	Guenther	Semerad
Day	Nelson, McKenzie	Stucke
Feton	Nordhogen	

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.

Senator Rue moved that Senate Bill No. 69 be re-referred back to the Committee on Appropriations, which motion prevailed on a standing vote.

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 second time.

The question being on the final passage of the Concurrent Resolution, the roll was called and there were ayes, 34; nays, 0; absent and not voting, 15.

Those voting in the affirmative were:

Adam	Lavik	Olson, McHenry
Blank	Lofthus	Olson, Mountrail
Brant	Lynch	Page
Braun	Morgan, Richland	Porter
Bridston	Morgan, Walsh	Rue
Brunsdale	Nelson, Dickey	Solberg
Drew	Nelson, Griggs-	Streibel
Flatt	Steele	Thatcher
Ginter	Nelson, Renville	Troxel
Hoenck	O'Brien	Watt
Kamrath	Oksendahl	Wog
Kehoe	Olson, Barnes	

Absent and not voting:

Beaton	Foss	Raschko
Bilden	Greiser	Schrock
Bond	Guenther	Semerad
Day	Nelson, McKenzie	Stucke
Feton	Nordhogen	Young

So the Concurrent Resolution passed and the title was agreed to.

MESSAGE FROM THE HOUSE

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.

W. M. SMART, Chief Clerk.

SECOND READING OF HOUSE CONCURRENT RESOLUTIONS

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.

The question being on the final passage of the Concurrent Resolution, the roll was called and there were ayes, 35; nays, 0; absent and not voting, 14.

ROLL CALL

Those voting in the affirmative were:

Adam	Lavik	Olson, McHenry
Blank	Lofthus	Olson, Mountrail
Brant	Lynch	Page
Braun	Morgan, Richland	Porter
Bridston	Morgan, Walsh	Rue
Brunsdale	Nelson, Dickey	Solberg
Drew	Nelson, Griggs-	Streibel
Flatt	Steele	Thatcher
Ginter	Nelson, Renville	Troxel
Hoenk	O'Brien	Watt
Kamrath	Oksendahl	Wog
Kehoe	Olson, Barnes	Young

Absent and not voting:

Beaton	Foss	Raschko
Bilden	Greiser	Schrock
Bond	Guenther	Semerad
Day	Nelson, McKenzie	Stucke
Feton	Nordhougen	

So the Concurrent Resolution was passed and the title was agreed to.

House Concurrent Resolution "F." Requesting the 78th Congress of the United States to Pass House Resolution 33 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 second time.

The question being on the final passage of the Concurrent

Resolution, the roll was called and there were ayes, 33; nays, 0; absent and not voting, 16.

ROLL CALL

Those voting in the affirmative were:

Adam	Lofthus	Olson, McHenry
Blank	Lynch	Olson, Mountrail
Brant	Morgan, Richland	Porter
Braun	Morgan, Walsh	Rue
Bridston	Nelson, Dickey	Solberg
Brunsdale	Nelson, Griggs-	Streibel
Drew	Steele	Thatcher
Flatt	Nelson, Renville	Troxel
Ginter	O'Brien	Watt
Kamrath	Oksendahl	Wog
Kehoe	Olson, Barnes	Young
Lavik		

Absent and not voting:

Beaton	Greiser	Page
Bilden	Guenther	Raschko
Bond	Hoenck	Schrock
Day	Nelson, McKenzie	Semerad
Feton	Nordhougen	Stucke
Foss		

So the Concurrent Resolution was passed and the title was agreed to.

Senator Young moved that the Senate do now adjourn, which motion prevailed and the Senate stood adjourned.

W. J. TROUT, Secretary.

TWENTY-EIGHTH DAY

Bismarck, February 1, 1943

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

Prayer by the chaplain, Rev. Paul G. Hayes.

Roll call: All Senators present except Senators Bilden, Bond, Guenther, Nelson of McKenzie and Semerad.

MESSAGES TO THE HOUSE

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.

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

Mr. President: Your Committee on Revision and Correction of the Journal have carefully examined the Journal of the twenty-sixth day and find the same correct.

ORRIS G. NORDHOUGEN, Chairman.

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

PETITIONS AND COMMUNICATIONS

A communication from the Northwood Commercial Club requesting the legislature to enact such legislation as will effect a just distribution of Retail Sales Tax monies in proportion to the retail sales of the several counties of the state, which was referred to the Committee on Tax and Tax Laws.

REPORTS OF STANDING COMMITTEES

The Committee on Enrollment and Engrossment made the following report:

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

Senate Bill No. 55.

And find the same correctly engrossed.

W. R. BOND, Chairman.

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

Mr. President: Your Committee on Public Welfare to whom was referred Senate Bill No. 58, have had the same under consideration and recommend that the same be amended as follows:

In line 8 after word "paid" add the word "monthly".

And when so amended recommend the same do pass.

G. F. DREW, Chairman.

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

Mr. President: Your Committee on Public Welfare to whom was referred Senate Bill No. 60, have had the same under consideration and recommend that the same be indefinitely postponed.

G. F. DREW, Chairman.

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

FIRST READING OF SENATE BILLS AND CONCURRENT RESOLUTIONS

Senators Bridston and Day introduced:

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 State Affairs.

The Committee on Insurance introduced:

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.

The Committee on Insurance introduced:

Senate Bill No. 98. A Bill for an Act to Provide for the Classification of Insurance Companies, According to the Lines of Insurance for Which They Are Authorized, and Declaring an Emergency.

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

The Committee on Insurance introduced:

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.

The Committee on Insurance introduced:

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.

The Committee on Insurance introduced:

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.

The Committee on Insurance introduced:

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.

The Committee on Insurance introduced:

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.

Senators Rue, Brunsdale and Streibel introduced:

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.

Senators Braun, Nordhogen and Young introduced:

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.

Senators Braun, Stucke and Foss introduced:

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 State Affairs.

Senators Bridston, Hoenck and Braun introduced:

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.

Senator Watt introduced:

Senate Concurrent Resolution "O." A Concurrent Resolution Relating to a Building in Bismarck Used by the National Youth Administration Including Machinery, Tools, Etc., and Authorizing the Governor to Receive Such Property for the State, in the Event that the Federal Government Shall Cease to Have Use for Same and that the Board of Administration Shall Direct, Supervise and Control Such Building and Equipment to Be Utilized as Training Center for Inmates of the North Dakota State Work Farm and North Dakota State Training School.

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

Senator Nelson of Dickey moved that the absent Senators be excused, which motion prevailed.

Senator Flatt announced that P. A. Peterson had requested that he be relieved of his duties as a Senate employee.

Senator Flatt moved that the Senate accept the resignation of P. A. Peterson, which motion prevailed.

Senator Flatt moved that Mrs. Alice G. Wagner be employed in the place of P. A. Peterson.

The question being on the employment of Mrs. Alice G. Wagner, the roll was called and there were ayes, 43; nays, 0; absent and not voting, 6.

ROLL CALL

Those voting in the affirmative were:

Adam	Kehoe	Olson, Mountrail
Beaton	Lavik	Page
Blank	Lofthus	Porter
Brant	Lynch	Raschko
Braun	Morgan, Richland	Rue
Bridston	Morgan, Walsh	Schrock
Brunsdale	Nelson, Dickey	Solberg
Day	Nelson, Griggs-	Streibel
Drew	Steele	Stucke
Feton	Nelson, Renville	Thatcher
Flatt	Nordhougen	Troxel
Foss	O'Brien	Watt
Ginter	Oksendahl	Wog
Hoeneck	Olson, Barnes	Young
Kamrath	Olson, McHenry	

Absent and not voting:

Bilden	Greiser	Nelson, McKenzie
Bond	Guenther	Semerad

So Mrs. Alice G. Wagner was declared elected.

The President administered the oath of office to Mrs. Alice G. Wagner.

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 SENATE BILLS

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, 43; nays, 0; absent and not voting, 6.

Those voting in the affirmative were:

Adam	Kehoe	Olson, Mountrail
Blank	Lavik	Page
Brant	Lofthus	Porter
Braun	Lynch	Raschko
Bridston	Morgan, Richland	Rue
Brunsdale	Morgan, Walsh	Schrock
Day	Nelson, Dickey	Solberg
Drew	Nelson, Griggs-	Streibel
Feton	Steele	Stucke
Flatt	Nelson, Renville	Thatcher
Foss	Nordhougen	Troxel
Ginter	O'Brien	Watt
Greiser	Oksendahl	Wog
Hoencck	Olson, Barnes	Young
Kamrath	Olson, McHenry	

Absent and not voting:

Beaton	Bond	Nelson, McKenzie
Bilden	Guenther	Semerad

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

Senator Young requested that the Senate be on the fourth order of business for the reading of a communication from the Governor, which request was granted.

Senator Young moved that the Secretary read the communication from the Governor and that same be printed in the journal, which motion prevailed.

State of North Dakota

OFFICE OF THE GOVERNOR

Bismarck

TO THE HONORABLE HENRY HOLT, PRESIDENT, AND TO SENATORS OF THE TWENTY-EIGHTH LEGISLATIVE ASSEMBLY OF THE STATE OF NORTH DAKOTA:

In accordance with the provisions of Chapter 265 of the Session Laws of 1941, I have filed with the Secretary of State the report submitted to me by A. J. Klautd, as Special Examining Commissioner, and herewith transmit to the members of the Legislative Assembly copies of such report for their consideration.

The facts presented by this report indicate the need for certain corrective legislation, and I would urge your consideration of the following proposals:

I

That legislation be enacted to restrain arbitrary action upon the part of the management of the Fire and Tornado Fund in the matter of fixing insurance valuations and also in the matter of declining to carry the full amount of insurance on public buildings which the statutes authorize.

II

That legislation be enacted to regulate the placing of re-insurance to the end that the State institutions and political subdivisions may obtain insurance at the lowest possible cost and that the business may be equitably distributed.

III

That the coverage to be carried by the Fire and Tornado Fund be clarified to the end that it shall function as an insurance Fund and not as a brokerage agency.

IV

That additional safeguards be provided to insure the safeguarding of elections and the exercise by the people of the right of initiative and referendum to the end that the enforcement of the laws may not be impeded nor unnecessary expense entailed through the filing of fraudulent petitions.

V

That all employees of the State, including those of the Insurance Department, be brought within the provisions of the budget laws to the end that there may be an effective check upon the expenditure of public funds, whether obtained through the enforcement of regulatory laws or otherwise.

VI

That the provisions of Chapter 109 of the Session Laws of 1941 be clarified.

With reference to the remarks contained herein dealing with the State Fire and Tornado Fund, a careful study of the report of the Special Examining Commissioner convinces me that unless the Legislature takes effective action, the purposes for which the entire state insurance program was established is in danger of being circumvented. The insurance program has proved beneficial to the people of North Dakota. I am a firm believer in the principle of State Hail Insurance, State Fire and Tornado Insurance, and State Workmen's Compensation. The insurance program in North Dakota has been of great benefit to the taxpayers of the state. These benefits should not be dissipated.

Of late, we are hearing once again the cry that was so prevalent in the State a few years ago, the cry that the state should not engage in the insurance business, and that the writing of fire, tornado, and hail insurance, as well as Workmen's Compensation insurance, should be returned to private companies. No stronger argument for the return of insurance to private companies can be advanced than the inescapable conclusions to be drawn from the Special Examining Commissioner's report.

I quote to you from a statement made in the 1940 annual report of the Insurance Department wherein it is said that the fund was established because "it was held that the number of public buildings subject to insurance in North Dakota was so large and so scattered as to warrant the State in conducting its business on the same basis as some big private corporations which have found it profitable to carry their own fire protection."

Unless the Legislature, now, takes effective and affirmative action to prevent the practices which have been prevalent in the Department for the past several years, I fear that the high aims which were the guiding star of those who sponsored the insurance legislation many years ago will be frustrated, and the people of the state will demand the abolishment of the entire program. Let the Legislature now face the facts and take appropriate, decisive, action.

Dated at Bismarck, North Dakota, this First day of February, 1943.

JOHN MOSES, Governor.

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, 42; nays, 2; absent and not voting, 5.

Those voting in the affirmative were:

Adam	Kamrath	Olson, Mountrail
Beaton	Kehoe	Page
Blank	Lavik	Porter
Brant	Lofthus	Raschko
Braun	Lynch	Rue
Bridston	Morgan, Richland	Schrock
Brunsdale	Morgan, Walsh	Solberg
Day	Nelson, Dickey	Streibel
Drew	Nelson, Griggs-	Stucke
Feton	Steele	Thatcher
Flatt	Nordhougen	Troxel
Foss	O'Brien	Watt
Ginter	Oksendahl	Wog
Greiser	Olson, Barnes	Young
Hoенck		

Those voting in the negative were:

Nelson, Renville Olson, McHenry

Absent and not voting:

Bilden Guenther Semerad

Bond Nelson, McKenzie

So the bill passed and the title was agreed to.

FIRST READING OF HOUSE BILLS AND HOUSE
CONCURRENT RESOLUTIONS

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 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.

Was read the first time and referred to the 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.

Was read the first time and referred to the 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.

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

House Bill No. 58. A Bill for an Act to Amend and Re-enact 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.

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 first time and referred to the Committee on Education.

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 and Livestock.

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

Senator Young moved that the vote by which the Report of the Committee on Public Welfare on Senate Bill No. 60 was adopted, be reconsidered, which motion prevailed on a standing vote.

Senator Young moved that Senate Bill No. 60 be placed on the calendar tomorrow, February 2nd, which motion prevailed.

SECOND READING OF HOUSE BILLS

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.

The question being on the final passage of the bill, the roll was called and there were ayes, 44; nays, 0; absent and not voting, 5.

ROLL CALL

Those voting in the affirmative were:

Adam	Kamrath	Olson, McHenry
Beaton	Kehoe	Olson, Mountrail
Blank	Lavik	Page
Brant	Lofthus	Porter
Braun	Lynch	Raschko
Bridston	Morgan, Richland	Rue

Brunsdale	Morgan, Walsh	Schrock
Day	Nelson, Dickey	Solberg
Drew	Nelson, Griggs-	Streibel
Feton	Steele	Stucke
Flatt	Nelson, Renville	Thatcher
Foss	Nordhougen	Troxel
Ginter	O'Brien	Watt
Greiser	Oksendahl	Wog
Hoenck	Olson, Barnes	Young
Absent and not voting:		
Bilden	Guenther	Semerad
Bond	Nelson, McKenzie	

So the bill passed and the title was agreed to.

Senator Young moved that the Senate do now adjourn, which motion prevailed, and the Senate stood adjourned.

W. J. TROUT, Secretary.

TWENTY-NINTH DAY

Bismarck, February 2, 1943

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

Prayer by the chaplain, Rev. Paul G. Hayes.

Roll call: All Senators present except Senators Bond and Guenther.

MESSAGES TO THE HOUSE

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.

Senate Chamber

Bismarck, February 2, 1943

Mr. President: 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.

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

Mr. President: Your Committee on Revision and Correction of the Journal have carefully examined the Journal of the Twenty-eighth Day and find the same correct.

ORRIS G. NORDHOUGEN, Chairman.

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

PETITIONS AND COMMUNICATIONS

A communication received by the Lieutenant Governor was read by the Secretary, from Arthur E. Thompson, Supt. of Public Instruction, regarding the courtesy of the floor for the county superintendents now in session in Bismarck.

A communication was read by the Secretary from the headquarters of the United Spanish War Veterans commending Romanus J. Downey, the present Veterans' Service Commissioner, for his efforts on behalf of all the veterans in the state, which was referred to the Committee on Military and Indian Affairs.

Senator Morgan of Walsh moved that the communication from the Superintendent of Public Instruction be printed in full in the Journal.

State of North Dakota
DEPARTMENT OF PUBLIC INSTRUCTION
Bismarck, North Dakota

February 2, 1943

Honorable Henry Holt, President

Senate,

Bismarck, North Dakota.

Dear Mr. Holt:

The county superintendents are meeting here this week. They come from all the counties in the state and naturally know many of the legislators. We would like to ask the courtesy of the floor extended to them for Wednesday afternoon.

Trusting this procedure is proper, I am

Sincerely yours,

DEPT. OF PUBLIC INSTRUCTION,
Arthur E. Thompson, Superintendent.

Senator Morgan of Walsh moved that the courtesy of the floor be extended to the county superintendents now in session in Bismarck, on Wednesday afternoon, February 3rd, 1943; which motion prevailed.

REPORTS OF STANDING COMMITTEES

The Committee on Enrollment and Engrossment made the following report:

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

Senate Bill No. 58.

And find the same correctly Engrossed.

O. E. BILDEN, Acting Chairman.

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

Mr. President: Your Committee on Appropriations to whom

was referred House Bill No. 23, have had the same under consideration and recommend that the same do pass.

WM. WATT, Chairman.

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

Mr. President: Your Committee on State Affairs to whom was referred House Bill No. 39, have had the same under consideration and recommend that the same do pass.

J. B. BRIDSTON, Chairman.

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

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

WM. WATT, Chairman.

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

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 65, have had the same under consideration and recommend that the same be amended as follows:

Under Section 1 in line 3, strike out the figures \$5,000.00 and insert the figures \$3,200.00 in lieu thereof.

And when so amended recommend the same do pass.

WM. WATT, Chairman.

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

Mr. President: Your Committee on Education to whom was referred Senate Bill No. 74, have had the same under consideration and recommend that the same do pass.

RILIE R. MORGAN, Chairman.

Senator Morgan of Walsh moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 79, have had the same under consideration and recommend that the same do pass.

WM. WATT, Chairman.

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

Mr. President: Your Committee on State Affairs to whom was referred Senate Bill No. 83, have had the same under consideration and recommend that the same do pass.

J. B. BRIDSTON, Chairman.

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

Mr. President: Your Committee on State Affairs to whom was referred Senate Concurrent Resolution "D", have had the same under consideration and recommend that the same be amended as follows:

Strike out all after the letter "D" and insert in lieu thereof the following:

MEMORIALIZING CONGRESS TO ENACT LEGISLATION
PROVIDING FOR THE PRODUCTION OF ALCOHOL
FROM AGRICULTURAL OR FOREST PRODUCTS

1 WHEREAS, our Nation is engaged in a death struggle

2 with the Axis powers for the preservation of our form of
3 Government and the American institutions, and

4 WHEREAS, patriotism demands that every private con-
5 sideration should be set aside to the end that the prosecu-
6 tion of the war may be carried to a successful conclusion.
7 and

8 WHEREAS, it is incumbent upon private citizens as
9 well as upon corporations and associations to do everything
10 possible to provide the materials necessary to win the war
11 at the earliest possible date, and

12 WHEREAS, rubber is one of the necessary materials of
13 vital importance in the prosecution of the war, and

14 WHEREAS, investigation has demonstrated that there
15 will be a shortage of nearly 500,000 tons in 1943 and more
16 than 1,000,000 tons shortage in 1944, and

17 WHEREAS, it has further been demonstrated that alco-
18 hol necessary in the production of rubber can be obtained
18a by

19 processing agricultural and forest products, of which we
19a have

20 an abundance, and that the setting-up of plants and
20a machinery

21 of sufficient capacity for production of rubber on a large
22 scale can be ready for operation within six or eight months
23 at an expense much less than production from oil pro-
23a cesses,

24 and

25 WHEREAS, facts abundantly show that very little
26 rubber can be produced from oil processes in 1943 and
26a 1944,

27 and

28 WHEREAS, any unnecessary delay in the production
29 of this vital war material will result in prolongation of
30 the war, the sacrifice of thousands of our young men in
31 the armed forces of the United States, and the destruction
32 of countless millions of property, and

33 WHEREAS, plants established during the emergency
34 for processing such products for the manufacture of
34a rubber

35 would be of continued value in times of peace by utilizing
36 surplus agricultural products and thus materially con-
36a tribute

37 to the economic stability of our Nation and aid in the re-
38 habilitation of its citizens during the period of adjust-
39 ment after the war:

40 NOW, THEREFORE,

41 BE IT RESOLVED BY THE SENATE OF THE STATE
41a OF NORTH DAKOTA,

42 THE HOUSE OF REPRESENTATIVES CONCURRING:

43 That we memorialize, petition and urge Congress to
44 take such steps as are necessary for the speedy enact-
44a ment

45 into law a bill providing for the manufacture of rubber
45a and

46 alcohol products from agricultural and forest products in
47 order to expedite the prosecution of the war and providing
48 an increased supply of rubber for war purposes, and we

48a fur-

49 ther urge that no private or selfish interest of any person,

50 association or corporation be permitted during our present
 51 extreme national emergency in any manner or by any
 51a means
 52 whatever to delay or hamper final and favorable con-
 52a sidera-
 53 tion of such proposed measure.
 54 BE IT FURTHER RESOLVED that the Secretary of
 54a State
 55 of the State of North Dakota cause copies of this Resolu-
 56 tion to be mailed to the President of the United States,
 57 to the President of the Senate, to the Speaker of the
 58 House of Representatives, to each Member of Congress
 58a from
 59 the State of North Dakota, to the Honorable Donald M.
 59a Nelson,
 60 Chairman of the War Production Board and to each of the
 61 Secretaries of State and the Members of Congress of the
 62 States of Montana, South Dakota and Minnesota.

And when so amended recommend the same do pass.

J. B. BRIDSTON, Chairman.

Senator Bridston moved that the report be printed in the Journal without reading and further action be delayed one legislative day, which motion prevailed.

Mr. President: 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 the original bill after the title of the Resolution strike out "BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF NORTH DAKOTA, THE SENATE CONCURRING:" and insert the words "BE IT RESOLVED BY THE SENATE OF THE STATE OF NORTH DAKOTA, THE HOUSE OF REPRESENTATIVES CONCURRING:".

And when so amended recommend the same do pass.

RILIE R. MORGAN, Chairman.

Senator Morgan of Walsh moved that the report be adopted, which motion prevailed and the report was adopted.

FIRST READING OF SENATE BILLS

Senator Wog introduced:

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 State Affairs.

The Committee on Ways and Means introduced:

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 Ways and Means.

The Committee on Ways and Means introduced:

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 Ways and Means.

The Committee on Ways and Means introduced:

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 Ways and Means.

The Committee on Ways and Means introduced:

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 Ways and Means.

The Committee on Ways and Means introduced:

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 Ways and Means.

The Committee on Ways and Means introduced:

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 Ways and Means.

The Committee on Appropriations introduced:

Senate Bill No. 115. A Bill for an Act Requiring and Fixing Hours of Labor Per Week of All State, County and Municipal Officers and Employees and Providing for Deduction of Salary and Pay.

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

The Committee on Education introduced:

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.

MESSAGE FROM THE HOUSE

House of Representatives

Bismarck, February 2, 1943

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

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.

W. M. SMART, Chief Clerk.

Senator Nelson of Dickey moved that the absent Senators be excused, which motion prevailed.

Senator Brant moved that Senate Bill No. 70 be re-referred to the Committee on State Affairs from the Committee on Tax and Tax Laws, which motion prevailed.

Senator Watt moved that the rules be suspended and that House Bill No. 41 be placed on the calendar for second reading, today, which motion prevailed.

SECOND 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 second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 47; nays, 0; absent and not voting, 2.

Those voting in the affirmative were:

Adam
Beaton
Bilden

Kamrath
Kehoe
Lavik

Olson, McHenry
Olson, Mountrail
Page

Blank	Lofthus	Porter
Brant	Lynch	Raschko
Braun	Morgan, Richland	Rue
Bridston	Morgan, Walsh	Schrock
Brunsdale	Nelson, Dickey	Semerad
Day	Nelson, Griggs-	Solberg
Drew	Steele	Streibel
Feton	Nelson, McKenzie	Stucke
Flatt	Nelson, Renville	Thatcher
Foss	Nordhougen	Troxel
Ginter	O'Brien	Watt
Greiser	Oksendahl	Wog
Hoeneck	Olson, Barnes	Young
Absent and not voting:		
Bond	Guenther	

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

Senate Bill No. 60. A Bill for an Act to Amend and 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.

Senator Bridston moved that further action on this bill be deferred until the Senate has the report of the Special Joint House and Senate Investigation Committee on Public Welfare.

Senator Young made a substitute motion that Senate Bill No. 60 be re-referred back to the Committee on Public Welfare, which motion prevailed.

FIRST READING OF HOUSE BILLS AND CONCURRENT RESOLUTIONS

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 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.

Was read the first time and referred to the 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.

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

House Bill No. 37. A Bill for an Act Making an Appropriation for Salaries and Expenses of the State Geological Survey and for Co-operation of United States Geological Survey.

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

House Bill No. 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.

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

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.

SECOND READING OF HOUSE BILLS

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, 47; nays, 0; absent and not voting, 2.

Those voting in the affirmative were:

Adam	Kamrath	Olson, McHenry
Beaton	Kehoe	Olson, Mountrail
Bilden	Lavik	Page
Blank	Lofthus	Porter
Brant	Lynch	Raschko
Braun	Morgan, Richland	Rue
Bridston	Morgan, Walsh	Schrock
Brunsdale	Nelson, Dickey	Semerad
Day	Nelson, Griggs-	Solberg
Drew	Steele	Streibel
Feton	Nelson, McKenzie	Stucke
Flatt	Nelson, Renville	Thatcher
Foss	Nordhogen	Troxel
Ginter	O'Brien	Watt
Greiser	Oksendahl	Wog
Hoенck	Olson, Barnes	Young

Absent and not voting:

Bond Guenther

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

Senator Watt moved that the vote by which House Bill No. 41 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

MESSAGE TO THE HOUSE

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.

Senator Page moved that the showing of the picture "Mine Safety" be made a special order of business in the Senate chamber at 12:30 noon, February 4th, which motion prevailed.

Senator Young moved that the Senate do now adjourn, which motion prevailed, and the Senate stood adjourned.

W. J. TROUT, Secretary.

THIRTIETH DAY

Bismarck, February 3, 1943

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

Prayer by the chaplain, Rev. Paul G. Hayes.

Roll call: All Senators present except Senators Bond and Guenther.

MESSAGE TO THE HOUSE

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.

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

Mr. President: Your Committee on Revision and Correction of the Journal have carefully examined the Journal of the twenty-ninth day and find the same correct.

ORRIS G. NORDHOUGEN, Chairman.

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

REPORTS OF STANDING COMMITTEES

The Committee on Enrollment and Engrossment made the following report:

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

Senate Bill No. 65.

Senate Concurrent Resolution "D."

Senate Concurrent Resolution "H."

And find the same correctly engrossed.

H. R. MORGAN, Acting Chairman.

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

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 19, have had the same under consideration and recommend that the same be amended as follows:

Under Section 1 in line 8, strike out the figures \$18,000.00 and insert the figures \$24,000.00 in lieu thereof.

Under Section 1 in line 11, strike out the figures \$80,000.00 and insert the figures \$90,000.00 in lieu thereof.

Under Section 1 in line 13, strike out the figures \$20,000.00 and insert the figures \$30,000.00 in lieu thereof.

Under Section 1 in line 17, strike out the figures \$6,000.00 and insert the figures \$10,000.00 in lieu thereof.

Under Section 1 in line 20 for the total, strike out the figures \$237,500.00 and insert the figures \$267,500.00 in lieu thereof.

Under Section 1 in line 2, strike out the figures \$237,500.00 and insert the figures \$267,500.00 in lieu thereof.

And when so amended recommend the same do pass.

WM. WATT, Chairman.

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

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 32, have had the same under consideration and recommend that the same be amended as follows:

Under Section 1 in line 17, strike out the figures \$75,000.00 and insert the figures \$125,000.00 in lieu thereof.

Under Section 1 in line 18 for the total, strike out the figures \$1,276,400.00 and insert the figures \$1,326,400.00 in lieu thereof.

Under Section 1 in line 3, strike out the figures \$1,276,400.00 and insert the figures \$1,326,400.00 in lieu thereof.

And when so amended recommend the same do pass.

WM. WATT, Chairman.

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

Mr. President: Your Committee on State Affairs to whom was referred Senate Bill No. 70, have had the same under consideration and recommend that the same do pass.

J. B. BRIDSTON, Chairman.

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

Mr. President: Your Committee on Public Printing to whom was referred Senate Bill No. 80, have had the same under consideration and recommend that the same do pass.

ROB. GREISER, Chairman.

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

Mr. President: Your Committee on Public Printing to whom was referred Senate Concurrent Resolution "B," have had the same under consideration and recommend that the same do pass.

ROB. GREISER, Chairman.

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

Mr. President: A majority of Your Committee on Temperance to whom was referred Senate Concurrent Resolution "M," have had the same under consideration and recommend that the same be indefinitely postponed.

GEO. C. HOENCK

JOHN J. ADAM

ORRIS G. NORDHOUGEN

R. H. LYNCH

J. L. FLATT

HARRY SEMERAD

R. R. LOFTHUS, Chairman.

Mr. President: A minority of Your Committee on Temperance to whom was referred Senate Concurrent Resolution "M," have had the same under consideration and recommend that the same do pass.

STEVEN C. NELSON
MELVIN OLSON
WALTER TROXEL
CHAS. R. GINTER

Senator Lofthus moved that the report of the majority of the Committee on Temperance on Senate Concurrent Resolution "M" be adopted.

Senator Troxel made a substitute motion that the report of the minority of the Committee on Temperance on Senate Concurrent Resolution "M" be substituted for the report of the majority.

Senator Troxel requested a roll call, which request was granted.

ROLL CALL

The question being on the substitute motion of Senator Troxel that the report of the minority of the Committee on Temperance on Senate Concurrent Resolution "M" be substituted for the report of the majority, the roll was called and there were ayes, 13; nays, 34; absent and not voting, 2.

Those voting in the affirmative were:

Bilden	Nelson, Griggs-	Solberg
Bridston	Steele	Troxel
Day	Nelson, Renville	Watt
Drew	Olson, Barnes	Young
Ginter	Olson, Mountrail	

Those voting in the negative were:

Adam	Kehoe	Olson, McHenry
Beaton	Lavik	Page
Blank	Lofthus	Porter
Brant	Lynch	Raschko
Braun	Morgan, Richland	Rue
Brunsdale	Morgan, Walsh	Schrock
Feton	Nelson, Dickey	Semerad
Flatt	Nelson, McKenzie	Streibel
Foss	Nordhougen	Stucke
Greiser	O'Brien	Thatcher
Hoenck	Oksendahl	Wog

Kamrath

Absent and not voting:

Bond Guenther

So the motion was declared lost.

The question now being on the motion of Senator Lofthus that the report of the majority of the Committee on Temperance on Senate Concurrent Resolution "M" be adopted, the question was put and the motion prevailed.

Mr. President: Your Committee on State Affairs to whom was referred Senate Concurrent Resolution "N," have had the same under consideration and recommend that the same do pass.

J. B. BRIDSTON, Chairman.

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

Senator Bridston moved that the report of the Committee

on State Affairs on Senate Concurrent Resolution "D" as printed in the Senate journal on February 2nd, be adopted, which motion prevailed.

MESSAGE FROM THE HOUSE

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.

Very respectfully,

W. M. SMART, Chief Clerk.

FIRST READING OF SENATE BILLS AND CONCURRENT RESOLUTIONS

The Committee on Education introduced:

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.

The Committee on Education introduced:

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.

The Committee on Education introduced:

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 Education.

The Committee on Appropriations introduced:

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.

The Committee on Irrigation and Drainage introduced:

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.

Senators Page, Lofthus, Wog, Brant, Bridston and Lavik introduced:

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.

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

Senators Rue, Feton, Greiser and Lavik introduced:

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.

Senators Hoenck, Raschko, Rue and Schrock introduced:

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 Corporations.

Senators Blank, Thatcher and Braun introduced:

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.

MESSAGE FROM THE HOUSE

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 "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 Speaker has signed and your signature is respectfully requested.

W. M. SMART, Chief Clerk.

Senator Nelson of Dickey moved that the absent Senators be excused, which motion prevailed.

Senator Bridston: "I move that the President of the North Dakota Senate appoint a Committee of three members to cooperate with a committee from the standing Insurance Committee of the House, if such a committee is appointed, or any House committee that may be appointed to investigate facts, figures and charges contained in the report of A. J. Klautdt, Special Investigating Commissioner, as they relate to the departments under the supervision of Oscar E. Erickson, Commissioner of Insurance. If no House Committee is appointed, or if such a committee should refuse to cooperate, this Senate Committee is authorized to proceed independently and make whatever investigations it deems necessary. It is further authorized to call before it any and all officials and employees of all the departments under the supervision of the Commissioner of Insurance, the State Examiner and the Special Investigating Commissioner and have at its disposal all records in these various departments," which motion prevailed.

And the President appointed as such committee Senators Bridston, Page and Solberg.

Statement by Senator Bridston, which Senator Bridston requested be printed in the Journal:

"Yesterday Mr. Otto Vold, Manager of the State Fire and Tornado Fund and Mr. C. J. Myers, Manager of the Hail Department, addressed letters to Representative Peter Peterson, Chairman of the House Insurance Committee, demanding a sweeping investigation of charges contained in the report of Mr. A. J. Klautdt, Special Investigating Commissioner. These letters will be found in the House Journal. I charge that these demands were not made in good faith. Mr. Peterson is a member of the same political faction as the officials of the Insurance Department and is considered personally friendly to these department heads. The House Insurance

Committee is apparently controlled by members considered politically and personally friendly to the Insurance Department heads. Mr. Vold and Mr. Myers were careful not to make their investigating demands on the House of Representatives as a whole. They made no such demands on the Senate Insurance Committee or on the Senate as a whole. Mr. President, they were very careful to direct their demands so that any investigation would be conducted by personal and political friends. The whole affair reeks of the kind of politics that we are becoming accustomed to from the 8th floor of the State Capitol."

Senator Greiser requested that he be permitted to present an answer to the remarks of Senator Bridston, to be printed in the Journal and which would be presented to the Senate tomorrow.

Senator Morgan of Walsh moved that Senator Greiser's request be granted, which motion prevailed.

SECOND 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 second time.

ROLL CALL

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

Those voting in the affirmative were:

Adam	Kehoe	Olson, Mountrail
Beaton	Lavik	Page
Bilden	Lofthus	Porter
Blank	Lynch	Raschko
Brant	Morgan, Richland	Rue
Braun	Morgan, Walsh	Schrock
Bridston	Nelson, Dickey	Semerad
Brunsdale	Nelson, Griggs-	Solberg
Day	Steele	Streibel
Drew	Nelson, McKenzie	Stucke
Feton	Nelson, Renville	Thatcher
Flatt	Nordhougen	Troxel
Foss	O'Brien	Watt
Greiser	Oksendahl	Wog
Hoerck	Olson, Barnes	Young
Kamrath	Olson, McHenry	

Those voting in the negative were:

Ginter

Absent and not voting:

Bond

Guenther

So the bill passed and the title was agreed to.

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 second time.

ROLL CALL

The question being on the final passage of the bill, the roll

was called and there were ayes, 43; nays, 4; absent and not voting, 2.

Those voting in the affirmative were:

Adam	Hoenck	Olson, McHenry
Beaton	Kamrath	Olson, Mountrail
Bilden	Kehoe	Page
Blank	Lavik	Porter
Brant	Lofthus	Raschko
Braun	Lynch	Rue
Bridston	Morgan, Richland	Schrock
Brunsdale	Morgan, Walsh	Solberg
Day	Nelson, Dickey	Streibel
Drew	Nelson, Griggs-	Stucke
Feton	Steele	Thatcher
Flatt	Nordhougen	Watt
Foss	O'Brien	Wog
Ginter	Oksendahl	Young
Greiser	Olson, Barnes	

Those voting in the negative were:

Nelson, McKenzie	Semerad	Troxel
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Nelson, Renville

Absent and not voting:

Bond	Guenther
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So the bill passed and the title was agreed to.

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

Senator Young: "Mr. President: I have a motion to make but I would first like to make a few remarks.

"We have the rare privilege this afternoon of having as a guest, Captain Francis C. Rockey who has been on Guadalcanal for a considerable time and is back because of a malaria infection. He would like to see a democracy at work at home. With him will be the Adjutant General Heber L. Edwards.

"Captain Rockey is a long ways from well. He would like to have the remarks made by him in the form of questions and answers.

"Mr. President, I move that the rules be suspended and that Captain Rockey and Adjutant General Edwards be permitted to make a few remarks before the Senate and that a Committee of Two be appointed to escort them to the rostrum," which motion prevailed.

The President appointed as such committee Senators Young and Braun.

Lieutenant Governor Holt: "General Edwards, I understand that you desire to present a few questions to Captain Rockey."

General Edwards: "While Captain Rockey is not very much afraid of the Japs and that sort of things, he did confess to me that he was a little timid in appearing before Senators. I told him that I had long been that way myself and I understood how he felt.

"Before asking Captain Rockey some question I would like to show you the pamphlet I have here in my hand. At the top of it it states 'Restricted.' It reads 'Fighting on Guadalcanal.' It is an official document which is issued by the War Department and although it is marked 'Restricted,' it will receive general distribution, in the armed forces. In

fact it will be a text book. Now in all the years that I have been connected with the armed forces this is the first time that I have run across instructional material to actual soldiers on how to do it. They say there is nothing new under the sun but I still think this is new. In this pamphlet are quoted excerpts of testimony of officers and men that you gentlemen all know—they are from your home communities and they are in the 164th Infantry. General Marshall has said that soldiers and officers alike should read these notes and seek to apply their lessons; to cash in on the experiences which these and other brave men have paid for in blood.

"Captain Rockey is typical of these officers and men who gave General Marshall's special representative this information. He left here commanding 'A' company on February 10th, 1941, and as he was a soldier who had come up from the ranks, he knew the needs of the soldiers and has done a very excellent job. I have prevailed upon Captain Rockey to say a few words and to answer a few questions.

"Captain Rockey, when did your outfit embark from San Francisco?"

Captain Rockey: "March 18th."

General Edwards: "As I understand it you fellows were in Australia a week before going to New Caledonia. Could you tell us something about Australia?"

Captain Rockey: "We were in Australia a very short time. Our ship went in there and we took in quite a bit of supplies for the air corps in Australia. At the time we went in we understood that Australia was to be our base but after a few days our orders were changed and we were sent to Caledonia."

General Edwards: "Did the entire regiment go in?"

Captain Rockey: "Yes, it did."

General Edwards: "Will you describe your landing on Guadalcanal? Was Henderson Field already taken over by the marines at that time?"

Captain Rockey: "Yes, Henderson Field had been taken over by the marines. They had a defense line set up entirely surrounding the field and portions of the beach. They had a beach head established and therefore we had control of Henderson Field and a small area surrounding it."

General Edwards: "When you come on there were you immediately under fire or did you have a little time to prepare?"

Captain Rockey: "We were told just prior to going in that we would come in under fire but we came in just after daylight. We were supposed to get in at daybreak but our time schedule was a little off so we didn't get in until it was fairly light. We could see the shore line. A grove of trees along the shore made it look quite dark. We proceeded to unload without any incidents taking place—part of the regiment got on the shore and helped the rest as they came ashore. Other parts of the regiment stayed on the ship and unloaded supplies. It seemed peaceful. The area didn't look as though it had been fought over just shortly before we arrived."

General Edwards: "Would you care to say a few words about the Japs—their weapons, their ability to camouflage themselves and as to their methods of fighting?"

Captain Rockey: "The Japs should never be underestimated—we found that out. We knew before we fought them that it would be fatal to underestimate them but of course we had to be shown! We hadn't been there very long though before we discovered that it would not be very smart to underestimate the Jap. Their equipment is very good and their actions are such that you can't tell ahead just what to expect of them."

General Edwards: "I have heard that the Japs use a chant when they come into battle."

Captain Rockey: "Yes, that is right. The Japs seem to need a little bolstering up when they start into battle. It starts in the rear troops that are attacking and as they continue it gets louder and they do an awful lot of hollering and chanting, just as though they figured that by making a lot of noise they would scare their opponents away before they got to them."

General Edwards: "You would say that the methods of dealing with Japs are similar to Indian fighting—the tedious waiting in ambush?"

Captain Rockey: "Yes very much so. They are past masters of it—camouflaging and moving through jungles. They do a very good job of concealing themselves, are very apt in their manner of getting up in trees; tying themselves in trees; keeping very quiet; letting us go by and then making themselves known from the rear."

General Edwards: "How successful have we been getting up food supplies?"

Captain Rockey: "We have no particular trouble in getting supplies up to the men. There was quite a supply on the island. We brought in a lot also and at no time have we had a shortage of food. When we were on the offensive it was quite a problem getting any hot food up to the men on the line but we managed to get a hot meal up to the men every day. Of course every man carries emergency rations which consist of six small cans of food and then he has one chocolate bar that is equal to a day's ration."

General Edwards: "How did the 164th Infantry like the marines? May I say—what do you think of them as fighters?"

Captain Rockey: "Marines are very good fighters. There is no doubt about that. We were curious about them when we first went in there as to what manner of people they were. We had heard quite a bit about marines and their acts before we went in there with them, but we were still wondering just what manner of fighters they were. We found them excellent fighters and can do the business, and we hadn't been there very long before they discovered that we were excellent fighters and knew our business!"

General Edwards: "Could you tell the Senate something about the terrain and the animals that you might encounter in the jungles?"

Captain Rockey: "The terrain is very mountainous and there is quite a little jungle. Inland it was not all jungle—as probably most people think. There is quite a bit of grazing space and the grass is real tall. In fact, it is taller than a man's head. A man can get lost in the grass. We didn't like

the grass as well as the jungle. We couldn't see where we were going in the grass and in the jungle you had a chance of seeing a little bit. There were quite a few cocoanut plantations right along the shore line and our clear-out had been well taken care of before the war started.

We saw very little of any animal life—the only thing was horses. We didn't run across any wild animals at all. There may have been some there but back in the hills."

General Edwards: "How about the tin cans on the barbed wire that you told about?"

Captain Rockey: "There are a few monkeys and a lot of birds—parrakeets, parrots and several kinds of birds that we didn't know what they were.

The climate is real hot most of the time. The air is quite damp. It rains just about every night and sometimes during the day. Even though we were in the shade of the trees, our clothes were always damp. As soon as we got out into the hot sun, it would dry our clothes out of course to a certain extent but water ran off just the same and the sun was so hot it just scorched."

Senator Nordhogen: "I understand, Captain Rockey, that you took charge of the 164th Infantry. I would like to ask if you had charge of the Rugby boys."

Captain Rockey: "Yes, I was in command of the Rugby organization for about a month and a half."

Senator Nordhogen: "I live at Leeds and we had fifteen boys in that company—the Holmes boys and the Myhre boys, and I just can't think of all of them."

Captain Rockey: "I remember the Holmes boys quite well."

Senator Nordhogen: "Squire Holmes"

Captain Rockey: "I knew him very well. He is doing a very fine job."

Senator Nordhogen: "I am glad to hear about that. Do you remember the Myhre boys, Clifford and Raymond?"

Captain Rockey: "The names are familiar but I can't quite remember them."

Senator Nordhogen: "Just yesterday morning I received a telephone call from their father. I was asked to contact you while you are at home and inquire concerning the boys.

Naturally I have been much interested in the remarks made before the Senate, and I am sure they were very much appreciated by all, especially those of us who are interested in the boys of whom you had charge. I am very happy to have heard your report."

Captain Rockey: "I will say that I was only in command about a month and a half. I got to know quite a few of the boys but even in a month and a half I didn't get to know them all well. That was a fine organization. It was a privilege to work with them. It didn't seem like there was any work, no matter how hard, that they were not willing to tackle and carry through to completion."

Senator Young: "I would like to ask how the boys on Guadalcanal feel about the people back home. Do they think we are serious enough?"

Captain Rockey: "This is rather a hard question to answer. It depends a lot on the mail service. If the mail came

through and they heard from the folks at home, they felt as though everyone was doing his share at home, but if something would take place that our mail was delayed for some time, they would wonder if people at home knew a war was on. That was the trend of the talk too. I think they fully realized that everyone at home was doing all he could. They of course had no way of knowing what was going on at home except through their letter from home and some of the papers that they received. It wasn't possible to get the news over the radio very often. We had only one radio that we would pick up short wave with and that was the regimental radio. Usually that would be taken over the regimental radio and then called out to all organizations over the telephone. We had telephone connections. There was quite a bit of the time we couldn't pick up radio news because the Japs are very handy at jamming the air so that it was impossible to pick up news, but when we could get it that news was promptly sent out to all organizations so that they were kept pretty well informed as to what was going on at home and in the rest of the world."

Lieutenant Governor Holt: "Captain Rockey, I am sure I express the sentiment of the entire Senate when I say 'Thank you' for coming here and we are mighty proud of the North Dakota boys and all Americans that are standing back of you."

Captain Rockey: "It was certainly a privilege to be here."

Lieutenant Governor Holt: "Thank you, General Edwards, for bringing Captain Rockey over."

Senator Young moved that the above remarks be printed in the Journal, which motion prevailed.

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, the roll was called and there ayes, 46; nays, 0; absent and not voting, 3.

Those voting in the affirmative were:

Adam	Kamrath	Olson, McHenry
Beaton	Kehoe	Olson, Mountrail
Bilden	Lavik	Page
Blank	Lofthus	Porter
Brant	Lynch	Raschko
Braun	Morgan, Richland	Rue
Bridston	Morgan, Walsh	Schrock
Brunsdale	Nelson, Dickey	Semerad
Day	Nelson, Griggs-	Solberg
Drew	Steele	Streibel
Feton	Nelson, McKenzie	Stucke
Flatt	Nelson, Renville	Troxel
Foss	Nordhougen	Watt
Ginter	O'Brien	Wog
Greiser	Oksendahl	Young
Hoenck	Olson, Barnes	

Absent and not voting:

Bond	Guenther	Thatcher
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So the bill passed and the title was agreed to.

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, the roll was called and there were ayes, 38; nays, 9; absent and not voting, 2.

Those voting in the affirmative were:

Beaton	Kehoe	Olson, Barnes
Blank	Lavik	Olson, McHenry
Brant	Lofthus	Page
Braun	Lynch	Porter
Bridston	Morgan, Richland	Raschko
Brunsdale	Morgan, Walsh	Rue
Day	Nelson, Griggs-	Schrock
Drew	Steele	Streibel
Feton	Nelson, McKenzie	Stucke
Flatt	Nelson, Renville	Thatcher
Ginter	Nordhougen	Watt
Hoencck	O'Brien	Wog
Kamrath	Oksendahl	Young

Those voting in the negative were:

Adam	Greiser	Semerad
Bilden	Nelson, Dickey	Solberg
Foss	Olson, Mountrail	Troxel

Absent and not voting:

Bond	Guenther
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So the bill passed and the title was agreed to.

Senator Nelson of Dickey: "Mr. President, I wish to explain my vote.

"The youngsters have desires just the same as we older people.

"Why should they be denied going into those places if they feel like it? I think if they want to keep them away from those places, they should do away with those places."

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.

Senator Streibel moved the following amendment to Senate Concurrent Resolution "H":

In line 20, change the word "two" to "three" and

In Line 21, add the words "and in the official newspaper".

Senator Kehoe made the substitute motion that Senate Concurrent Resolution "H" be amended as follows:

In line 20, strike out the word "a legal" and insert the words "the official," which motion was declared lost.

Senator Kehoe made a substitute motion to Senate Concurrent Resolution "H":

The words "nearest to the land" be inserted in line 21 after the words "published", which motion prevailed.

Senator Solberg moved that the rules be suspended and that Senate Concurrent Resolution "H" be considered properly re-engrossed and placed on second reading and final passage, which motion prevailed.

Senator Raschko moved the following amendment to Senate Concurrent Resolution "H":

In line 20 after the word newspaper insert the words "and official".

Senator Young made a substitute motion that Senate Concurrent Resolution "H" be re-referred to the Committee on Education, which motion prevailed.

SECOND READING OF HOUSE BILLS

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, 45; nays, 0; absent and not voting, 4.

Those voting in the affirmative were:

Adam	Kamrath	Olson, Barnes
Beaton	Kehoe	Olson, McHenry
Bilden	Lavik	Olson, Mountrail
Blank	Lofthus	Page
Brant	Lynch	Raschko
Braun	Morgan, Richland	Rue
Bridston	Morgan, Walsh	Schrock
Brunsdale	Nelson, Dickey	Semerad
Day	Nelson, Griggs-	Solberg
Drew	Steele	Streibel
Feton	Nelson, McKenzie	Thatcher
Flatt	Nelson, Renville	Troxel
Foss	Nordhougen	Watt
Ginter	O'Brien	Wog
Greiser	Oksendahl	Young
Hoencck		

Absent and not voting:

Bond	Porter	Stucke
Guenther		

So the bill passed and the title was agreed to.

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, 35; nays, 12; absent and not voting, 2.

Those voting in the affirmative were:

Beaton	Kamrath	Oksendahl
Bilden	Kehoe	Olson, Mountrail
Brant	Lavik	Page
Braun	Lynch	Porter
Bridston	Morgan, Richland	Raschko
Brunsdale	Morgan, Walsh	Rue
Day	Nelson, Griggs-	Schrock
Drew	Steele	Streibel
Feton	Nelson, McKenzie	Stucke
Flatt	Nelson, Renville	Troxel
Foss	Nordhougen	Wog
Hoenck	O'Brien	Young

Those voting in the negative were:

Adam	Lofthus	Semerad
Blank	Nelson, Dickey	Solberg
Ginter	Olson, Barnes	Thatcher
Greiser	Olson, McHenry	Watt

Absent and not voting:

Bond	Guenther
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So the bill passed and the title was agreed to.

Senator Hoenck moved that the vote by which House Bill No. 39 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senator Young moved that the Senate do now adjourn, which motion prevailed and the Senate stood adjourned.

W. J. TROUT, Secretary.

THIRTY-FIRST DAY

Bismarck, February 4, 1943

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

Prayer by the chaplain, Rev. O. O. Andvik, Mandan.

Roll call: All Senators present except Senator Guenther.

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

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

Page 181, sixth line from the bottom, change the word "Printing" to "Welfare".

And when so corrected recommend that the same be approved.

ORRIS G. NORDHOUGEN, Chairman.

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

REPORTS OF STANDING COMMITTEES

The Committee on Enrollment and Engrossment made the following report:

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

Senate Bill No. 19.

Senate Bill No. 32.

And find the same correctly engrossed.

O. E. BILDEN, Acting Chairman.

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

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 45, have had the same under consideration and recommend that the same be amended as follows:

Strike out all after and including the word "Section" in line 1 and insert in lieu thereof the following:

Section 1. WHO MAY DISSENT.) In every case in which the husband or wife leaves a last Will and Testament and a surviving spouse, the survivor may dissent from the Will and, in lieu of claiming under the Will, elect to take under the laws of succession in the same manner as if the deceased had died intestate, if the County Court having jurisdiction, after hearing the evidence for and against the election and

being duly advised in the premises, finds that the ends of justice will be best served by permitting the election and enters its order approving the same.

Section 2. PROCEDURE.) The survivor, so electing to take under the law of succession, shall within six months after the will is admitted to probate file a notice in writing with such County Court that he or she elects to waive the will and take under the law of succession, and thereupon the survivor, if the election is so approved by order of the Court, shall inherit under the law of succession and shall not take under the Will.

And when so amended recommend the same do pass.

J. J. KEHOE, Chairman.

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

Mr. President: Your Committee on Tax and Tax Laws to whom was referred Senate Bill No. 61, have had the same under consideration and recommend that the same do pass.

E. H. BRANT, Chairman.

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

Mr. President: Your Committee on Tax and Tax Laws to whom was referred Senate Bill No. 107, have had the same under consideration and recommend that the same do pass.

E. H. BRANT, Chairman.

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

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 120, have had the same under consideration and recommend that the same do pass.

WM. WATT, Chairman.

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

Mr. President: Your Committee on Judiciary to whom was referred House Bill No. 38, have had the same under consideration and recommend that the same do pass.

J. J. KEHOE, Chairman.

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

FIRST READING OF SENATE BILLS

Senators Nelson of McKenzie and Bridston introduced:

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.

Senator Foss introduced:

Senate Bill No. 126. A Bill for an Act Defining Auctioneers and Providing for the Compulsory Licensing and Bonding of Auctioneers and Persons Making Auction Sales Within This State, Fixing License Fees and Amount of Bond and Providing for the Manner of Paying of Fees and Filing Bond and Issuing of Licenses, Regulating the Business of Auctioneers, Repealing Chapter 89 of the Session Laws of 1927 and All Acts in Conflict With the Provisions of This Act, and Declaring an Emergency.

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

Senators Page, Lofthus, Wog, Brant, Bridston and Lavik introduced:

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.

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

Senators Page, Lofthus, Wog, Brant, Bridston and Lavik introduced:

Senate Bill No. 128. A Bill for an Act to Amend and Re-enact Section 4915 of the 1925 Supplement to Compiled Laws of 1913, Providing for the Filing and Publication of Annual Statements by Insurance Companies Doing Business in the State of North Dakota, and Prohibiting the Insurance Commissioner or Any Other State Officer or Employee from Participating in the Selection of Any Newspaper for Such Publications.

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

Senators Page, Lofthus, Wog, Brant, Bridston and Lavik introduced:

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.

Senator Hoencck introduced:

Senate Bill No. 130. A Bill for an Act to Amend and Re-enact Section 13, Chapter 145, Session Laws of North Dakota, 1937, Relating to Funds of Benevolent Associations, Corporations and Societies, and Providing for the Maintenance of an Expense Fund, a Mortuary Fund, and a Reserve and Emergency Fund, and Repealing All Acts in Conflict Therewith.

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

Senators Morgan of Richland and Young introduced:

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 Ways and Means.

Senators Morgan of Walsh and Feton introduced:

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 Counties.

Senators Braun, Blank, Bridston, Nordhougen and Young introduced:

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 State Affairs.

Senators Braun, Blank, Bridston, Nordhougen and Young introduced:

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 State Affairs.

MESSAGES TO THE HOUSE

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 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. 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.

The President announced that he would have to leave at this time and called President Pro Tem Brunsdale to the Chair.

Senator Nelson of Dickey moved that the absent Senators be excused, which motion prevailed.

SECOND READING OF SENATE BILLS AND CONCURRENT RESOLUTIONS

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.

Senator Watt: "I would like to explain a little about this department and have my remarks recorded in the Journal.

We have a number of special funds and business enterprises in North Dakota. The appropriation for this seed department is from a special fund derived from fees for inspecting potatoes and fields of grain so as to have certified seed.

This department collects fees and is sustained by fees collected.

We have another seed department called the 'regular' for which we appropriated \$15,000, where they give service to people for having seed tested. The other one we find in Senate Bill No. 2. This department here contributes some funds to keeping up the 'regular' department so that the appropriation won't go over \$15,000.

Now we have the Seed Department; we have the Mill and Elevator; the Bank of North Dakota; the Poultry Improvement Board; the Attorney General Licensing Board, (and which yesterday turned over a surplus which had been accumulating of \$87,000 and which was transferred to the General Fund); the Hail Insurance; the Fire and Tornado Fund; the State Bonding Fund; the Workmen's Compensation Bureau; the State Twine Plant; the State Tag Plant; the Coffin Plant; the Motor Vehicle Registrar; the State Highway Department; the Game and Fish Department; the Teachers' Insurance and Retirement Fund; the Public Welfare and the Equalization—none of those appropriations come out of the General Fund, but come out of special funds.

Now before we had the 'jackpot' law, the Mill and Elevator, the Bank of North Dakota and all of those funds did not have to come in before the Appropriations Committee. They conducted their businesses as they saw fit, without any supervision except the Auditing Department, so I think that while the 'jackpot' law may not be one hundred per cent

perfect, there is one thing that I have been contending for twenty years and that is that all those departments should submit a budget to the legislature; even if we have no supervision over them, we can at least know something of what they are doing and how they are spending their money.

There was some question came up the other day about the Twine Plant and in regard to a loan from the Bank of North Dakota of \$300,000. That wasn't a loan but permitting them to make a loan if they found it necessary to buy that much material to run the Twine Plant at this time.

For the benefit of the Senators, I think they should bear in mind that these appropriations do not come under the General Fund, but come under special funds in those departments."

ROLL CALL

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

Those voting in the affirmative were:

Adam	Kamrath	Olson, McHenry
Beaton	Kehoe	Olson, Mountrail
Bilden	Lavik	Page
Blank	Lofthus	Porter
Bond	Lynch	Raschko
Brant	Morgan, Richland	Rue
Braun	Morgan, Walsh	Schrock
Bridston	Nelson, Dickey	Semerad
Brunsdale	Nelson, Griggs-	Solberg
Day	Steele	Streibel
Drew	Nelson, McKenzie	Stucke
Feton	Nelson, Renville	Thatcher
Flatt	Nordhougen	Troxel
Foss	O'Brien	Watt
Ginter	Oksendahl	Wog
Greiser	Olson, Barnes	Young
Hoenck		

Absent and not voting:

Guenther

So the bill passed 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, 48; nays, 0; absent and not voting, 1.

Those voting in the affirmative were:

Adam	Kamrath	Olson, McHenry
Beaton	Kehoe	Olson, Mountrail
Bilden	Lavik	Page
Blank	Lofthus	Porter
Bond	Lynch	Raschko
Brant	Morgan, Richland	Rue
Braun	Morgan, Walsh	Schrock
Bridston	Nelson, Dickey	Semerad
Brunsdale	Nelson, Griggs-	Solberg
Day	Steele	Streibel

Drew	Nelson, McKenzie	Stucke
Feton	Nelson, Renville	Thatcher
Flatt	Nordhougen	Troxel
Foss	O'Brien	Watt
Ginter	Oksendahl	Wog
Greiser	Olson, Barnes	Young
Hoenck		

Absent and not voting:

Guenther

So the bill passed and the title was agreed to.

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, the roll was called and there were ayes, 48; nays, 0; absent and not voting, 1.

Those voting in the affirmative were:

Adam	Kamrath	Olson, McHenry
Beaton	Kehoe	Olson, Mountrail
Bilden	Lavik	Page
Blank	Lofthus	Porter
Bond	Lynch	Raschko
Brant	Morgan, Richland	Rue
Braun	Morgan, Walsh	Schrock
Bridston	Nelson, Dickey	Semerad
Brunsdale	Nelson, Griggs-	Solberg
Day	Steele	Streibel
Drew	Nelson, McKenzie	Stucke
Feton	Nelson, Renville	Thatcher
Flatt	Nordhougen	Troxel
Foss	O'Brien	Watt
Ginter	Oksendahl	Wog
Greiser	Olson, Barnes	Young
Hoenck		

Absent and not voting:

Guenther

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

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.

Senator Stucke moved that Senate Bill No. 80 be referred to the Committee on Public Printing, 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.

The question being on the final passage of the Resolution, Senator Hoenck moved the adoption of Senate Concurrent

Resolution "B," which motion prevailed and Senate Concurrent Resolution "B" was declared adopted.

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.

The question being on the final passage of the Resolution, as amended, Senator Nordhogen moved the adoption of Senate Concurrent Resolution "D," which motion prevailed and Senate Concurrent Resolution "D" was declared adopted.

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.

The question being on the final passage of the Resolution, Senator O'Brien moved the adoption of Senate Concurrent Resolution "N," which motion prevailed and Senate Concurrent Resolution "N" was declared adopted.

MESSAGES FROM THE HOUSE

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.
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 respectfully requested.

W. M. SMART, Chief Clerk.

Senator Olson of Mountrail moved that the Committee on Appropriations be instructed to return House Bill No. 27 to the Senate, which motion was declared lost on a standing vote.

FIRST READING OF HOUSE BILLS AND CONCURRENT RESOLUTIONS

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 Irrigation and Drainage.

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 Irrigation and Drainage.

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 Irrigation and Drainage.

SIGNING OF BILLS

The Secretary announced that the President Pro-Tem was about to sign:

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.

And the President Pro-Tem signed the same in the presence of the Senate.

Senator Nordhousen moved that the Senate do now adjourn, which motion prevailed and the Senate stood adjourned.

W. J. TROUT, Secretary.

THIRTY-SECOND DAY

Bismarck, February 5, 1943

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

Prayer by the chaplain, Reverend Father Feehan.

Roll call: All Senators present except Senator Guenther.

MESSAGES TO THE HOUSE

Senate Chamber

Bismarck, February 5, 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-

mun 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. President: Your Committee on Revision and Correction of the Journal have carefully examined the Journal of the Thirty-first Day and find the same correct.

ORRIS G. NORDHOUGEN, Chairman.

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

PETITIONS AND COMMUNICATIONS

A communication from the Resolutions Committee of the annual Land O' Lakes District No. 40 convention held in Williston on October 19th, 1942, requesting the abolition of the sales tax and recommending that other sources of revenue be devised for the purpose of maintaining old age assistance was read by the secretary and referred to the Committee on Tax and Tax Laws.

A communication received by Senator Rue from the Bismarck Chapter of the North Dakota Junior Chamber of Commerce requesting the legislature to support the program presented by the State Water Conservation Commission, was read by the Secretary and referred to the Committee on Irrigation and Drainage.

REPORTS OF STANDING COMMITTEES

The Committee on Enrollment and Engrossment made the following report:

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

Senate Bill No. 26.

Senate Bill No. 27.

Senate Bill No. 38.

And find the same correctly Enrolled.

W. R. BOND, Chairman.

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

The Committee on Enrollment and Engrossment made the following report:

Mr. President: Your Committee on Enrollment and En-

grossment respectfully report that they have examined the following bill:

Senate Bill No. 45.

And find the same correctly Engrossed.

W. R. BOND, Chairman.

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

Mr. President: Your Committee on State Affairs to whom was referred Senate Bill No. 1, have had the same under consideration and recommend that the same be amended as follows:

Strike out everything after the words "A Bill" and insert the following in lieu thereof:

For an Act 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.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF NORTH DAKOTA:

SECTION 1. MILITARY INCOME EXEMPT FROM THE INCOME TAX.) That all persons actively serving in the armed forces or in the United States Merchant Marine, shall be exempt from the payment of the income tax on all income received from such services, (1) for a period ending on the 15th day of the sixth month after the cessation of hostilities in the present war with Germany, Japan and Italy, or (2) for a period ending on the 15th of the sixth month after discharge from active service; or (3) in case of death of a person while in such active service, for a period ending on the 15th day of the sixth month after an executor or administrator has been appointed for his estate, which ever of the above three periods shall end first.

SECTION 2. EXTENSION OF TIME FOR PAYMENT OF INCOME TAX.) A taxpayer actively serving in the armed forces or United States Merchant Marine may elect to postpone the payment of income tax on all non-military income until the 15th day of the sixth month after cessation of hostilities, or until the 15th day of the sixth month after discharge from such service or in the case of death of a taxpayer before cessation of hostilities, on the 15th day of the sixth month after the appointment of an administrator or executor for his estate, without payment of any penalty of interest.

SECTION 3. EXTENSION OF TIME FOR FILING INCOME TAX RETURNS.) A taxpayer, who is actively serving in the armed forces of the United States Merchant Marine, outside of the boundaries of the United States, may defer the filing of an income tax return until:

- (a) The fifteenth day of the third month after his return to the United States; or
- (b) The fifteenth day of the third month after his discharge from the military service or the United States Merchant Marine, if he remains, after discharge, outside the boundaries of the United States; or
- (c) The fifteenth day of the third month after the cessa-

tion of hostilities if the taxpayer remains outside the boundaries of the United States; or

(d) The fifteenth day of the third month after an administrator or executor has been appointed for the estate of the taxpayer, whichever of said dates shall first occur.

SECTION 4. PAYMENT IN INSTALLMENTS.) Any income tax postponed under the provisions of this act may be paid in quarterly installments; the first installment shall be payable on the 15th day of the sixth month after cessation of hostilities and each successive installment at three month intervals thereafter.

SECTION 5. POSTPONEMENT OF REAL AND PERSONAL TAXES.) Any person actively serving in the armed forces or merchant marine of the United States, may elect to postpone the payment of all or part of any taxes levied and assessed against real and personal property owned by him, until six months after the cessation of hostilities without the payment of interest or penalty; provided, if the taxpayer is discharged from said service before hostilities cease, then said taxes shall become due and payable six months after such discharge and provided further, if the taxpayer dies during the present war, then said taxes shall become due and payable six months after an executor or administrator has been appointed for his estate.

SECTION 6. TAX DELINQUENCY.) No real or personal property taxes levied and assessed on property owned by a person actively serving in the armed forces or merchant marine of the United States, shall become delinquent until six months after the owners discharge from the armed forces or in the event the said owner shall die during the present war, until six months after the appointment of an administrator or executor for his estate.

SECTION 7. TAXES POSTPONED AND EXEMPTED.) The provisions of this act shall apply to all taxes which became due or shall become due on or after January 1st, 1942.

SECTION 8. DEFINITION.) The term Cessation of Hostilities as used in this act shall be construed to mean the date, (1) when the President of the United States, shall, by proclamation, declare that hostilities have ceased, or (2) the Congress of the United States shall declare that hostilities have ceased, or (3) the Legislative Assembly of the State of North Dakota shall by resolution or legislative enactment declare that hostilities have ceased, whichever of said dates shall first occur.

SECTION 9. EMERGENCY.) This act is hereby declared to be an emergency measure and shall be in full force and effect from and after its passage and approval.

And when so amended recommend the same do pass.

J. B. BRIDSTON, Chairman.

Senator Bridston moved that the report be printed in the Journal without reading and further action be delayed one legislative day, which motion prevailed.

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 3, have had the same under consideration and recommend that the same be amended as follows:

Under Section 1 in line 4, strike out the figures \$590,130.00 and insert the figures \$593,090.00 in lieu thereof.

Under Section 1 in line 10, strike out the figures \$117,440.00 and insert the figures \$120,400.00 in lieu thereof.

Under Section 1 in line 16 for the total, strike out the figures \$233,340.00 and insert the figures \$236,300.00 in lieu thereof.

Under Section 1 in line 24 for the grand total, strike out the figures \$590,130.00 and insert the figures \$593,090.00 in lieu thereof.

And when so amended recommend the same do pass.

WM. WATT, Chairman.

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

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

Under Section 1 in line 3, strike out the figures \$12,470.00 and insert the figures \$12,965.00 in lieu thereof.

Under Section 1 in line 7, strike out the figures \$9,270.00 and insert the figures \$9,765.00 in lieu thereof.

Under Section 1 in line 11, strike out the figures \$12,470.00 and insert the figures \$12,965.00 in lieu thereof.

And when so amended recommend the same do pass.

WM. WATT, Chairman.

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

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 15, have had the same under consideration and recommend that the same be amended as follows:

Under Section 1 in line 3, strike out the figures \$68,500.00 and insert the figures \$71,300.00 in lieu thereof.

Under Section 1 in line 8, strike out Director \$4,200.00 in parenthesis and strike out the figures \$40,200.00 and insert the figures \$42,000.00 in lieu thereof.

Under Section 1 in line 13, strike out the figures \$23,000.00 and insert the figures \$24,000.00 in lieu thereof.

Under Section 1 in line 14 for the total, strike out the figures \$68,500.00 and insert the figures \$71,300.00 in lieu thereof.

And when so amended recommend the same do pass.

WM. WATT, Chairman.

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

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 16, have had the same under consideration and recommend that the same be amended as follows:

Under Section 1 in line 3, strike out the figures \$45,025.00 and insert the figures \$48,883.00 in lieu thereof.

Under Section 1 in line 7, strike out Chief Inspector \$4,000.00 in parenthesis and strike out the figures \$25,160.00 and insert the figures \$26,418.00 in lieu thereof.

Under Section 1 in line 8, strike out the figures \$1,750.00 and insert the figures \$2,000.00 in lieu thereof.

Under Section 1 in line 9, strike out the figures \$500.00 and insert the figures \$600.00 in lieu thereof.

Under Section 1 after line 11 insert line 11a to read as follows: Field Testing Equipment \$1,250.00.

Under Section 1 in line 13, strike out the figures \$2,000.00 and insert the figures \$3,000.00 in lieu thereof.

Under Section 1 in line 15, strike out the figures \$45,025.00 and insert the figures \$48,883.00 in lieu thereof.

And when so amended recommend the same do pass.

WM. WATT, Chairman.

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

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 17, have had the same under consideration and recommend that the same be amended as follows:

Under Section 1 in line 3, strike out the figures \$8,785.00 and insert the figures \$9,655.00 in lieu thereof.

Under Section 1 in line 7, strike out the figures \$5,400.00 and insert the figures \$5,670.00 in lieu thereof.

Under Section 1 in line 9, strike out the figures \$100.00 and insert the figures \$150.00 in lieu thereof.

Under Section 1 in line 10, strike out the figures \$2,500.00 and insert the figures \$3,000.00 in lieu thereof.

Under Section 1 in line 12, strike out the figures \$100.00 and insert the figures \$150.00 in lieu thereof.

Under Section 1 in line 13, strike out the figures \$8,785.00 and insert the figures \$9,655.00 in lieu thereof.

And when so amended recommend the same do pass.

WM. WATT, Chairman.

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

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 18, have had the same under consideration and recommend that the same be amended as follows:

Under Section 1 in line 3, strike out the figures \$60,000.00 and insert the figures \$40,000.00 in lieu thereof.

Under Section 1 in line 8, strike out the figures \$60,000.00 and insert the figures \$40,000.00 in lieu thereof.

Under Section 1 in line 9, strike out the figures \$60,000.00 and insert the figures \$40,000.00 in lieu thereof.

And when so amended recommend the same do pass.

WM. WATT, Chairman.

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

Mr. President: Your Committee on Agriculture and Livestock to whom was referred Senate Bill No. 51, have had the same under consideration and recommend that the same be amended as follows:

In line 6 after the word "scales" strike out the period and insert the following:

"And the livestock to be weighed immediately before going into the ring and the weight of such livestock to be announced before the sale of same."

And when so amended recommend the same do pass.

A. N. LAVIK, Chairman.

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

Mr. President: Your Committee on Public Welfare to whom was referred Senate Bill No. 60, have had the same

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

After the word "paid" in line nine, strike out the period and insert the following: "provided, however, that the compensation provided for herein shall not be paid to any member of the State Welfare Board who is now receiving compensation from the state, any of its political subdivisions, or any institution or industry operated by the state.

And when so amended recommend the same do pass.

G. F. DREW, Chairman.

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

Mr. President: Your Committee on Agriculture and Livestock to whom was referred Senate Bill No. 67, have had the same under consideration and recommend that the same do pass.

A. N. LAVIK, Chairman.

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

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 69, have had the same under consideration and recommend that the same be amended as follows:

Amend title of bill to read as follows: For an Act to provide for the transfer of a part of the unappropriated surplus now in the "Auto Transportation Fund" to the credit of the "Highway Operating Fund" in the State Treasury and declaring an emergency.

Under Section 1 amend line 3 to read as follows: sum of \$30,000.00 to the credit of the "Highway Operating Fund" in the State.

And when so amended recommend the same do pass.

WM. WATT, Chairman.

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

Mr. President: Your Committee on Mines and Mining to whom was referred Senate Bill No. 75, have had the same under consideration and recommend that the same do pass.

AXEL OLSON, Chairman.

Senator Olson of Mountrail moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Mines and Mining to whom was referred Senate Bill No. 76, have had the same under consideration and recommend that the same do pass.

AXEL OLSON, Chairman.

Senator Olson of Mountrail moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Public Welfare to whom was referred Senate Bill No. 77, have had the same under consideration and recommend that the same be amended as follows:

At the end of Line 24 following the word "such" add the following: "resolution, such".

In Line 68, after the word "receive" add the following: "their actual expenses incurred in attending such meetings".

Strike out all of Section 8.

In Line 125 after the word "by" add the following: "electing a president and such other officers they deem necessary".

In Line 140, following the word "assistance" add the following: "not to exceed five cents (5c) a mile".

In Line 141, change the word "salary" to "salaries".

In Line 144, change the word "provided" to word "created".

In Line 150 following the second word "the" strike out rest of the line and add the words "assessed valuation".

In Line 151 and after the words "of the" in the beginning of the line, strike out the rest of the line, and add the following: "various counties comprising the said Health District".

In Line 154, after the word "of" add the following: "one-half mill on assessed valuation".

In Line 156 strike out word "special" and add words "a special".

At the end of line 161 strike out the period and insert a comma and add the following: "and all other counties comprising the Health District shall make settlement quarterly to said treasurer".

And add the following paragraph: "All claims against the District Health Fund shall be approved by the District Board of Health at its quarterly meetings, and shall be paid from the District Health Fund upon warrant issued by the county auditor. Provided, however, the approval by the District Health Officer shall be sufficient on all bills under \$25.00 which may be presented during the months when there is no meeting of the District Board of Health. All expenses actually and necessarily paid or incurred by the District Board of Health in carrying out the provisions of this Act, shall be audited and approved by the president and secretary of the Board and certified to the county commissioners of the county in which such fund is retained, and shall be paid the same as other county expenses are paid".

And renumber paragraphs accordingly.

And when so amended recommend the same do pass.

G. F. DREW, Chairman.

Senator Morgan of Walsh moved that the report be printed in the journal without reading and further action be delayed one legislative day, which motion prevailed.

Mr. President: Your Committee on State Affairs 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 22 after the word Air Ports the following line is added "for which no levy has been made by a Park Board or other taxing district".

And when so amended recommend the same do pass.

J. B. BRIDSTON, Chairman.

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

Mr. President: Your Committee on State Affairs to whom was referred Senate Bill No. 105, have had the same under consideration and recommend that the same to be re-referred to Appropriation Committee and recommended for passage.

J. B. BRIDSTON, Chairman.

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

Mr. President: Your Committee on State Affairs to whom was referred Senate Bill No. 106, have had the same under

consideration and recommend that the same be re-referred to Appropriation Committee without recommendation.

J. B. BRIDSTON, Chairman.

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

Mr. President: Your Committee on State Affairs to whom was referred Senate Bill No. 108, have had the same under consideration and recommend that the same be amended as follows:

See amendment:

In line 12 strike out the words "left for" and insert the word "entered".

And when so amended recommend the same do pass.

J. B. BRIDSTON, Chairman.

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

Mr. President: Your Committee on State Affairs to whom was referred Senate Bill No. 125, have had the same under consideration and recommend that the same do pass.

J. B. BRIDSTON, Chairman.

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

Mr. President: Your Committee on Public Welfare to whom was referred Senate Concurrent Resolution "P," have had the same under consideration and recommend that the same do pass.

G. F. DREW, Chairman.

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

Mr. President: Your Committee on Agriculture and Livestock to whom was referred House Concurrent Resolution "D," have had the same under consideration and recommend that the same do pass.

A. N. LAVIK, Chairman.

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

Mr. President: Your Committee on State Affairs to whom was referred House Concurrent Resolution "E," have had the same under consideration and recommend that the same do pass.

J. B. BRIDSTON, Chairman.

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

FIRST READING OF SENATE BILLS AND SENATE RESOLUTION

The Committee on Elections introduced:

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 Chapter 139 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.

Senators O'Brien and Kehoe introduced:

Senate Bill No. 136. A Bill for an Act to Legalize and

Validate Real Estate Mortgage Foreclosure Sales Made Prior to January 1, 1940, Whether or Not Power of Attorney or Attorney's Affidavit or Notice of Intention to Foreclose Has Been Filed, Recorded, Given, or Served as Provided by the Law in Force at the Time of Such Foreclosure and Sale Thereunder Made, and Limiting the Time Within Which Actions May Be Commenced or Defense Interposed in Relation Thereto, and Declaring an Emergency.

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

Senator Day introduced:

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.

The Committee on Judiciary introduced:

Senate Bill No. 138. A Bill for an Act Relating to the Appointment and Qualification of Administrators, Executors and Guardians, and Declaring an Emergency.

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

The Committee on State Affairs introduced:

Senate Bill No. 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 State Affairs.

The Committee on State Affairs introduced:

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.

Senator Solberg (by request) introduced:

Senate Bill No. 141. A Bill for an Act Making an Appropriation for the Payment to Officers and Men of the State Guard a Per Diem for Each Day Spent in Drilling, Providing for the Methods of Expenditures and Audit Thereof, and Declaring an Emergency.

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

Senators Stucke, Olson of Mountrail and Sæmerad introduced:

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.

The Select Committee on Photographs introduced:

Senate Resolution "A." On Arrangement for Official Photographer for the Senate, a Resolution for the Appropriation of \$185.00 for Payment of a Group Picture, Including Each Member of the Senate, the Presiding Officer, the Desk Force, and the Sergeant-at-Arms.

Was read the first time.

Senator Nelson of Dickey moved that the rules be suspended and that Senate Resolution "A" be adopted.

ROLL CALL

The question being on the adoption of Senate Resolution "A", the roll was called and there were ayes, 46; nays, 0; absent and not voting, 3.

Those voting in the affirmative were:

Adam	Hoenck	Olson, Barnes
Beaton	Kamrath	Olson, McHenry
Bilden	Kehoe	Olson, Mountrail
Blank	Lavik	Page
Bond	Lofthus	Raschko
Brant	Lynch	Rue
Braun	Morgan, Richland	Schrock
Bridston	Morgan, Walsh	Semerad
Brunsdale	Nelson, Dickey	Solberg
Day	Nelson, Griggs-	Streibel
Drew	Steele	Thatcher
Feton	Nelson, McKenzie	Troxel
Flatt	Nelson, Renville	Watt
Foss	Nordhougen	Wog
Ginter	O'Brien	Young
Greiser	Oksendahl	
Absent and not voting:		
Guenther	Porter	Stucke

So the resolution was declared adopted.

MESSAGES FROM THE HOUSE

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.

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.

Senator Nelson of Dickey moved that the absent Senators be excused, which motion prevailed.

SECOND 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 second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 20; nays, 26; absent and not voting, 3.

Those voting in the affirmative were:

Adam	Drew	Schrock
Beaton	Hoenck	Solberg
Bilden	Lynch	Stucke

Brant	Nordhougen	Thatcher
Bridston	Oksendahl	Troxel
Brunsdale	Olson, Mountrail	Wog
Day	Rue	

Those voting in the negative were:

Bond	Lavik	O'Brien
Braun	Lofthus	Olson, Barnes
Feton	Morgan, Richland	Olson, McHenry
Flatt	Morgan, Walsh	Page
Foss	Nelson, Dickey	Raschko
Ginter	Nelson, Griggs-	Semerad
Greiser	Steele	Streibel
Kamrath	Nelson, McKenzie	Watt
Kehoe	Nelson, Renville	Young
Absent and not voting:		
Blank	Guenther	Porter

So the bill was declared lost.

Senator Braun: "I vote 'No' for the purpose of reconsideration."

Senator Kehoe: "I vote 'No' for the same reason."

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, 33; nays, 14; absent and not voting, 2.

Those voting in the affirmative were:

Beaton	Hoenck	Olson, Barnes
Bilden	Kehoe	Page
Blank	Lavik	Raschko
Brant	Lynch	Rue
Braun	Morgan, Richland	Schrock
Bridston	Morgan, Walsh	Semerad
Brunsdale	Nelson, Griggs-	Stucke
Day	Steele	Thatcher
Drew	Nordhougen	Watt
Feton	O'Brien	Wog
Flatt	Oksendahl	Young
Foss		

Those voting in the negative were:

Adam	Lofthus	Olson, Mountrail
Bond	Nelson, Dickey	Solberg
Ginter	Nelson, McKenzie	Streibel
Greiser	Nelson, Renville	Troxel
Kamrath	Olson, McHenry	
Absent and not voting:		
Guenther	Porter	

So the bill passed and the title was agreed to.

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, the roll was called and there were ayes, 43; nays, 1; absent and not voting, 5.

Those voting in the affirmative were:

Adam	Hoenck	Olson, Barnes
Beaton	Kamrath	Olson, McHenry
Bilden	Kehoe	Olson, Mountrail
Blank	Lavik	Page
Bond	Lofthus	Raschko
Brant	Lynch	Rue
Braun	Morgan, Richland	Semerad
Bridston	Morgan, Walsh	Solberg
Brunsdale	Nelson, Dickey	Streibel
Day	Nelson, Griggs-	Stucke
Drew	Steele	Troxel
Feton	Nelson, McKenzie	Watt
Flatt	Nordhougen	Wog
Foss	O'Brien	Young
Ginter	Oksendahl	

Those voting in the negative were:

Greiser

Absent and not voting:

Guenther	Porter	Thatcher
Nelson, Renville	Schrock	

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

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, 41; nays, 0; absent and not voting, 8.

Those voting in the affirmative were:

Adam	Hoenck	Oksendahl
Beaton	Kamrath	Olson, Barnes
Bilden	Kehoe	Olson, McHenry
Blank	Lavik	Olson, Mountrail
Bond	Lofthus	Page
Brant	Lynch	Raschko
Bridston	Morgan, Richland	Rue
Brunsdale	Morgan, Walsh	Semerad
Drew	Nelson, Dickey	Solberg
Feton	Nelson, Griggs-	Streibel
Flatt	Steele	Troxel
Foss	Nelson, McKenzie	Watt
Ginter	Nordhougen	Wog
Greiser	O'Brien	Young

Absent and not voting:

Braun	Nelson, Renville	Stucke
Day	Porter	Thatcher
Guenther	Schrock	

So the bill passed and the title was agreed to.

FIRST READING OF HOUSE BILLS

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 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.

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

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

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 Public Lands.

SECOND READING OF HOUSE BILLS

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.

Senator Bridston moved that further action on House Bill No. 38 be deferred one legislative day, which motion prevailed.

SIGNING OF BILLS

The Secretary announced that the President Pro-Tem was about to sign:

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.

And the President Pro-Tem signed the same in the presence of the Senate.

Senator Young moved that the Senate do now adjourn, which motion prevailed and the Senate stood adjourned.

W. J. TROUT, Secretary.

THIRTY-THIRD DAY

Bismarck, February 6, 1943

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

Prayer by the chaplain, Reverend Father Feehan.

Roll call: All Senators present except Senators Beaton, Day, Feton, Foss, Greiser, Guenther, Hoenck, Nelson of Renville, Porter, Streibel and Stucke.

MESSAGES TO THE HOUSE

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.

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.

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

Mr. President: Your Committee on Revision and Correction of the Journal have carefully examined the Journal of the Thirty-second Day and find the same correct.

ORRIS G. NORDHOUGEN, Chairman.

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

PETITIONS AND COMMUNICATIONS

A communication from the Bismarck Chapter of the Business and Professional Women's Club regarding the enactment of Senate Bill No. 45 in the form in which it may be returned by the Senate Judiciary Committee, was read by the Secretary and referred to the Committee on Judiciary by the President Pro Tem.

REPORTS OF STANDING COMMITTEES

The Committee on Enrollment and Engrossment made the following report:

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

Senate Bill No. 3.
Senate Bill No. 13.
Senate Bill No. 15.
Senate Bill No. 16.
Senate Bill No. 17.
Senate Bill No. 18.
Senate Bill No. 77.
Senate Bill No. 96.
Senate Bill No. 108.
Senate Bill No. 1.
Senate Bill No. 51.
Senate Bill No. 60.
Senate Bill No. 69.

And find the same correctly Engrossed.

W. R. BOND, Chairman.

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

The Committee on Enrollment and Engrossment made the following report:

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

Senate Bill No. 28.
Senate Bill No. 40.
Senator Bill No. 42.

And find the same correctly Enrolled.

W. R. BOND, Chairman.

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

Mr. President: Your Committee on Public Welfare to whom was referred Senate Bill No. 43, have had the same under consideration and recommend that the same be amended as follows:

Strike out the words "Introduced by Senator Morgan of Walsh" and insert the words "Introduced by Committee on Public Welfare".

And strike out everything after the words "A Bill" and insert the following language:

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.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF NORTH DAKOTA:

- 1 Section 1. There is hereby established a State Control
- 2 Board for Survey and control of mental deficiency to be
- 3 designated as the "State Control Board." The three
- 3a appoin-
- 4 tive members of the Board of Administration shall
- 4a constitute
- 5 said Board and the Superintendent of the Grafton State
- 6 School shall be the Secretary of said Board, and both the
- 7 members and the Secretary shall serve without additional
- 8 compensation. The office headquarters and records
- 8a thereof
- 9 shall be at the Grafton State School.
- 10 Section 2. The State Control Board may make all
- 11 necessary rules and regulations for making effective the
- 12 provisions and purposes of this act. It shall employ a
- 13 clinical psychologist with the qualifications prescribed
- 14 by the National Association of Clinical Psychologists
- 14a and a
- 15 Social Worker with special training and qualifications
- 15a per-
- 16 taining to mentally deficient persons and such other
- 17 personnel as may be necessary.

18 Section 3. It is the purpose of this act to provide
19 for an accurate scientific survey to determine the number
20 and location of all mentally deficient persons within the
21 State and to provide for their supervision and control
21a and
22 to determine whether it is for their best interests and the
23 best interests of society for said persons to be placed in
24 an institution or supervised outside an institution.

25 Section 4. The term mentally deficient as used in this
26 act shall be construed to include all individuals, except
27 the insane, who by reason of a sub-normal rate of de-
27a velopment
28 of some or all of the mental functions are incapable of
28a doing
29 the work of the grades in the public school in a reason-
29a able
30 ratio to their years of life; or who by reason of this sub-
31 normal rate of development and to associated defects are
32 incapable of making the proper adjustments to life
32a for one
33 of their chronological age.

34 Section 5. The Commissioners of Insanity in each
35 county shall constitute the County Control Board for the
36 mentally deficient and specific authority is hereby
36a granted
37 to such County Control Board to have all mentally de-
37a ficient
38 persons within the county brought before the County
38a Control
39 Board for examination, commitment and/or supervision
39a either
40 within or without the Grafton State School and to
40a establish
41 Guardianship when deemed necessary. The County
41a Control
42 Board shall be under the direct authority of the State
42a Con-
43 trol Board in all matters pertaining to the supervision,
44 emmitment and control and supervision of the mentally
45 deficient within the county under such rules and reg-
45a ulations
46 as are provided by the State Control Board.

47 Section 6. The State Control Board shall have au-
47a thority
48 in all matters pertaining to the care, supervision and
48a con-
49 trol of all mentally deficient persons in the State of
49a North
50 Dakota not confined within the Grafton State School.
50a Said
51 State Control Board shall determine the conditions un-
51a der
52 which such mentally deficient persons shall be per-
52a mitted to
53 remain outside said institution; and when and under
53a what
54 conditions commitment to such institution shall be re-
54a quired.

55 Said State Control Board shall have the power to make
55a all
56 the necessary rules and regulations pertaining to the
56a segre-
57 gation, care and control of mentally deficient persons,
57a not in
58 conflict with the laws of this state.

59 Section 7. The State Control Board shall make a
59a survey
60 of all state institutions and of the State generally to
61 ascertain the persons whom it believes to be mentally
61a defi-
62 cient in order that said State Control Board may make
62a neces-
63 sary complaints to the County Control Board.

64 Section 8. It shall be the duty of the State Control
65 Board to maintain a continuative census of the mentally
66 deficient in the state, and all boards of education, school
67 principals, county and city superintendents of schools
67a and
68 teachers are hereby specifically required to give said
68a State
69 Control Board or its agents such access as the Board
69a or its
70 agents deem necessary, to all school records and to all
71 children within their schools for the purpose of exam-
71a ination.

72 It shall be the duty of all teachers, principals, and
73 city and county superintendents of schools, to report to
74 the State Commission, the name, age and residence of all
75 children found by them to be incapable by reason of
75a mental
76 deficiency of doing the school work of the common
76a grades and
77 likewise all other children found by them to be three or
78 more years retarded.

79 It shall be the duty of all doctors, nurses, hospitals,
80 penal and charitable institutions, county welfare boards,
81 public health officers, county and city nurses, boards or
82 commissions within the State of North Dakota, to re-
82a port to
83 the State Control Board the name, age and residence of
83a all
84 children believed by them to be mentally deficient and
84a also
85 to furnish whenever requested any and all information
85a which
86 they might have relative to the antecedents of any per-
86a sons
87 believed to be mentally deficient.

88 Section 9. It shall be the duty of the State Control
89 Board to submit to the County Control Board a list of all
90 persons believed by the State Control Board to be men-
90a tally
91 deficient residing within such county. Such list shall be
92 revised and supplemented from time to time by either
92a the
93 State Control Board or the County Control Board as
93a additional

94 mentally deficient are identified, residence changed,
 94a deaths
 95 occur of any of those already upon such list.
 96 Section 10. It shall be the duty of the County Control
 97 Board upon receipt of such list or supplement thereto as
 98 provided for in section 9, to proceed within thirty days
 98a from
 99 the date of receiving such list to have a hearing and adju-
 100 dication of each person whose name appears upon such
 100a list to
 101 determine if such person is mentally deficient or not;
 101a and
 102 continue such proceedings until said list has been com-
 102a pleted.
 103 It shall be the duty of each County Control Board to
 103a declare
 104 to be mentally deficient all of those persons whom the
 104a County
 105 Control Board or whom a majority of members of such
 105a County
 106 Control Board find to be mentally deficient, to forthwith
 107 commit such mentally deficient persons to the super-
 107a vision
 108 and control of the State Control Board, as provided in
 108a the
 109 foregoing sections of this act; and immediately report
 109a such
 110 findings to the Control Board. Provided, however, that
 110a all
 111 commitments or adjudications made under this act shall
 111a be
 112 made according to the procedure and right of appeal in
 113 cases of insanity as now provided by the laws of this
 113a state.
 114 Section 11. For the purposes of such investigation
 115 and examination as required in the foregoing sections the
 116 County Control Board shall have access to the school
 116a records
 117 of any person under investigation; and all county and city
 118 superintendents of schools, school principals and
 118a teachers,
 119 are hereby required to furnish such records upon demand
 119a of
 120 said County Control Board.
 121 Section 12. The members of the County Control Board
 122 shall be compensated in such manner and at such rate
 122a as is
 123 now provided by law for the Commissioners of Insanity
 123a in
 124 each county.
 125 Section 13. Should the County Control Board of any
 126 county fail or refuse to comply with any of the pro-
 126a visions
 127 of this act, the several members of such County Control
 128 Board who fail or refuse to comply shall be guilty of a
 129 misdemeanor and, upon conviction thereof, shall be sub-
 129a ject
 130 to such punishment as is provided by section 9205 of the
 131 1913 Compiled Laws of North Dakota.

132 Section 14. The State Control Board shall file with
133 the County Judge of each county a complete list of all
133a per-
134 sons found by the County Control Boards of the several
135 counties to be mentally deficient and resident within the
136 State, which list shall be revised and supplemented by the
137 State Control Board from time to time, as changes
137a occur; and
138 it shall be the duty of the County Judge to revise and
138a sup-
139 plement said list to accord with such revised or supple-
139a mented
140 list submitted by the State Control Board. The State
140a Control Board
141 shall from time to time obtain information from the
141a Depart-
142 ment of Vital Statistics regarding deaths so as to be able
143 to remove from said lists the names of all persons who
143a have
144 died since said list was compiled. It shall be unlawful for
145 the State Control Board or County Judge or any official,
146 department or agency to allow publication of any such
146a list.

147 Section 15. It shall be unlawful for the County Judge
148 or any marriage license issuing agency now existing or
149 hereafter created within the State, to issue a marriage
150 license if the name of either of the contracting parties to
151 a proposed marriage appears upon any of the lists
151a submitted
152 by the State Commission; provided however that in cases
153 where either of the contracting parties has the same
153a name
154 as one appearing upon such lists but of a different
154a identity,
155 a license shall be issued upon the submission to the
155a County
156 Judge of satisfactory evidence of such identity, or upon
157 submission to the State Control Board of a certificate
157a of a
158 duly licensed physician that either of said contracting
159 parties are incapable of procreation; provided further
159a that
160 the party to whom such license has been refused may
160a appeal
161 to the District Court of the County in which such license
162 was refused. Such appeal may be perfected by the
162a service of
163 a Notice of Appeal on the Clerk of the District Court of
164 said County, within thirty days after refusal to issue said
165 marriage license.

166 Section 16. Any County Judge, or any official, de-
166a part-
167 ment or agency, violating any of the provisions of the
167a fore-
168 going sections shall be deemed guilty of a misdemeanor
168a and
169 upon conviction thereof shall be subject to such punish-
169a ment
170 as is provided in cases of misdemeanor under Section 9205
171 of the 1913 Compiled Laws of North Dakota.

172 Section 17. The provisions of this act shall be
 173 cumulative to all laws now provided for the Grafton State
 174 School and for the regulation and control of feeble
 174a minded
 175 or mentally deficient persons; but any statute in direct
 176 conflict herewith is hereby repealed.
 177 Section 18. APPROPRIATION) There is hereby
 177a appro-
 178 priated out of any monies in the State Treasury not
 178a other-
 179 wise appropriated, the sum of Twenty Thousand Dollars
 180 (\$20,000.00) or so much thereof as may be necessary for
 181 the biennium beginning July 1, 1943, and ending June 30,
 182 1945, for the carrying out of the provisions of this act.

And when so amended recommend the same be referred to the Committee on Appropriations.

G. A. DREW, Chairman.

Senator Drew moved that the report be printed in the Journal without reading and further action be deferred one legislative day, which motion prevailed.

Senator Rue moved that the report of the Committee on State Affairs on Senate Bill No. 1, which had been printed in the journal and action delayed until today, be adopted, which motion prevailed and the report was declared adopted.

Senator Drew moved that the report of the Committee on Public Welfare on Senate Bill No. 77, which had been printed in the journal and action delayed until today be amended as follows:

Strike out lines 69, 70 and 71, which motion prevailed.

Senator Bond moved that the report of the Committee on Public Welfare on Senate Bill No. 77, as printed in the journal and amended by Senator Drew's motion, be adopted, which motion prevailed and the report was declared adopted.

Senator Watt moved that the report of the Committee on Appropriations on Senate Bill No. 15 as shown in the Senate journal of February 5th be amended as follows: Change the words "Under Section 1 in line 13" to read "Under Section 1 in line 11", which motion prevailed.

FIRST READING OF SENATE BILLS

Senator Day introduced:

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 Corporations.

Senators Rue, Porter and Kehoe introduced:

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.

Senators Page and Nelson of Dickey introduced:

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.

The Committee on State Affairs introduced:

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; Repealing All Acts or Parts of Acts in Conflict Herewith, and Declaring an Emergency.

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

Senator Nelson of Dickey moved that the absent Senators be excused, which motion prevailed.

Senator Kehoe moved that action on the re-consideration on Senate Bill No. 45 be deferred until after two o'clock on Tuesday and that the rules be suspended and he loses no rights because of deferral, which motion prevailed, by an unanimous vote.

President Pro-Tem Brunsdale called Senator O'Brien to the chair to preside.

SECOND 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 second time.

ROLL CALL

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

Those voting in the affirmative were:

Adam	Lavik	Olson, McHenry
Bilden	Lofthus	Olson, Mountrail
Blank	Lynch	Page
Bond	Morgan, Richland	Raschko
Brant	Morgan, Walsh	Rue
Braun	Nelson, Dickey	Schrock
Bridston	Nelson, Griggs-	Semerad
Brunsdale	Steele	Solberg
Drew	Nelson, McKenzie	Thatcher
Flatt	Nordhogen	Troxel
Ginter	O'Brien	Watt
Kamrath	Oksendahl	Wong
Kehoe	Olson, Barnes	Young
Absent and not voting:		
Beaton	Greiser	Porter
Day	Guenther	Streibel
Feston	Hoenck	Stucke
Foss	Nelson, Renville	

So the bill passed and the title was agreed to.

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, 37; nays, 0; absent and not voting, 12.

Those voting in the affirmative were:

Adam	Lofthus	Olson, Mountrail
Bilden	Lynch	Page
Blank	Morgan, Richland	Raschko
Bond	Morgan, Walsh	Rue
Brant	Nelson, Dickey	Schrock
Braun	Nelson, Griggs-	Semerad
Brunsdale	Steele	Solberg
Drew	Nelson, McKenzie	Thatcher
Flatt	Nordhougen	Troxel
Ginter	O'Brien	Watt
Kamrath	Oksendahl	Wog
Kehoe	Olson, Barnes	Young
Lavik	Olson, McHenry	
Absent and not voting:		
Beaton	Foss	Nelson, Renville
Bridston	Greiser	Porter
Day	Guenther	Streibel
Feton	Hoenck	Stucke

So the bill passed and the title was agreed to.

Senator Watt moved that Senate Bill No. 15 be amended as follows:

After line 10, renumber the next line to read "11", which motion prevailed.

Senator Watt moved that the rules be suspended and that Senate Bill No. 15 be considered properly re-engrossed and placed on second reading and final passage, 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, 38; nays, 0; absent and not voting, 11.

Those voting in the affirmative were:

Adam	Lavik	Olson, McHenry
Bilden	Lofthus	Olson, Mountrail
Blank	Lynch	Page
Bond	Morgan, Richland	Raschko
Brant	Morgan, Walsh	Rue
Braun	Nelson, Dickey	Schrock
Bridston	Nelson, Griggs-	Semerad
Brunsdale	Steele	Solberg
Drew	Nelson, McKenzie	Thatcher
Flatt	Nordhougen	Troxel
Ginter	O'Brien	Watt
Kamrath	Oksendahl	Wog
Kehoe	Olson, Barnes	Young
Absent and not voting:		
Beaton	Greiser	Porter
Day	Guenther	Streibel

Feton Hoenck Stucke
 Foss Nelson, Renville

So the bill passed 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, 37; nays, 1; absent and not voting, 11.

Those voting in the affirmative were:

Adam	Lavik	Olson, McHenry
Bilden	Lofthus	Olson, Mountrail
Blank	Lynch	Page
Bond	Morgan, Richland	Raschko
Brant	Morgan, Walsh	Rue
Braun	Nelson, Dickey	Schrock
Bridston	Nelson, Griggs-	Semerad
Brunsdale	Steele	Solberg
Drew	Nelson, McKenzie	Thatcher
Flatt	Nordhougen	Watt
Ginter	O'Brien	Wog
Kamrath	Oksendahl	Young
Kehoe	Olson, Barnes	

Those voting in the negative were:

Troxel

Absent and not voting:

Beaton	Greiser	Porter
Day	Guenther	Streibel
Feton	Hoenck	Stucke
Foss	Nelson, Renville	

So the bill passed 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, 37; nays, 0; absent and not voting, 12.

Those voting in the affirmative were:

Adam	Lavik	Olson, Mountrail
Bilden	Eofthus	Page
Blank	Lynch	Raschko
Bond	Morgan, Richland	Rue
Brant	Nelson, Dickey	Schrock
Braun	Nelson, Griggs-	Semerad
Bridston	Steele	Solberg
Brunsdale	Nelson, McKenzie	Thatcher
Drew	Nordhougen	Troxel
Flatt	O'Brien	Watt
Ginter	Oksendahl	Wog
Kamrath	Olson, Barnes	Young
Kehoe	Olson, McHenry	

Absent and not voting:

Beaton	Greiser	Nelson, Renville
Day	Guenther	Porter

Feton	Hoenck	Streibel
Foss	Morgan, Walsh	Stucke

So the bill passed and the title was agreed to.

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

Those voting in the affirmative were:

Adam	Lofthus	Olson, Mountrail
Bilden	Lynch	Page
Blank	Morgan, Richland	Raschko
Bond	Nelson, Dickey	Rue
Brant	Nelson, Griggs-	Schrock
Braun	Steele	Semerad
Brunsdale	Nelson, McKenzie	Solberg
Drew	Nordhougen	Thatcher
Flatt	O'Brien	Troxel
Ginter	Oksendahl	Watt
Kamrath	Olson, Barnes	Wog
Kehoe	Olson, McHenry	Young
Lavik		

Absent and not voting:

Beaton	Greiser	Nelson, Renville
Bridston	Guenther	Porter
Day	Hoenck	Streibel
Feton	Morgan, Walsh	Stucke
Foss		

So the bill passed and the title was agreed to.

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 second time.

ROLL CALL

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

Those voting in the affirmative were:

Adam	Lofthus	Olson, Mountrail
Bilden	Lynch	Page
Blank	Morgan, Richland	Raschko
Bond	Morgan, Walsh	Rue
Brant	Nelson, Dickey	Schrock
Braun	Nelson, Griggs-	Semerad
Brunsdale	Steele	Solberg
Drew	Nelson, McKenzie	Thatcher
Flatt	Nordhougen	Troxel
Ginter	O'Brien	Watt
Kamrath	Oksendahl	Wog
Kehoe	Olson, Barnes	Young
Lavik	Olson, McHenry	

Absent and not voting:

Beaton	Foss	Nelson, Renville
Bridston	Guenther	Porter
Day	Greiser	Streibel
Feton	Hoenck	Stucke

So the bill passed and the title was agreed to.

MESSAGES FROM THE HOUSE

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 respectfully 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.

SECOND READING OF SENATE BILLS

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.

Senator Watt moved that Senate Bill No. 60 be re-referred back to the Committee on State Affairs for further considera-

tion, which motion prevailed.

Senator Morgan of Richland moved that Senate Bill No. 67 be amended as follows:

In line 4 of the printed bill after the word "on" strike out the comma and the words "or adjacent to", which motion prevailed.

Senator Morgan of Richland moved that the rules be suspended and that Senate Bill No. 67 be considered properly re-engrossed and placed on Second Reading and Final Passage, as amended, 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, 36; nays, 1; absent and not voting, 12.

Those voting in the affirmative were:

Adam	Lofthus	Olson, Mountrail
Blank	Lynch	Page
Bond	Morgan, Richland	Raschko
Brant	Morgan, Walsh	Rue
Braun	Nelson, Dickey	Schrock
Bridston	Nelson, Griggs-	Semerad
Brunsdale	Steele	Solberg
Drew	Nelson, McKenzie	Thatcher
Flatt	Nordhougen	Troxel
Ginter	O'Brien	Watt
Kamrath	Oksendahl	Wog
Kehoe	Olson, Barnes	Young
Lavik		

Those voting in the negative were:

Olson, McHenry

Absent and not voting:

Beaton	Foss	Nelson, Renville
Bilden	Greiser	Porter
Day	Guenther	Streibel
Feton	Hoenck	Stucke

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

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, 33; nays, 2; absent and not voting, 14.

Those voting in the affirmative were:

Adam	Lynch	Olson, McHenry
Blank	Morgan, Richland	Page
Bond	Morgan, Walsh	Raschko
Braun	Nelson, Dickey	Rue

Bridston	Nelson, Griggs-	Schrock
Brunsdale	Steele	Semerad
Drew	Nelson, McKenzie	Thatcher
Ginter	Nordhougen	Troxel
Kamrath	O'Brien	Watt
Kehoe	Oksendahl	Wog
Lavik	Olson, Barnes	Young

Those voting in the negative were:

Olson, Mountrail Solberg

Absent and not voting:

Beaton	Flatt	Nelson, Renville
Bilden	Foss	Porter
Brant	Greiser	Streibel
Day	Guenther	Stucke
Feton	Hoenck	

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

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, 38; nays, 0; absent and not voting, 11.

Those voting in the affirmative were:

Adam	Lavik	Olson, McHenry
Bilden	Lofthus	Olson, Mountrail
Blank	Lynch	Page
Bond	Morgan, Richland	Raschko
Brant	Morgan, Walsh	Rue
Braun	Nelson, Dickey	Schrock
Bridston	Nelson, Griggs-	Semerad
Brunsdale	Steele	Solberg
Drew	Nelson, McKenzie	Thatcher
Flatt	Nordhougen	Troxel
Ginter	O'Brien	Watt
Kamrath	Oksendahl	Wog
Kehoe	Olson, Barnes	Young

Absent and not voting:

Beaton	Greiser	Porter
Day	Guenther	Streibel
Feton	Hoenck	Stucke
Foss	Nelson, Renville	

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, 37; nays, 0; absent and not voting, 12.

Those voting in the affirmative were:

Adam	Lavik	Olson, Mountrail
Bilden	Lofthus	Page

Blank	Lynch	Raschko
Bond	Morgan, Richland	Rue
Brant	Morgan, Walsh	Schrock
Braun	Nelson, Dickey	Semerad
Bridston	Nelson, Griggs-	Solberg
Brunsdale	Steele	Thatcher
Drew	Nelson, McKenzie	Troxel
Flatt	O'Brien	Watt
Ginter	Oksendahl	Wog
Kamrath	Olson, Barnes	Young
Kehoe	Olson, McHenry	
Absent and not voting:		
Beaton	Greiser	Nordhogen
Day	Guenther	Porter
Feton	Hoencck	Streibel
Foss	Nelson, Renville	Stucke

So the bill passed and the title was agreed to.

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.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 33; nays, 4; absent and not voting, 12.

Those voting in the affirmative were:

Bilden	Lynch	Olson, McHenry
Bond	Morgan, Richland	Olson, Mountrail
Brant	Morgan, Walsh	Page
Braun	Nelson, Dickey	Raschko
Bridston	Nelson, Griggs-	Rue
Brunsdale	Steele	Schrock
Drew	Nelson, McKenzie	Semerad
Flatt	Nordhogen	Solberg
Ginter	O'Brien	Thatcher
Kehoe	Oksendahl	Troxel
Lavik	Olson, Barnes	Wog
Lofthus		

Those voting in the negative were:

Adam	Kamrath	Young
------	---------	-------

Blank

Absent and not voting:

Beaton	Greiser	Porter
Day	Guenther	Streibel
Feton	Hoencck	Stucke
Foss	Nelson, Renville	Watt

So the bill passed and the title was agreed to.

Senator Braun moved that the vote by which Senate Bill No. 96 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senate Bill No. 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, 37; nays, 0; absent and not voting, 12.

Those voting in the affirmative were:

Adam	Lavik	Olson, Mountrail
Bilden	Lofthus	Page
Blank	Lynch	Raschko
Bond	Morgan, Richland	Rue
Brant	Morgan, Walsh	Schrock
Braun	Nelson, Dickey	Semerad
Bridston	Nelson, McKenzie	Solberg
Brunsdale	Nordhougen	Thatcher
Drew	O'Brien	Troxel
Flatt	Oksendahl	Watt
Ginter	Olson, Barnes	Wog
Kamrath	Olson, McHenry	Young
Kehoe		

Absent and not voting:

Beaton	Guenther	Nelson, Renville
Day	Hoenck	Porter
Feton	Nelson, Griggs-	Streibel
Foss	Steele	Stucke
Greiser		

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

Senator Young moved that the Senate be on the 15th order of business and on the completion of that order of business, recess until 1:30 p. m. Monday, Feb. 8th, which motion prevailed.

W. J. TROUT, Secretary.

THIRTY-THIRD DAY AFTER RECESS AND
THIRTY-FIFTH DAY

Bismarck, February 8, 1943

The Senate re-convened at 1:30 p. m., pursuant to motion made on Saturday, Feb. 6th, with the President presiding.

The President announced that the Senate would be on the 10th order of business for the second reading of Senate bills.

SECOND READING OF SENATE BILLS

Senator Nelson of McKenzie moved that Senate Bill No. 125 be amended as follows:

The emergency clause be added to the body of the bill, which motion prevailed.

Senator Nelson of McKenzie moved that the rules be suspended and that Senate Bill No. 125 be considered properly re-engrossed and placed on second reading and final passage, as amended, 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, as amended, the roll was called and there were ayes, 42; nays, 0; absent and not voting, 7.

Those voting in the affirmative were:

Adam	Kehoe	Olson, McHenry
Bilden	Lavik	Olson, Mountrail
Bond	Lofthus	Page
Brant	Lynch	Porter
Braun	Morgan, Richland	Raschko
Bridston	Morgan, Walsh	Rue
Brunsdale	Nelson, Dickey	Schrock
Day	Nelson, Griggs-	Semerad
Drew	Steele	Solberg
Feton	Nelson, McKenzie	Streibel
Flatt	Nelson, Renville	Stucke
Foss	Nordhougen	Troxel
Ginter	O'Brien	Wog
Hoenck	Oksendahl	Young
Kamrath		

Absent and not voting:

Beaton	Guenther	Thatcher
Blank	Olson, Barnes	Watt
Greiser		

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

Senate Concurrent Resolution "P." A Concurrent Resolution Memorializing Congress and the President to Enact the Townsend Plan.

Was read the second time.

The question being on the final passage of the concurrent resolution, Senator Thatcher moved that Senate Concurrent Resolution "P" be adopted, which motion prevailed, and the resolution was declared adopted.

SECOND READING OF HOUSE BILLS

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, 45; nays, 0; absent and not voting, 4.

Those voting in the affirmative were:

Adam	Kehoe	Olson, Mountrail
Bilden	Lavik	Page
Blank	Lofthus	Porter
Bond	Lynch	Raschko
Brant	Morgan, Richland	Rue
Braun	Morgan, Walsh	Schrock
Bridston	Nelson, Dickey	Semerad
Brunsdale	Nelson, Griggs-	Solberg
Day	Steele	Streibel
Drew	Nelson, McKenzie	Stucke
Feton	Nelson, Renville	Thatcher
Flatt	Nordhougen	Troxel
Foss	O'Brien	Watt
Ginter	Oksendahl	Wog
Hoenck	Olson, McHenry	Young
Kamrath		

Absent and not voting:

Beaton	Guenther	Olson, Barnes
Greiser		

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

Senator Day moved that House Concurrent Resolution "D" be amended as follows:

In line 19, strike out the word "diary" and insert the word "dairy", which motion prevailed.

House Concurrent Resolution "D." Memorializing the United States Senate Committee on Agriculture to Investigate Utilization of Manpower in Agriculture.

Was read the second time.

The question being on the final passage of the concurrent resolution, Senator Day moved that House Concurrent Resolution "D" as amended be adopted, which motion prevailed, and the resolution was declared adopted.

House Concurrent Resolution "E." Regarding the Manufacturing of Rubber from Agricultural Products.

Was read the second time.

The question being on the final passage of the concurrent resolution, Senator Stucke moved that House Concurrent

Resolution "E" be adopted, which motion prevailed, and the resolution was declared adopted.

SIGNING OF BILLS

The Secretary announced that the President was about to sign:

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.

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 President signed the same in the presence of the Senate.

Senator Young moved that the Senate do now adjourn, which motion prevailed and the Senate stood adjourned.

W. J. TROUT, Secretary.

THIRTY-FIFTH DAY

Bismarck, February 8, 1943

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

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

Roll call: All Senators present except Senators Beaton, Greiser, Guenther and Olson of Barnes.

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

Mr. President: Your Committee on Revision and Correction of the Journal have carefully examined the Journal of the Thirty-third Day and find the same correct.

ORRIS G. NORDHOUGEN, Chairman.

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

MESSAGE TO THE HOUSE

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 Appro-

priation 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 Amendatory 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.

PETITIONS AND COMMUNICATIONS

The Secretary read communications from M. H. McIntyre,

secretary to President Roosevelt; from Congressman Usher L. Burdick; from Senator William Langer and Senator Gerald P. Nye, which have been received by the Secretary of State acknowledging the receipt of Senate Concurrent Resolution "F".

Senator Porter presented a communication from C. C. Crawford of Calvin, N. D., regarding the Welfare Board, which was referred to the Special Committee on Public Welfare.

The Lieutenant Governor presented a joint memorial from the House of Representatives of the State of Arizona regarding favoritism for youth of Japanese extraction in the advantages of higher education, which was referred to the Committee on State Affairs.

The Lieutenant Governor presented resolutions which were adopted by the members of Townsend Club No. 3 of Minot regarding old age pensions, which was referred to the Special Committee on Public Welfare.

The Lieutenant Governor presented a communication from Charles Barban, B.S.L. Ch. E., of New York, a consulting chemist and chemical engineer, in re S. B. 106, Cosmetic Registration Proposal, which was referred to the Committee on State Affairs.

A communication was read by the secretary from Mrs. Alfred Solberg of Buford, North Dakota, enclosing resolutions from the Resolutions Committee of the Land O' Lakes Creameries of District No. 40 regarding the sale of public lands to complete family sized units only, which was referred to the Committee on State Affairs.

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

Senator Lofthus moved that a committee of one be appointed to escort Former Senator Aasen to the rostrum, which motion prevailed.

The President appointed as such Committee of One, Senator Lofthus.

Former Senator Aasen: "Mr. President, Members of Senate and Staff: It is a great pleasure to come back and see those that I know and also to meet those that I haven't met before.

I certainly appreciate what you have done for me now, extending the courtesy of the floor to me. I hope to come back and see you many more times. Thank you."

Senator Lofthus moved that the remarks of Former Senator Aasen be printed in the Journal, which motion prevailed.

REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on Public Health to whom was referred Senate Bill No. 57, have had the same under consideration and recommend that the same be amended as follows:

On Page 9 of the printed bill, at the end of Line 65 and after the word "such" strike out letter "a".

On Page 10, Section 6, at end of Line 8, add word "under".

On Page 11, Section 7, Line 2, add parenthesis before words "Physicians and Dentists" and in Line 3, after word "dentist" add a comma.

On Page 12, Section 8, Line 1, correct spelling of word "preparations" to "Preparations"; in line 2, before word "specifically" strike out word "not" and in Line 18, make a new paragraph by indenting same.

On Page 14, Line 28, correct spelling of "pramacologic" to "pharmacologic".

On Page 15, Line 55, correct spelling of "eogenine" to "ecgonine".

On Page 16, line 4 at top of page, after comma, strike out language "he shall se-" and strike out all of following line, line 5, and in lieu thereof, insert the following language "he shall securely affix to each package in which that drug is contain-" and at end of line 8 after word "apothecary" strike out the comma.

On Page 17, Section 12, Line 8, after word "possession" strike out word "of" and insert in lieu thereof the word "or".

On Page 18, Line 10, change the word "such" to the word "said".

On Page 22, Section 22, add parenthesis before word "Constitutionality" and in line 5 of same Section 22, correct spelling of word "efect" to "effect".

On Page 23, Section 25, Line 2, correct spelling of word "efectuate" to "effectuate".

And when so amended recommend the same do pass.

E. C. STUCKE, Chairman.

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

Mr. President: Your Committee on Insurance to whom was referred Senate Bill No. 97, have had the same under consideration and recommend that the same be amended as follows:

After Section 3 insert the following:

"Section 4. EMERGENCY.) An emergency is hereby declared to exist and this act shall be in full force and effect from and after its passage and approval".

And when so amended recommend the same do pass.

FRANKLIN PAGE, Chairman.

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

Mr. President: Your Committee on Insurance to whom was referred Senate Bill No. 99, have had the same under consideration and recommend that the same do pass.

FRANKLIN PAGE, Chairman.

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

Mr. President: Your Committee on Insurance to whom was referred Senate Bill No. 100, have had the same under consideration and recommend that the same do pass.

FRANKLIN PAGE, Chairman.

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

Mr. President: Your Committee on Insurance to whom was referred Senate Bill No. 101, have had the same under consideration and recommend that the same be amended as follows:

Under Section 1 in line 20 strike out the words and figure "50% of it's authorized capital" and insert in lieu thereof the following, "at least fifty (50%) per cent of the minimum capital stock required by this section,".

And when so amended recommend the same do pass.

FRANKLIN PAGE, Chairman.

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

Mr. President: Your Committee on Insurance to whom was referred Senate Bill No. 102, have had the same under consideration and recommend that the same do pass.

FRANKLIN PAGE, Chairman.

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

Mr. President: Your Committee on Insurance to whom was referred Senate Bill No. 103, have had the same under consideration and recommend that the same do pass.

FRANKLIN PAGE, Chairman.

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

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 136, 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.

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.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF NORTH DAKOTA:

Section 1. From and after January 1st, 1944, no action shall be commenced or maintained, and no defense or counter-claim in any action shall be recognized, in the Courts of this State, upon the ground that any real estate mortgage foreclosure, sale in connection with which was had prior to January 1st, 1943, is defective, legally insufficient, or void, unless such action, defense or counterclaim is upon grounds other than the following:

1. That no notice of intention to foreclose the mortgage was served upon the record owner or other person or persons in the manner required by law, or that any such notice is defective in form or substance, or in manner of service or filing.
2. That no application for permission to foreclose such mortgage was made to or granted by the District Court.
3. That the printer's affidavit of publication of the Notice of Mortgage foreclosure Sale in connection with such foreclosure was made by an employee of the newspaper printing the notice other than the printer, publisher, foreman, clerk or bookkeeper of such newspaper.
4. That no Power of Attorney, or Attorney's affidavit was filed or recorded as provided by law.

Section 2. That after January 1st, 1944, all proceedings for and preliminary to the foreclosure of real estate mortgages where sales were had prior to January 1st, 1943, shall be deemed valid and sufficient notwithstanding the defects enumerated in Section One hereof.

And when so amended recommend the same do pass.

J. J. KEHOE, Chairman.

Senator Kehoe moved that the report be printed in the Journal without reading and further action be delayed one legislative day, which motion prevailed.

Mr. President: 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.

J. J. KEHOE, Chairman.

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

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 138, have had the same under consideration and recommend that the same do pass.

J. J. KEHOE, Chairman.

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

FIRST READING OF SENATE BILLS AND CONCURRENT RESOLUTIONS

The Committee on Appropriations introduced:

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.

Senator Raschko introduced:

Senate Bill No. 148. A Bill for an Act to Repeal Sections 2346a1 to 2346a50 Inclusive of the 1925 Supplement of the Compiled Laws of North Dakota for 1913 as Amended by Chapters 239 and 240 of the Laws of North Dakota for 1929, Chapters 283 and 284 of the Laws of North Dakota for 1931, Chapter 253 of the Laws of North Dakota for 1933, Chapter 241 of the Laws of North Dakota for 1937, Chapter 228 of the Laws of North Dakota for 1939 and Chapter 278 of the Laws of North Dakota for 1941 (The Income Tax Law), and Declaring an Emergency.

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

Senator Nelson of McKenzie introduced:

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.

Senator Page introduced:

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.

Senator Brant introduced:

Senate Bill No. 151. A Bill for an Act to Amend and Re-enact Section 20 of Chapter 286 of the Session Laws of 1941, Relating to Cancellation of Taxes in Tax Deed Proceedings and Declaring an Emergency.

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

Senator Bridston introduced:

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.

Senators Semerad and Streibel introduced:

Senate Bill No. 153. A Bill for an Act to Amend and Re-enact Section 7, Chapter 311 of the Session Laws of the State of North Dakota for the Year 1931, Relating to Weights and Measures; Conferring Powers of Peace Officers Upon All Inspectors of Weights and Measures, and Prescribing Penalties for Violation Thereof.

Was read the first time and referred to the Committee on Warehouse and Grain Grading.

The Committee on State Affairs introduced:

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.

Senators Stucke and Young introduced:

Senate Bill No. 155. A Bill for an Act Amending and Re-enacting Paragraph I of Section 3 of Chapter 251 of the Session Laws of 1939, Vesting Power and Jurisdiction Over, and Supervision of Every Employment, Place of Employment Subject to the Workmen's Compensation Law Where Persons Are or May Be Employed, Vesting in Said Bureau Supervision and Inspection of Steam Boilers, Pressure Vessels, Freight or Passenger Elevators, and Any Other Instrumentality Which in the Opinion of the Board May Create a Hazard, Empowering the Bureau to Fix and Collect Fees for Such Inspection, and Authorizing the Bureau to Provide Standards of Qualifications for Operators of Steam Boilers, to Grant Licenses to Operators, to Fix and Collect Fees Therefor and to Provide Standards of Safety, to Make Rules and Regulations Relating to Safety, and Exempting from the Operation of the Workmen's Compensation Law Certain Boilers and Pressure Vessels, and Boilers Under the Jurisdiction and Inspection of the United States and Heating Plants Used for Residential Purposes, Providing for the Creation of a Safety Fund, Making an Appropriation of Such Fund.

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

Senators Streibel and Kehoe introduced:

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.

Senators Rue and Kehoe introduced:

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.

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

Senators Day, Brunsdale, Rue, Stucke and Streibel introduced:

Senate Bill No. 158. A Bill for an Act to Amend and Re-enact Chapter 232, Laws of 1937, as Amended by Chapter 215, Laws of 1939, and Chapter 261, Laws of 1941, in Its Entirety; Providing for the Creation of an Unemployment Compensation Fund; for the Payment of Benefits and Collection of Contributions and the Administration Thereof; for the Accumulation of Such Fund from Contributions Required of Certain Employers; Providing Definitions of Terms Used in This Act. Providing for the Payment of Benefits for the Compensation of Involuntary Unemployment, Fixing the Qualifications and Eligibility for Such Benefit Payments, the Amount and Duration of Such Benefits, Providing for the Disqualification of Persons Claiming Unemployment Benefits and Stating the Basis of Such Disqualifications. Providing for the Hearing of Appeals of Employers and Employees, and the Judicial Review of the Findings on Appeal. Providing for the Rate of Contributions Required of Employers, and Establishing a Reduced Rate of Contributions. Establishing the Method of Determination of Such Reduced Rates; Providing for the Coverage of Employers by Voluntary Election, and Providing for Formal Termination of Coverage Under This Act. Providing for the Establishment of an Unemployment Compensation Division and a State Employment Service, Designating Such Divisions as a Part of the Workmen's Compensation Bureau of the State, and Providing for the Administration of Such Divisions, Including the Establishment of the Duties of the Bureau, the Establishment of a Trust Fund and an Administrative Fund. Authorizing the Bureau to Receive Grants from the Social Security Board or Successor Thereto for Their Administrative Services to the Unemployment Compensation Division. Providing for the Protection of the Rights and Benefits, and Providing Penalties for Violations of This Act. Providing for Reciprocal Arrangements With Other Unemployment Compensation Agencies. Providing for the Preservation and Destruction of Records and Declaring an Emergency.

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

Senator Day moved that Senate Bill No. 158 be not printed inasmuch as the sponsors of the bill have agreed to furnish mimeographed copies of same, which motion prevailed.

Senators Page and Olson of Mountrail introduced:

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.

Senators Watt and Bond introduced:

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.

BE IT RESOLVED BY THE SENATE OF THE STATE OF NORTH DAKOTA, THE HOUSE OF REPRESENTATIVES CONCURRING THEREIN:

- 1 That the members of the Legislature of North Dakota
- 1a salute
- 2 you as one of the three survivors of the State Constitu-
- 2a tional
- 3 Convention of 1889, and offer to you their sincere wishes
- 3a that
- 4 you may enjoy health, happiness, comfort for many years
- 4a to
- 5 come.
- 6 That we want you to know that we still recall that as
- 6a one
- 7 of the founders of North Dakota, you made a valuable
- 7a contribu-
- 8 tion to the welfare of our people. It is our wish that you
- 9 may have many more years of health, happiness and com-
- 9a fort.
- 10 **BE IT FURTHER RESOLVED**, that this Resolution
- 10a be printed in
- 11 the Journal, that it be signed by the Lieutenant Governor
- 11a and
- 12 the Secretary of the Senate and that a certified copy
- 12a thereof,
- 13 be mailed to the Honorable E. W. Camp, Los Angeles,
- 13a California.

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

Senators Watt and Bond introduced:

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.

BE IT RESOLVED BY THE SENATE OF THE STATE OF NORTH DAKOTA, THE HOUSE OF REPRESENTATIVES CONCURRING THEREIN:

- 1 That the members of the Legislature of North Dakota
- 2 salute you as one of the three survivors of the State
- 3 Constitutional Convention of 1889, and offer to you their
- 4 sincere wishes that you may enjoy health, happiness,

5 comfort for many years to come.

6 That we want you to know that we still recall that
7 you served our State with ability and fidelity as
8 Commissioner of Insurance and as Governor. Your good
8a work
9 is gratefully remembered by the people of North Dakota.
10 BE IT FURTHER RESOLVED, that this Resolution be
11 printed in the Journal, that it be signed by the
12 Lieutenant Governor and the Secretary of the Senate and
13 that a certified copy thereof, be mailed to the Honorable
14 Fred B. Fancher, 1242 West 42nd Street, Los Angeles,
15 California.

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

Senators Watt and Bond introduced:

SENATE CONCURRENT RESOLUTION "S"

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.

BE IT RESOLVED BY THE SENATE OF THE STATE OF NORTH DAKOTA, THE HOUSE OF REPRESENTATIVES CONCURRING THEREIN:

1 That the members of the Legislature of North Dakota
1a salute

2 you as one of the three survivors of the State Constitu-
2a tional

3 Convention of 1889, and offer to you their sincere wishes
3a that

4 you may enjoy health, happiness, comfort for many years
4a to come.

5 That we want you to know that we remember with
5a gratitude

6 the good work of yourself and the other founders of our
6a State.

7 It is our wish that peace and comfort be your lot through
7a all

8 the years to come.

9 BE IT FURTHER RESOLVED, that this Resolution be
9a printed

10 in the Journal, that it be signed by the Lieutenant Gov-
10a ernor

11 and the Secretary of the Senate and that a certified copy
12 thereof, be mailed to the Honorable Henry M. Peterson,
13 Coeur D'Alene Homes, Coeur D'Alene, Idaho.

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

Senator Morgan of Walsh moved that the rules be suspended and that Senate Concurrent Resolutions "Q", "R" and "S" be printed in full in the Journal, and not printed in bill form, which motion prevailed.

Senators Bridston, Page and Solberg introduced:

SENATE RESOLUTION "B-1"

A Senate Resolution providing for an Investigation into the various matters referred to in the Report of the Special Examining Commissioner as filed with the Legislature on February 1, 1943.

BE IT RESOLVED BY THE SENATE OF THE STATE OF NORTH DAKOTA:

1 WHEREAS, On February 3, 1943, the President of this

2 body appointed a Committee of three to investigate into
2a the

3 various matters referred to in the Report of the Special
4 Examining Commissioner; and.

5 WHEREAS, It appears that to properly conduct this in-
6 vestigation it may be necessary to subpoena certain wit-
7 nesses and records from and within various State Depart-
8 ments; and,

9 WHEREAS, It further appears that it may be necessary
10 and desirable to subpoena certain persons and records not
11 connected with the State Departments,

12 WHEREAS, It further appears that it may be desirable
13 to request the assistance of other members of the State
14 Senate,

15 NOW, THEREFORE, BE IT RESOLVED, That this
15a duly ap-

16 pointed Special Senate Committee, consisting of Senators
17 Bridston, Page and Solberg, are hereby, in the name of this.

18 body, authorized, directed and empowered to subpoena
18a such

19 officials, employees, records, documents, papers or other
20 matter, and require the production thereof, from the
20a offices

21 of the officials of this State, or elsewhere, as they may
22 deem necessary to the proper conduct of the investigation
23 heretofore directed.

24 BE IT FURTHER RESOLVED, That all officers of
24a this State

25 and all other persons to whom subpoenas may be directed
25a are,

26 in the name of this body, required or directed to present
27 themselves before this committee, together with such of-
28 ficial record or other records as they may be ordered to
29 produce by the service of an official subpoena issued in
30 the name of the Committee authorized to investigate the
31 matters referred to in the Report of the Special Examining
32 Commissioner, and when such is signed by the Chairman of
33 the Committee and attested by the Secretary of the
33a Senate;

34 BE IT FURTHER RESOLVED, That should any offi-
34a cials or

35 persons refuse to present themselves and their records be-
36 fore this Committee as directed in such subpoena as may
36a be

37 issued by this Committee in the name of the Senate, then
37a the

38 Sergeant-at-Arms is hereby directed that upon a request
38a by

39 the Committee that he will arrest such persons as fail to
40 appear, and that he shall then present such persons before
41 the bar of the Senate for such further action as may by
41a this

42 body be deemed necessary.

Was read the first time and referred to the Special Senate Investigating Committee composed of Senators Bridston, Solberg and Page.

Senator Bridston moved the adoption of Senate Resolution "B-1" and that it be printed in full in the journal, which motion prevailed.

Senator Drew moved that the report of the Committee on

Public Welfare on Senate Bill No. 43 as printed in the journal of the thirty-third day without reading, be adopted, which motion prevailed.

Senator Nelson of Dickey moved that the absent Senators be excused, which motion prevailed.

Senator Morgan of Richland moved that permission be given to the Committee on Game and Fish to hold up House Bill No. 55 longer than Senate Rule No. 42 allows the committee, for the reason that Senate Bill No. 132 is a duplication of House Bill No. 55, only broader, but has the same subject matter, and the committee would like to know what disposition is made of Senate Bill No. 132 before reporting on House Bill No. 55, which motion prevailed.

Senator Bridston moved that Senator Nelson of McKenzie be allowed to withdraw from the Committee on Banks and Banking and that Senator Braun be appointed on the Committee of Banks and Banking, which motion prevailed.

Senator Bridston moved that Senator Braun be allowed to withdraw from the Committee on Highways and that Senator Nelson of McKenzie be appointed on the Committee on Highways, which motion prevailed.

SECOND 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 second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 46; nays, 0; absent and not voting, 3.

Those voting in the affirmative were:

Adam	Kamrath	Olson, Mountrail
Bilden	Kehoe	Page
Blank	Lavik	Porter
Bond	Lofthus	Raschko
Brant	Lynch	Rue
Braun	Morgan, Richland	Schrock
Bridston	Morgan, Walsh	Semerad
Brunsdale	Nelson, Dickey	Solberg
Day	Nelson, Griggs-	Streibel
Drew	Steele	Stucke
Feton	Nelson, McKenzie	Thatcher
Flatt	Nelson, Renville	Troxel
Foss	Nordhougen	Watt
Ginter	O'Brien	Wog
Greiser	Oksendahl	Young
Hoenck	Olson, McHenry	

Absent and not voting:

Beaton	Guenther	Olson, Barnes
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So the bill passed and the title was agreed to, and the emergency clause was declared carried.

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.

Senator Schrock moved that Senate Bill No. 77 be amended as follows:

Following line 33, on page 3, insert the following words "providing however that district or state health officers shall not resort to, or be allowed to resort to compulsory vaccination and inoculation", which motion prevailed.

Senator Morgan of Richland moved a further amendment to Senate Bill No. 77 as follows:

On page 2 of the printed bill, in line 17, strike out the word "shall" and inser thę word "may", which motion prevailed.

Senator Braun moved that Senate Bill No. 77 be indefinitely postponed, which motion prevailed.

Senator Watt moved that the vote by which Senate Bill No. 77 was indefinitely postponed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

FIRST READING OF HOUSE BILLS AND CONCURRENT RESOLUTIONS

House Bill No. 6. A Bill for an Act Making an Appropriation for the Purpose of Paying Insurance Tax to the Variou Fire Departments of the State.

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

House Bill No. 16. A Bill for an Act Making an Appropriation for the 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 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.

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

House Bill No. 26. A Bill for an Act Making an Appropriation for the Purpose of Defraying the Expenses of the Maintenance and Operation of the State Highway Department.

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

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.

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.

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.

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.

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

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.

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 and Livestock.

Senator Young moved that the Senate do now recess until one o'clock p. m. February 9th, which motion prevailed, and the Senate stood recessed.

W. J. TROUT, Secretary.

THIRTY-FIFTH DAY AFTER RECESS AND
THIRTY-SIXTH DAY

Bismarck, February 9, 1943

The Senate re-convened at 1:00 p. m., pursuant to motion made on Monday, Feb. 8th, with the President presiding.

The President announced that the Senate would be on the 7th order of business for the introduction of bills, resolutions and memorials and first reading of same.

FIRST READING OF SENATE BILLS AND
CONCURRENT RESOLUTIONS

Senator Olson of Barnes introduced:

Senate Bill No. 160. A Bill for an Act Prohibiting the Sale of Intoxicating Beverages in or on Any Premises Located in Any Basement or Below the First Floor of Any Building or in Premises Located in an Alley; and Providing Penalties.

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

Senators Brant and Lynch introduced:

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, 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.

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

Senators Shrock and Thatcher introduced:

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.

Senators Streibel and Olson introduced:

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.

Senator Lofthus introduced:

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, and Providing a Penalty Therefor.

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

Senators Stucke, Rue, Porter and Olson of Mountrail introduced:

Senate Bill No. 165. A Bill for an Act Amending and Re-enacting Paragraph 4 of Subsection "F" of Section 2 of Chapter 232 of the Session Laws of the State of North Dakota for the Year 1937, Defining the Term "Employer," Including the State of North Dakota in Such Definition, Subsection "G" Section 2 of Chapter 232 of the Session Laws of North Dakota for the Year 1937, Defining the Term "Employee".

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

Senators Wog, Flatt, Guenther, Brunsdale, Lavik and Brant introduced:

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.

Senator Braun introduced:

Senate Bill No. 167. A Bill for an Act to Amend and Re-enact Section 4, Chapter 291, of the Session Laws of North Dakota for the Year 1941, Relating to Unfair Trade Practices.

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

The Committee on Appropriations introduced:

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.

The Committee on Appropriations introduced:

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 at the State Mill and Elevator, and Making an Appropriation Therefore.

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

The Committee on Banks and Banking introduced:

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.

The Committee on Banks and Banking introduced:

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.

The Committee on Banks and Banking introduced:

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.

Senator O'Brien (by request) introduced:

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 Corporations.

Senators Nordhougen, Flatt and Lynch introduced:

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 Insurance.

Senators Lofthus, Solberg, Kehoe, Lavik and Thatcher introduced:

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 and Declaring an Emergency.

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

Senators Drew and Brunsdale introduced:

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 State Affairs.

Senator Greiser introduced:

Senate Bill No. 177. A Bill for an Act Prohibiting Members of the Legislative Assembly of North Dakota from Soliciting, Receiving, or Accepting Reinsurance from the State Fire and Tornado Fund, or Any Other Insurance Covering or Connected With Any State Departments, Institutions, or Industries or Political Sub-divisions of This State, and Declaring an Emergency.

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

Senators Bilden, Kehoe and Brant introduced:

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.

Senators Young, Streibel and Kehoe introduced:

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.

Senators Blank, Thatcher, Lofthus, Page and Lynch introduced:

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.

Senators Young, Streibel and Kehoe introduced:

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, 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.

Senators Young, Streibel and Kehoe introduced:

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.

The Committee on State Affairs introduced:

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.

Senators Thatcher, Brant, Blank, Young, Rue, Kehoe, Bridston and Morgan of Richland introduced:

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 Highways.

The Senate Interim Committee (Senators Streibel and Kehoe) introduced.

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 State Affairs.

The Senate Interim Committee (Senators Streibel and Kehoe) introduced.

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 Banks and Banking.

The Committee on Banks and Banking introduced:

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 Interim Committee (Senators Streibel and Kehoe) introduced:

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 Interim Committee (Senators Streibel and Kehoe) introduced:

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 Judiciary.

Senators Young, Solberg and Blank introduced:

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.

Senators Solberg and Nelson of Renville introduced:

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.

Senators Nelson of Griggs-Steele and Solberg introduced:

Senate Concurrent Resolution "U." A Concurrent Resolution Requesting Congress to Investigate Labor Unions and Their Activities.

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

Senators Thatcher and Stucke introduced:

Senate Concurrent Resolution "V." A Concurrent Resolution Providing for the Suspension of the Operation of the Initiated Act Approved June 28th, 1938 Prohibiting Members of the Legislative Assembly from Receiving or Accepting State Employment, and Declaring an Emergency.

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

Senators Bridston and Brunsdale introduced:

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.

Senators Bridston and Brunsdale introduced:

Senate Concurrent Resolution "X." A Concurrent Resolution Providing for the Amendment of Section 32 of the Constitution of the State of North Dakota.

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

Senators Bridston and Brunsdale introduced:

Senate Concurrent Resolution "Y." A Concurrent Resolution Providing for the Amendment of Section 26 of the Constitution of the State of North Dakota.

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

Senators Bridston and Brunsdale introduced:

Senate Concurrent Resolution "Z." A Concurrent Resolution Providing for the Amendment of Section 82 of the Constitution of the State of North Dakota.

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

Senator Young moved that the Senate do now recess until 1:50 p. m., which motion prevailed and the Senate stood recessed.

The Senate reconvened at 1:50 p. m., pursuant to motion of Senator Young.

The President announced that the Senate would be on the seventh order of business for the introduction of bills, resolutions and memorials and first reading of same.

FIRST READING OF SENATE BILLS

Senators Streibel and Kehoe introduced:

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.

Senator Wog introduced:

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 first time and referred to the Committee on State Affairs.

Senator Day introduced:

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 Elections.

Senator Thatcher introduced:

Senate Bill No. 194. A Bill for an Act to Amend and Re-enact Section 1 of Chapter 186 of the Session Laws of 1939, Authorizing the Investment of All Trust Funds by the Legal Custodian of Such Funds.

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

Senator Rue (by request) introduced:

Senate Bill No. 195. A Bill for an Act to Amend and Re-enact Section 7 of Chapter 144 of the Session Laws of 1929.

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

Senators Brunsdale, Kehoe and Day introduced:

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.

Senator O'Brien introduced:

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.

Senators Braun and Solberg introduced:

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.

Senator Young moved that the Senate do now adjourn, which motion prevailed and the Senate stood adjourned.

W. J. TROUT, Secretary.

THIRTY-SIXTH DAY

Bismarck, February 9, 1943

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

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

Roll call: All Senators present except Senator Guenther.

MESSAGES TO THE HOUSE

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.

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.

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

Mr. President: Your Committee on Revision and Correction of the Journal have carefully examined the Journal of the thirty-third day after recess and thirty-fifth day and find the same correct.

ORRIS G. NORDHOUGEN, Chairman.

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

PETITIONS AND COMMUNICATIONS

A telegram was read by the Secretary from Frank Hill,

Secretary, North Dakota Health Officers Association, requesting the Senate to reconsider Senate Bill No. 77, which telegram was referred to the Committee on Public Welfare.

REPORTS OF STANDING COMMITTEES

The Committee on Enrollment and Engrossment made the following report:

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

- Senate Bill No. 101.
- Senate Bill No. 125.
- Senate Bill No. 57.
- Senate Bill No. 97.
- Senate Bill No. 136.
- Senate Bill No. 43.

And find the same correctly Engrossed.

W. R. BOND, Chairman.

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

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 5, have had the same under consideration and recommend that the same be amended as follows:

Under Section 1 in line 3, strike out the figures \$43,360.00 and insert the figures \$86,620.00 in lieu thereof.

Under Section 1 in line 9, strike out the figures \$4,800.00 and insert the figures \$6,000.00 in lieu thereof.

Under Section 1 in line 10, strike out Deputy \$3,600.00 in parenthesis and strike out the figures \$7,200.00 and insert the figures \$9,120.00 in lieu thereof.

Under Section 1 in line 11, strike out the figures \$3,260.00 and insert the figures \$3,450.00 in lieu thereof.

Under Section 1 in line 12, strike out the figures \$1,200.00 and insert the figures \$1,500.00 in lieu thereof.

Under Section 1 in line 13, strike out the figures \$3,500.00 and insert the figures \$4,000.00 in lieu thereof.

Under Section 1 in line 15, strike out the figures \$2,500.00 and insert the figures \$3,000.00 in lieu thereof.

Under Section 1 in line 16, strike out the figures \$400.00 and insert the figures \$5,000.00 in lieu thereof.

Under Section 1 in line 17, strike out the figures \$5,000.00 and insert the figures \$37,950.00 in lieu thereof.

Under Section 1 in line 18, strike out the figures \$200.00 and insert the figures \$300.00 in lieu thereof.

Under Section 1 in line 19, strike out the figures \$14,000.00 and insert the figures \$15,000.00 in lieu thereof.

Under Section 1 in line 20 for the total, strike out the figures \$43,360.00 and insert the figures \$86,620.00 in lieu thereof.

And when so amended recommend the same do pass.

WM. WATT, Chairman.

Senator Olson of Mountrail moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 34, 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:

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.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF NORTH DAKOTA:

Section 1. AMENDMENT.) That Section 3, of Chapter 229, of the 1941 Session Laws is hereby amended and re-enacted to read as follows:

Section 3. So far as it may be possible to so do, such buildings and equipment shall be utilized for the establishment and operation of said Farm. The board shall have authority to make such use and disposal of such buildings and equipment as they find necessary to facilitate the operation of said farm, and the employment of persons who have been or may be committed thereto; and to that end the board may cause such buildings and equipment to be moved to other locations on lands under the control of said board and used in the operation of said farm, or in the farming operations of the Penitentiary. The board may utilize any of such buildings or any of such equipment, that is not needed and cannot be used profitably in the establishment and operation of such farm, at the Penitentiary or at the State Training School, and generally make such disposal and use of such buildings and equipment as shall prevent loss and waste, and result in public benefit.

Section 2. AMENDMENT.) That Section 4 of Chapter 229, of the 1941 Session Laws is hereby amended and re-enacted to read as follows:

Section 4. The said Board shall have charge and control of said Farm, and of all property which said Board has received or acquired, or may hereafter receive or acquire, incident to or for the establishment and operation of said Farm. For administrative and operational purposes the said Farm shall be deemed a facility of the State Penitentiary, and shall be operated in connection therewith. The Warden of the Penitentiary shall be the superintendent or chief administrative officer of the Farm. Machinery, equipment, livestock and other property of the Penitentiary and of the Farm may be used interchangeably. The Board may employ such help as may be necessary, and as available funds will permit, and prescribe their duties and fix their compensation. The Board may assign to said farm in any capacity, persons employed in connection with the operation of the State Penitentiary. Such person or persons may be assigned either for full time or part time work, and, in the judgment of the Board, the compensation of such persons may be continued to be paid and charged as it was before they were assigned to work at said State Farm. Until the said Farm has been put into operation, all properties that have been received and acquired by the said Board for the establishment and operation of said Farm may be utilized in carrying on the operations of the State Penitentiary.

Section 3. AMENDMENT.) That Section 7 of Chapter 229 of the 1941 Session Laws is hereby amended and re-enacted to read as follows:

Section 7. The cost of transporting persons committed to the State Farm shall be paid as the costs of transporting persons committed to the State's Penitentiary are paid. The cost of care and keep of persons who are committed to the State Farm for the commission of a crime for which they might have been sentenced to the Penitentiary shall be paid by the State out of the funds appropriated for such purpose for persons committed to the State Penitentiary, or out of the funds appropriated in this act. The cost of care and keep of persons committed to said farm for the commission of a crime for which they might have been sentenced to a county jail, but, might not have been sentenced to the State Penitentiary, shall be paid by the county from which such person is committed at the rate of \$1.00 per day per person.

The Board shall have authority to enter into an arrangement or agreement with the proper authorities of the Federal Government, whereby persons convicted of a crime in the Federal Court of this State may be committed to said Farm. Provided, however, that persons convicted in the Federal Court shall be committed and admissible to the said Farm only if the term of sentence is not less than 30 days nor more than one year.

Section 4. AMENDMENT.) That Section 8 of Chapter 229 of the 1941 Session Laws be amended and re-enacted to read as follows:—

Section 8. Whenever such Farm shall have been equipped with facilities sufficient to be put into operation, the Board shall notify the judges of the district court and of the county courts with increased jurisdiction that such Farm is ready to receive prisoners. Thereafter, the judges of the district courts, and of the county courts with increased jurisdiction, may commit thereto, so far as the capacity of the Farm shall permit, all male persons who otherwise would be committed to the County Jail or to the State Penitentiary for violation of any criminal law of this state, where the sentence is not less than thirty (30) days nor more than one year. A person committed to the State Work Farm shall not be deemed to have been convicted of a felony, but shall be deemed to have been convicted of a misdemeanor.

SECTION 5. AMENDMENT.) That Section 9 of Chapter 229 of the 1941 Session Laws be amended and re-enacted to read as follows:—

SECTION 9. The laws relating to compensation, the merit system, good time and extra good time, and the imposition of penalties for misconduct provided by law for persons imprisoned in the State Penitentiary, shall be applicable to persons committed to the State Work Farm, except in so far as they may be inconsistent with the provisions of this Act. Where a person who has been committed to the Farm conducts himself in such manner as to interfere with the operation of the farm, or with the welfare or safety of others, and where in the judgment of the board the best interests of such person or the best interests and welfare of other persons committed to the farm so require, the board may direct that such person be removed from the farm and

placed in the State Penitentiary. The board, may, also, direct that persons who have been sentenced to the penitentiary be transferred to the Farm, when such action seems desirable and in the best interest of the person so transferred, and in no manner detrimental to the welfare of other persons that have been committed to the said Farm.

The board may cause persons committed to the said Farm to be assigned for work incident to the operations of the penitentiary, or of any other institution under the control of the said Board.

Section 6. AMENDMENT.) That Section 10 of Chapter 229, of the 1941 Session Laws, be amended and re-enacted to read as follows:

Section 10. There is hereby appropriated the sum of \$50,000.00 out of the State Treasury, not otherwise appropriated, or so much thereof as may be necessary, to pay for the establishment, and operation of said Farm, and the maintenance of the persons committed thereto, for the biennium beginning July 1st, 1943, and ending June 30th, 1945. There is, also, hereby appropriated for the same purposes all moneys received from counties and from the Federal Government under Section 3 of this Act, during said biennium.

And when so amended recommend the same do pass.

WM. WATT, Chairman.

Senator Watt moved that the report of the Committee on Appropriations on Senate Bill No. 34 be printed in the Journal without reading and action delayed one legislative day, which motion prevailed.

Mr. President: 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 be amended as follows:

In line 12 of the printed bill, after the word "container" strike out the balance of Section 6 and insert in lieu thereof the following:

Every Brewery whose product is licensed for sale in this State shall on or before the 15th of each month file with the State Tax Commissioner a report of all shipments of beer for sale in the State during the previous month, such reports to be in the manner and form prescribed by the State Tax Commissioner. Every Wholesaler licensed to do business in this State, shall on or before the 15th of each month, make an exact return to the State Tax Commissioner of the amount of beer bought by him within or without the State during the previous month in the manner and form as shall be prescribed by the State Tax Commissioner and the State Tax Commissioner shall have the right at any time to make an examination of the said Wholesaler's books and of his premises, and otherwise check the accuracy of such return. Any Wholesaler who fails to make the return to the State Tax Commissioner shall be liable to a penalty of not less than Fifty dollars (\$50.00) per day for each day of delay. Any Wholesaler who refuses to allow such examination, or fails to make an accurate return according to the manner prescribed, shall be guilty of an offense and shall be liable to a fine not exceeding One Thousand dollars (\$1,000.00). With such return, the said Wholesaler shall pay to the State Tax Commissioner the amount of tax upon all beer which shall

have been bought by him during the previous month, less leakers and breakage in transit and tax exempt Government sales. Provided, that the tax on all beer transferred or resold by one Wholesaler to another for sale within the State shall be paid by the Wholesaler receiving such shipment in the same manner as though received direct from a Brewery and the Wholesaler making such transfer shall be credited with the tax thereon and provided further that Wholesalers licensed in this State and also operating in adjoining States who receive beer from Breweries or any other source and which beer is sold outside the State, shall receive proper credit for the tax thereon. Any penalties or fines collected under the provisions of this Section shall be paid over to the State Treasurer in the same manner as the license fees are remitted.

And when so amended recommend the same do pass.

E. H. BRANT, Chairman.

Senator Brant moved that the report of the Committee on Tax and Tax Laws on Senate Bill No. 48 be printed in the Journal without reading and action delayed one legislative day, which motion prevailed.

Mr. President: 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 be amended as follows:

In line 34 of the printed bill, strike out the words "in the discretion of the State Tax Commissioner".

And when so amended recommend the same do pass.

E. H. BRANT, Chairman.

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

Mr. President: Your Committee on State Affairs to whom was referred Senate Bill No. 64, have had the same under consideration and recommend that the same be indefinitely postponed.

J. B. BRIDSTON, Chairman.

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

Mr. President: Your Committee on Banks and Banking to whom was referred Senate Bill No. 72, have had the same under consideration and recommend that the same be indefinitely postponed.

M. J. RASCHKO, Chairman.

Senator Raschko moved that the report be adopted.

Senator Olson of Mountrail made a substitute motion that Senate Bill No. 72 be placed on the calendar and demanded a roll call.

ROLL CALL

The question being on the substitute motion of Senator Olson of Mountrail, the roll was called and there were ayes, 15; nays, 33; absent and not voting, 1.

Those voting in the affirmative were:

Adam	Nelson, Dickey	Solberg
Beaton	Nelson, McKenzie	Streibel
Ginter	Nelson, Renville	Stucke
Greiser	Olson, McHenry	Thatcher
Lynch	Olson, Mountrail	Troxel

Those voting in the negative were:

Bilden	HoencK	Oksendahl
Blank	Kamrath	Olson, Barnes
Bond	Kehoe	Page
Brant	Lavik	Porter
Braun	Lofthus	Raschko
Bridston	Morgan, Richland	Rue
Brunsdale	Morgan, Walsh	Schrock
Day	Nelson, Griggs-	Semerad
Drew	Steele	Watt
Feton	Nordhougen	Wog
Flatt	O'Brien	Young

Foss

Absent and not voting:

Guenther

So the motion was declared lost.

The question now being on the original motion of Senator Raschko that the Report of the Committee on Banks and Banking on Senate Bill No. 72 be adopted, the motion was put and declared carried.

Senator Raschko moved that the vote by which the Report of the Committee on Banks and Banking on Senate Bill No. 72 was adopted be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 78, have had the same under consideration and recommend that the same be returned to the Senate without recommendation.

WM. WATT, Chairman.

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

Senator Flatt moved that Senate Bill No. 78 be placed on the calendar, which motion prevailed.

Mr. President: Your Committee on Tax and Tax Laws to whom was referred Senate Bill No. 82, have had the same under consideration and recommend that the same be indefinitely postponed.

E. H. BRANT, Chairman.

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

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 105, have had the same under consideration and recommend that the same be amended as follows:

Beginning with line 44, strike all of Section 6 out and renumber the following Sections and lines accordingly.

And when so amended recommend the same do pass.

WM. WATT, Chairman.

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

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 106, have had the same under consideration and recommend that the same be amended as follows:

Beginning with line 41, strike out all of Section 5 and renumber the following Sections and lines accordingly.

And when so amended recommend the same do pass.

WM. WATT, Chairman.

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

Mr. President: Your Committee on Education to whom was referred Senate Bill No. 116, have had the same under consideration and recommend that the same do pass.

RILIE R. MORGAN, Chairman.

Senator Morgan of Walsh moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Education to whom was referred Senate Bill No. 117, have had the same under consideration and recommend that the same be amended as follows:

In line 42 strike out the word "country" and insert in lieu thereof the word "county". After the word "purposes" in line 45 insert the following language, "Nothing herein contained shall be construed to prevent the appropriation of money from the county general fund for the support and maintenance of the county agricultural and training schools.

And when so amended recommend the same do pass.

RILIE R. MORGAN, Chairman.

Senator Morgan of Walsh moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Education to whom was referred Senate Bill No. 118, have had the same under consideration and recommend that the same be amended as follows:

In line 63 strike out the word "three" and insert the word "six".

And when so amended recommend the same do pass.

RILIE R. MORGAN, Chairman.

Senator Morgan of Walsh moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 147, have had the same under consideration and recommend that the same do pass.

WM. WATT, Chairman.

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

Mr. President: Your Committee on 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 35 strike out the word "two" and insert in lieu thereof the word "three" and in line 36 after the word "published" insert "nearest the land and in the newspaper designated for the publication of the official proceedings and legal notices".

And when so amended recommend the same do pass.

RILIE R. MORGAN, Chairman.

Senator Morgan of Walsh moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on State Affairs to whom was referred Senate Concurrent Resolution "Q," have had

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

J. B. BRIDSTON, Chairman.

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

Mr. President: Your Committee on State Affairs to whom was referred Senate Concurrent Resolution "R," have had the same under consideration and recommend that the same do pass.

J. B. BRIDSTON, Chairman.

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

Mr. President: Your Committee on State Affairs to whom was referred Senate Concurrent Resolution "S," have had the same under consideration and recommend that the same do pass.

J. B. BRIDSTON, Chairman.

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

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 3, have had the same under consideration and recommend that the same do pass.

WM. WATT, Chairman.

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

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

WM. WATT, Chairman.

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

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

WM. WATT, Chairman.

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

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 14, have had the same under consideration and recommend that the same do pass.

WM. WATT, Chairman.

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

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 15, have had the same under consideration and recommend that the same do pass.

WM. WATT, Chairman.

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

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 32, have had the same under consideration and recommend that the same do pass.

WM. WATT, Chairman.

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

Mr. President: Your Committee on Appropriations to

whom was referred House Bill No. 36, have had the same under consideration and recommend that the same do pass.

WM. WATT, Chairman.

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

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 56, have had the same under consideration and recommend that the same do pass.

WM. WATT, Chairman.

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

Mr. President: Your Committee on Education to whom was referred House Bill No. 66, have had the same under consideration and recommend that the same be indefinitely postponed.

RILIE R. MORGAN, Chairman.

Senator Morgan of Walsh moved that the report be adopted, which motion prevailed and the report was adopted.

MESSAGES FROM THE HOUSE

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.

Senator Nelson of Dickey moved that the absent Senator be excused, which motion prevailed.

Senator Stucke moved that the sponsors of Senate Bill No. 63 be allowed to withdraw this bill, which motion prevailed.

Senator Kehoe moved that the vote by which Senate Bill No. 45 was indefinitely postponed be reconsidered, which motion prevailed.

Senator Braun moved that the rules be suspended and that Senate Bill No. 45 be placed at the head of the calendar, which motion was declared lost.

Senator Kehoe moved that Senate Bill No. 45 be placed at the head of the calendar, which motion prevailed.

Senator Watt moved that the vote by which Senate Bill No. 77 was laid on the table be reconsidered, which motion was declared lost on a rising vote, as it required a two-thirds vote.

Senator Morgan of Walsh moved that the name of Senator Guenther be taken from the Committee on Delayed Bills, as chairman, and the name of Senator Brunsdale be substituted, which motion prevailed.

SECOND 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 second time.

Senator Bridston moved that Senate Bill No. 45 be amended as follows:

Insert a comma after the word "survivor" in the third line of the amended bill as printed on page 193 of the Senate journal, and following the comma insert the language: "if not given under the will the equivalent of the part of the Estate that he or she would take as heir under the Law of Succession", and then insert a comma after the word, "Succession", which motion prevailed.

Senator Young moved a further amendment to Senate Bill No. 45 as follows:

By adding Section 3.

"Section 3. TIME OF EFFECTIVE DATE.) This Act shall not take effect and be in force until the first day of January, 1944.", which motion prevailed.

Senator Kehoe moved that the rules be suspended and that Senate Bill No. 45 be considered properly re-engrossed and placed on second reading and final passage, as amended, which motion prevailed.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 32; nays, 16; absent and not voting, 1.

Those voting in the affirmative were:

Beaton	Kamrath	Porter
Bilden	Kehoe	Rue
Blank	Lofthus	Schrock
Brant	Lynch	Semerad
Braun	Nelson, Dickey	Solberg
Bridston	Nelson, Griggs-	Stucke
Brunsdale	Steele	Thatcher
Day	Nordhougen	Troxel
Drew	Oksendahl	Watt

Flatt	Olson, McHenry	Wog
Ginter	Olson, Mountrail	Young
Those voting in the negative were:		
Adam	Lavik	O'Brien
Bond	Morgan, Richland	Olson, Barnes
Feton	Morgan, Walsh	Page
Foss	Nelson, McKenzie	Raschko
Greiser	Nelson, Renville	Streibel
Hoenck		

Absent and not voting:
Guenther

So the bill passed and the title was agreed to.

Senator Flatt: "I vote 'Aye' for the purpose of reconsideration."

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 second time.

Senator Foss moved that Senate Bill No. 57 be amended as follows: In section 19, in line 2, after the word "State", strike out "Department of Health" and insert the word "Laboratories Dept."

Senator Morgan of Richland made a substitute motion that Senate Bill No. 57 be re-referred to the Committee on Public Health, which motion prevailed.

Senator Braun requested that the Senate be on the 8th order of business, which request was granted.

Senator Braun moved that the vote by which Senate Bill No. 77 was laid on the table be reconsidered, which motion prevailed.

Senator Kehoe moved that the report of the Committee on Judiciary on Senate Bill No. 136 as printed in the journal

of the thirty-fifth day without reading, be adopted, which motion prevailed.

Senator Braun moved that the vote by which Senate Bill No. 77 was indefinitely postponed be re-considered, which motion prevailed.

Senator Bridston moved that Senate Bill No. 77 be referred to the Committee on Public Health, which motion prevailed.

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, 36; nays, 9; absent and not voting, 4.

Those voting in the affirmative were:

Adam	Flatt	Oksendahl
Beaton	Foss	Olson, Barnes
Bilden	Ginter	Page
Blank	Hoencck	Porter
Bond	Kehoe	Raschko
Brant	Lavik	Rue
Braun	Lofthus	Schrock
Bridston	Lynch	Stucke
Brunsdale	Morgan, Richland	Thatcher
Day	Morgan, Walsh	Troxel
Drew	Nelson, McKenzie	Wog
Feton	O'Brien	Young

Those voting in the negative were:

Greiser	Nelson, Renville	Semerad
Kamrath	Olson, McHenry	Solberg
Nelson, Dickey	Olson, Mountrail	Streibel

Absent and not voting:

Guenther	Nordhougen	Watt
Nelson, Griggs-		
Steele		

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

Senator Greiser: "This bill has not been explained and I don't know anything about it. Therefore, I vote 'No'."

Senator Bridston requested that the Senate be on the 8th order of business, which request was granted.

Senator Bridston: "We have a former senator from the 7th district with us today. I would like to move that a committee of one be appointed to escort Former Senator Oswald Braaten to the rostrum," which motion prevailed.

The President appointed 'as such committee, Senator Bridston.

Former Senator Braaten: "I am very happy to meet with you fellows again. As a former member of the Senate, I am very interested in the work you are doing here and I come up here for a few days just to visit with friends here and watch what you are doing. I thank you."

Senator Bridston moved that the Senate do now recess until 1:30 p. m. February 10th, which motion prevailed, and the Senate stood recessed.

W. J. TROUT, Secretary.

THIRTY-SIXTH DAY AFTER RECESS AND
THIRTY-SEVENTH DAY

Bismarck, February 10, 1943

The Senate re-convened at 1:30 p. m., pursuant to motion by Senator Young on February 9th.

The President announced that the Senate would be on the tenth order of business for the second reading of Senate bills.

SECOND READING OF SENATE BILLS

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, 43; nays, 0; absent and not voting, 6.

Those voting in the affirmative were:

Adam	Kehoe	Olson, Mountrail
Bilden	Lavik	Page
Blank	Lofthus	Porter
Bond	Lynch	Raschko
Brant	Morgan, Richland	Rue
Braun	Morgan, Walsh	Schrock
Bridston	Nelson, Dickey	Semerad
Brunsdale	Nelson, McKenzie	Solberg
Day	Nelson, Renville	Streibel
Drew	Nordhogen	Stucke
Feton	O'Brien	Thatcher
Flatt	Oksendahl	Troxel
Greiser	Olson, Barnes	Wog
Hoeneck	Olson, McHenry	Young
Kamrath		

Absent and not voting:

Beaton	Guenther	Watt
Foss	Nelson, Griggs-	
Ginter	Steele	

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

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, 43; nays, 0; absent and not voting, 6.

Those voting in the affirmative were:

Adam	Kamrath	Olson, Mountrail
Beaton	Kehoe	Page
Bilden	Lavik	Porter
Blank	Lofthus	Raschko
Bond	Lynch	Rue
Brant	Morgan, Richland	Schrock
Braun	Morgan, Walsh	Semerad
Bridston	Nelson, Dickey	Solberg
Brunsdale	Nelson, McKenzie	Streibel
Day	Nelson, Renville	Stucke
Drew	O'Brien	Thatcher
Feton	Oksendahl	Troxel
Flatt	Olson, Barnes	Wog
Greiser	Olson, McHenry	Young
Hoencck		

Absent and not voting:

Foss	Nelson, Griggs-	Nordhougen
Ginter	Steele	Watt
Guenther		

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

Senate Bill No. 101. A Bill for an Act 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, 46; nays, 0; absent and not voting, 3.

Those voting in the affirmative were:

Adam	Kamrath	Olson, Mountrail
Beaton	Kehoe	Page
Bilden	Lavik	Porter
Blank	Lofthus	Raschko
Bond	Lynch	Rue
Brant	Morgan, Richland	Schrock
Braun	Morgan, Walsh	Semerad
Bridston	Nelson, Dickey	Solberg
Brunsdale	Nelson, McKenzie	Streibel
Day	Nelson, Renville	Stucke
Drew	Nordhougen	Thatcher
Feton	O'Brien	Troxel
Flatt	Oksendahl	Watt
Foss	Olson, Barnes	Wog

Greiser	Olson, McHenry	Young
Hoenck		
Absent and not voting:		
Ginter	Guenther	Nelson, Griggs- Steele

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

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, the roll was called and there were ayes, 47; nays, 0; absent and not voting, 2.

Those voting in the affirmative were:

Adam	Kamrath	Olson, McHenry
Beaton	Kehoe	Olson, Mountrail
Bilden	Lavik	Page
Blank	Lofthus	Porter
Bond	Lynch	Raschko
Brant	Morgan, Richland	Rue
Braun	Morgan, Walsh	Schrock
Bridston	Nelson, Dickey	Semerad
Brunsdale	Nelson, Griggs-	Solberg
Day	Steele	Streibel
Drew	Nelson, McKenzie	Stucke
Feton	Nelson, Renville	Thatcher
Flatt	Nordhougen	Troxel
Foss	O'Brien	Watt
Greiser	Oksendahl	Wog
Hoenck	Olson, Barnes	Young
Absent and not voting:		
Ginter	Guenther	

So the bill passed and the title was agreed to.

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, 46; nays, 0; absent and not voting, 3.

Those voting in the affirmative were:

Adam	Kehoe	Olson, Mountrail
Beaton	Lavik	Page
Bilden	Lofthus	Porter
Bond	Lynch	Raschko
Brant	Morgan, Richland	Rue
Braun	Morgan, Walsh	Schrock
Bridston	Nelson, Dickey	Semerad
Brunsdale	Nelson, Griggs-	Solberg
Day	Steele	Streibel
Drew	Nelson, McKenzie	Stucke

Feton	Nelson, Renville	Thatcher
Flatt	Nordhogen	Troxel
Foss	O'Brien	Watt
Greiser	Oksendahl	Wog
Hoenck	Olson, Barnes	Young
Kamrath	Olson, McHenry	
Absent and not voting:		
Blank	Ginter	Guenther

So the bill passed 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, 47; nays, 0; absent and not voting, 2.

Those voting in the affirmative were:

Adam	Kamrath	Olson, McHenry
Beaton	Kehoe	Olson, Mountrail
Bilden	Lavik	Page
Blank	Lofthus	Porter
Bond	Lynch	Raschko
Brant	Morgan, Richland	Rue
Braun	Morgan, Walsh	Schrock
Bridston	Nelson, Dickey	Semerad
Brunsdale	Nelson, Griggs-	Solberg
Day	Steele	Streibel
Drew	Nelson, McKenzie	Stucke
Feton	Nelson, Renville	Thatcher
Flatt	Nordhogen	Troxel
Foss	O'Brien	Watt
Greiser	Oksendahl	Wog
Hoenck	Olson, Barnes	Young
Absent and not voting:		
Ginter	Guenther	

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

Senator Young moved that the Senate do now adjourn, and the Senate stood adjourned.

W. J. TROUT, Secretary.

THIRTY-SEVENTH DAY

Bismarck, February 10, 1943

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

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

Roll call: All Senators present except Senators Ginter and Guenther.

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

Mr. President: Your Committee on Revision and Correction of the Journal have carefully examined the Journal of the

Thirty-fifth Day After Recess and Thirty-sixth Day and find the same correct.

ORRIS G. NORDHOUGEN, Chairman.

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

MESSAGES TO THE HOUSE

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 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 requested.

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.

PETITIONS AND COMMUNICATIONS

A telegram received by the Lieutenant Governor from the Devils Lake Kiwanis Club urging the passage of House Bill No. 77 was referred to the Committee on Irrigation and Drainage.

The Secretary read two communications from George Krieger, Acting Director, Farm Machinery and Equipment

Division, War Production Board, Washington, D. C., regarding farm machinery, which was referred to the Committee on Agriculture and Livestock.

Senator Olson of Mountrail presented a communication from Palmer Asheim of Ross, North Dakota, regarding old age assistance for Mr. John Olson.

REPORTS OF STANDING COMMITTEES

The Committee on Enrollment and Engrossment made the following report:

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that:

Senate Bill No. 26.

Senate Bill No. 27.

Senate Bill No. 38.

Were delivered to the Governor for his approval at the hour of 10:00 A. M., o'clock February 10, 1943.

W. R. BOND, Chairman.

The Committee on Enrollment and Engrossment made the following report:

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

Senate Bill No. 5.

Senate Bill No. 34.

Senate Bill No. 45.

Senate Bill No. 48.

Senate Bill No. 54.

Senate Bill No. 105.

Senate Bill No. 106.

Senate Bill No. 117.

Senate Bill No. 118.

Senate Concurrent Resolution "H."

And find the same correctly Engrossed.

W. R. BOND, Chairman.

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

Senator Brant moved that the report of the Committee on Tax and Tax Laws on Senate Bill No. 48 as printed in the Journal of February 9th without reading, be adopted, which motion prevailed.

Senator Watt moved that the report of the Committee on Appropriations on Senate Bill No. 34 as printed in the Journal of February 9th without reading, be laid over one more legislative day, which motion prevailed.

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

G. I. FETON, Chairman.

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

Mr. President: Your Committee on Ways and Means to whom was referred Senate Bill No. 84 have had the same under consideration and recommend that the same do pass.

M. R. YOUNG, Chairman.

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

Mr. President: Your Committee on Ways and Means to

whom was referred Senate Bill No. 85, have had the same under consideration and recommend that the same do pass.

M. R. YOUNG, Chairman.

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

Mr. President: Your Committee on Ways and Means to whom was referred Senate Bill No. 86, have had the same under consideration and recommend that the same do pass.

M. R. YOUNG, Chairman.

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

Mr. President: Your Committee on Ways and Means to whom was referred Senate Bill No. 87, have had the same under consideration and recommend that the same do pass.

M. R. YOUNG, Chairman.

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

Mr. President: Your Committee on Ways and Means to whom was referred Senate Bill No. 88, have had the same under consideration and recommend that the same be amended as follows:

In the Printed Bill, Page 2, Line 14, strike out "And interest and penalty thereon,".

And when so amended recommend the same do pass.

M. R. YOUNG, Chairman.

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

Mr. President: Your Committee on Ways and Means to whom was referred Senate Bill No. 89, have had the same under consideration and recommend that the same do pass.

M. R. YOUNG, Chairman.

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

Mr. President: Your Committee on Ways and Means to whom was referred Senate Bill No. 90, have had the same under consideration and recommend that the same do pass.

M. R. YOUNG, Chairman.

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

Mr. President: Your Committee on Ways and Means to whom was referred Senate Bill No. 91, have had the same under consideration and recommend that the same be amended as follows:

Line 21, Page 2 of the Printed Bill, insert the word "Auditor" after the word county.

And when so amended recommend the same do pass.

M. R. YOUNG, Chairman.

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

Mr. President: Your Committee on Ways and Means to whom was referred Senate Bill No. 92, have had the same under consideration and recommend that the same do pass.

M. R. YOUNG, Chairman.

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

Mr. President: Your Committee on Ways and Means to whom was referred Senate Bill No. 93, have had the same under consideration and recommend that the same do pass.

M. R. YOUNG, Chairman.

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

Mr. President: Your Committee on Ways and Means to whom was referred Senate Bill No. 94, have had the same under consideration and recommend that the same do pass.

M. R. YOUNG, Chairman.

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

Mr. President: Your Committee on Ways and Means to whom was referred Senate Bill No. 109, have had the same under consideration and recommend that the same do pass.

M. R. YOUNG, Chairman.

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

Mr. President: Your Committee on Ways and Means to whom was referred Senate Bill No. 110, have had the same under consideration and recommend that the same do pass.

M. R. YOUNG, Chairman.

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

Mr. President: Your Committee on Ways and Means to whom was referred Senate Bill No. 111, have had the same under consideration and recommend that the same do pass.

M. R. YOUNG, Chairman.

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

Mr. President: Your Committee on Ways and Means to whom was referred Senate Bill No. 112, have had the same under consideration and recommend that the same do pass.

M. R. YOUNG, Chairman.

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

Mr. President: Your Committee on Ways and Means to whom was referred Senate Bill No. 113, have had the same under consideration and recommend that the same be amended as follows:

In line 15, Page 2, of Printed Bill, strike out the period and insert the language, "and sheriff."

And when so amended recommend the same do pass.

M. R. YOUNG, Chairman.

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

Mr. President: Your Committee on Ways and Means to whom was referred Senate Bill No. 114, have had the same under consideration and recommend that the same be amended as follows:

In the printed bill Section 17, after Line 26, add the following language:

"He shall, as often as he shall deem it necessary, require county treasurers to make true statements of their accounts, and shall, personally or by deputy, visit county officers with-

out previous notice, at irregular periods, of at least once a year, or when requested by the board of county commissioners of any county, and make a thorough examination of the books, accounts and vouchers of the county officers, ascertaining in detail the various items of receipts and expenditures; and it shall be his duty to inspect and verify the character and amounts of any and all public assets and securities held by said officers, and to ascertain the character and amounts of any commission, percentages or charges for services exacted by such officer, or officers, without warrant of law.

The State Examiner shall report to the Attorney General the refusal or neglect of any state or county officer to obey his instructions, and the Attorney General shall promptly take action to enforce compliance therewith. He shall report to the Governor the result of his examination, which report shall be filed in the Governor's office, as well as any failure of duty by county officers, as often as he thinks is required by public interest. The Governor may cause the result of such examination to be published, or he may take such action as he may deem necessary for the public security; and he may, if he deems it necessary, suspend any such county officer from further performance of duty until such examination is had, or such security obtained as may be necessary for the protection of the public funds."

And when so amended recommend the same do pass.

M. R. YOUNG, Chairman.

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

Mr. President: Your Committee on Elections to whom was referred Senate Bill No. 193, have had the same under consideration and recommend that the same do pass.

G. I. FETON, Chairman.

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

Senator Nelson of Dickey moved that the absent Senators be excused, which motion prevailed.

MESSAGES FROM THE HOUSE

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.

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 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.

SECOND READING OF SENATE BILLS

Senate Bill No. 138. A Bill for an Act Relating to the Appointment and Qualification of Administrators, Executors and Guardians, 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, 19; nays, 23; absent and not voting, 2.

Those voting in the affirmative were:

Beaton	Feton	O'Brien
Bilden	Flatt	Oksendahl
Blank	Foss	Porter
Brant	Kehoe	Raschko
Bridston	Lavik	Thatcher
Brunsdale	Nelson, Griggs-	Wog'
Day	Steele	

Those voting in the negative were:

Adam	Morgan, Walsh	Rue
Bond	Nelson, Dickey	Schrock
Braun	Nelson, McKenzie	Semerad
Drew	Nelson, Renville	Solberg
Greiser	Nordhogen	Streibel
Hoenck	Olson, Barnes	Stucke
Kamrath	Olson, McHenry	Troxel
Lofthus	Olson, Mountrail	Watt
Lynch	Page	Young

Morgan, Richland

Absent and not voting:

Ginter	Guenther
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So the bill was declared lost.

Senate Page: "I change my vote from 'Aye' to 'No' for the purpose of reconsideration."

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, 41; nays, 5; absent and not voting, 3.

Those voting in the affirmative were:

Adam	Kamrath	Olson, Mountrail
Beaton	Kehoe	Porter
Bilden	Lavik	Raschko
Blank	Lynch	Rue
Bond	Morgan, Walsh	Schrock

Brant	Morgan, Richland	Semerad
Braun	Nelson, Dickey	Solberg
Bridston	Nelson, McKenzie	Streibel
Day	Nelson, Renville	Stucke
Drew	Nordhousen	Thatcher
Feton	O'Brien	Troxel
Foss	Oksendahl	Wog
Greiser	Olson, Barnes	Young
Hoенck	Olson, McHenry	
Those voting in the negative were:		
Flatt	Nelson, Griggs-	Page
Lofthus	Steele	Watt
Absent and not voting:		
Brunsdale	Ginter	Guenther

So the bill passed and the title was agreed to.

Senator Braun requested that the Senate be on the 8th order of business, which request was granted.

Senator Braun moved that Senate Bills Nos. 105 and 106 be laid over one legislative day, 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, 46; nays, 0; absent and not voting, 3.

Those voting in the affirmative were:

Adam	Kehoe	Olson, Mountrail
Beaton	Lavik	Page
Bilden	Lofthus	Porter
Blank	Lynch	Raschko
Bond	Morgan, Richland	Rue
Brant	Morgan, Walsh	Schrock
Braun	Nelson, Dickey	Semerad
Bridston	Nelson, Griggs-	Solberg
Day	Steele	Streibel
Drew	Nelson, McKenzie	Stucke
Feton	Nelson, Renville	Thatcher
Flatt	Nordhousen	Troxel
Foss	O'Brien	Watt
Greiser	Oksendahl	Wog
Hoенck	Olson, Barnes	Young
Kamrath	Olson, McHenry	

Absent and not voting:

Brunsdale	Ginter	Guenther
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So the bill passed and the title was agreed to.

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.

Senator Drew moved that Senate Bill No. 78 be amended as follows:

In lines five and six on page 2 of printed bill, strike out the words and figures "Two Hundred and Forty and No/100 Dollars (\$240.00)" and insert the words and figures "Sixty and No/100 Dollars (\$60.00)", which motion was declared lost on an aye and nay vote.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 24; nays, 23; absent and not voting, 2.

Those voting in the affirmative were:

Adam	Kamrath	Olson, Mountrail
Beaton	Lavik	Page
Bilden	Lofthus	Porter
Blank	Lynch	Raschko
Bond	Morgan, Richland	Schrock
Braun	Nelson, Dickey	Semerad
Flatt	Nelson, Renville	Streibel
Greiser	Olson, McHenry	Thatcher

Those voting in the negative were:

Brant	Kehoe	Olson, Barnes
Bridston	Morgan, Walsh	Rue
Brunsdale	Nelson, Griggs-	Solberg
Day	Steele	Stucke
Drew	Nelson, McKenzie	Troxel
Feton	Nordhougen	Watt
Foss	O'Brien	Wog
Hoenck	Oksendahl	Young

Absent and not voting:

Ginter Guenther

So the bill was declared lost because of the lack of a constitutional majority.

Senator Nelson of McKenzie: "Mr. President: I wish to explain my vote. As long as our old people are not getting adequate money to live on, I am going to vote 'No'."

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, 40; nays, 2; absent and not voting, 7.

Those voting in the affirmative were:

Adam	Lavik	Olson, McHenry
Beaton	Lofthus	Olson, Mountrail
Bond	Lynch	Porter
Brant	Morgan, Richland	Raschko
Braun	Morgan, Walsh	Rue
Brunsdale	Nelson, Dickey	Schrock
Day	Nelson, Griggs-	Solberg
Drew	Steele	Streibel
Feton	Nelson, McKenzie	Stucke
Flatt	Nelson, Renville	Troxel
Foss	Nordhougen	Watt
Hoenck	O'Brien	Wog

Kamrath	Oksendahl	Young
Kehoe	Olson, Barnes	
Those voting in the negative were:		
Semerad	Thatcher	
Absent and not voting:		
Bilden	Ginter	Guenther
Blank	Greiser	Page
Bridston		

So the bill passed and the title was agreed to.

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 second time.

Senator Brant moved that action on Senate Bill No. 117 be delayed one day, which motion prevailed.

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 second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 42; nays, 4; absent and not voting, 3.

Those voting in the affirmative were:

Beaton	Kehoe	Olson, Barnes
Bilden	Lavik	Olson, McHenry
Bond	Lofthus	Olson, Mountrail
Brant	Lynch	Porter
Braun	Morgan, Richland	Raschko
Bridston	Morgan, Walsh	Rue
Brunsdale	Nelson, Dickey	Schrock
Day	Nelson, Griggs-	Solberg
Drew	Steele	Streibel
Feton	Nelson, McKenzie	Stucke
Flatt	Nelson, Renville	Troxel
Foss	Nordhousen	Watt
Greiser	O'Brien	Wog
Hoенck	Oksendahl	Young
Kamrath		

Those voting in the negative were:

Adam	Semerad	Thatcher
Page		

Absent and not voting:

Blank	Ginter	Guenther
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So the bill passed and the title was agreed to.

Senator Young moved that the Senate do now recess for ten minutes, which motion prevailed.

The Senate re-convened at the expiration of the ten minute recess, with President Pro Tem Brunsdale presiding.

SECOND READING OF SENATE BILLS AND
CONCURRENT RESOLUTIONS

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 second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 34; nays, 10; absent and not voting, 5.

Those voting in the affirmative were:

Beaton	Kamrath	Olson, Barnes
Blank	Kehoe	Page
Bond	Lavik	Porter
Brant	Lofthus	Raschko
Braun	Morgan, Richland	Rue
Brunsdale	Morgan, Walsh	Schrock
Day	Nelson, Dickey	Thatcher
Drew	Nelson, Griggs-	Troxel
Feton	Steele	Watt
Flatt	Nordhougen	Wog
Foss	O'Brien	Young
Hoencck	Oksendahl	

Those voting in the negative were:

Adam	Nelson, McKenzie	Semerad
Bilden	Nelson, Renville	Solberg
Greiser	Olson, Mountrail	Streibel

Lynch

Absent and not voting:

Bridston	Guenther	Stucke
Ginter	Olson, McHenry	

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, 45; nays, 0; absent and not voting, 4.

Those voting in the affirmative were:

Adam	Kehoe	Olson, Mountrail
Beaton	Lavik	Page
Bilden	Lofthus	Porter
Blank	Lynch	Raschko
Bond	Morgan, Richland	Rue
Brant	Morgan, Walsh	Schrock
Braun	Nelson, Dickey	Semerad
Brunsdale	Nelson, Griggs-	Solberg
Day	Steele	Streibel
Drew	Nelson, McKenzie	Stucke
Feton	Nelson, Renville	Thatcher
Flatt	Nordhougen	Troxel

Foss	O'Brien	Watt
Greiser	Oksendahl	Wog
Hoенck	Olson, Barnes	Young
Kamrath		

Absent and not voting:

Bridston	Guenther	Olson, McHenry
Ginter		

So the bill passed and the title was agreed to.

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 had been read.

ROLL CALL

The question being on the final passage of the concurrent resolution, as amended, the roll was called and there were ayes, 46; nays, 0; absent and not voting, 3.

Those voting in the affirmative were:

Adam	Kamrath	Olson, Mountrail
Beaton	Kehoe	Page
Bilden	Lavik	Porter
Blank	Lofthus	Raschko
Bond	Lynch	Rue
Brant	Morgan, Richland	Schrock
Braun	Morgan, Walsh	Semerad
Bridston	Nelson, Dickey	Solberg
Brunsdale	Nelson, Griggs-	Streibel
Day	Steele	Stucke
Drew	Nelson, McKenzie	Thatcher
Feton	Nelson, Renville	Troxel
Flatt	Nordhogen	Watt
Foss	O'Brien	Wog
Greiser	Oksendahl	Young
Hoенck	Olson, Barnes	

Absent and not voting:

Ginter	Guenther	Olson, McHenry
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So the concurrent resolution passed and the title was agreed to.

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.

Was read the second time.

Senator Day moved the adoption of Senate Concurrent Resolution "Q," which motion prevailed and Senate Concurrent Resolution "Q" was declared adopted.

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.

Was read the second time.

Senator Watt moved the adoption of Senate Concurrent

Resolution "R," which motion prevailed and Senate Concurrent Resolution "R" was declared adopted.

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.

Was read the second time.

Senator Watt moved the adoption of Senate Concurrent Resolution "S," which motion prevailed and Senate Concurrent Resolution "S" was declared adopted.

FIRST READING OF HOUSE BILLS AND CONCURRENT RESOLUTIONS

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 Appropriations.

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 and Livestock.

SECOND READING OF 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.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 46; nays, 0; absent and not voting, 3.

Those voting in the affirmative were:

Adam	Kamrath	Olson, Mountrail
Beaton	Kehoe	Page
Bilden	Lavik	Porter
Blank	Lofthus	Raschko
Bond	Lynch	Rue
Brant	Morgan, Richland	Schrock
Braun	Morgan, Walsh	Semerad
Bridston	Nelson, Dickey	Solberg
Brunsdale	Nelson, Griggs-	Streibel
Day	Steele	Stucke
Drew	Nelson, McKenzie	Thatcher
Feton	Nelson, Renville	Troxel
Flatt	Nordhougen	Watt
Foss	O'Brien	Wog
Greiser	Oksendahl	Young
Hoenck	Olson, Barnes	

Absent and not voting:

Ginter	Guenther	Olson, McHenry
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So the bill passed and the title was agreed to.

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, 46; nays, 0; absent and not voting, 3.

Those voting in the affirmative were:

Adam	Kamrath	Olson, Mountrail
Beaton	Kehoe	Page
Bilden	Lavik	Porter
Blank	Lofthus	Raschko
Bond	Lynch	Rue
Brant	Morgan, Richland	Schrock
Braun	Morgan, Walsh	Semerad
Bridston	Nelson, Dickey	Solberg
Brunsdale	Nelson, Griggs-	Streibel
Day	Steele	Stucke
Drew	Nelson, McKenzie	Thatcher
Feton	Nelson, Renville	Troxel
Flatt	Nordhousen	Watt
Foss	O'Brien	Wog
Greiser	Oksendahl	Young
Hoenck	Olson, Barnes	

Absent and not voting:

Ginter	Guenther	Olson, McHenry
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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, 45; nays, 0; absent and not voting, 4.

Those voting in the affirmative were:

Adam	Kamrath	Olson, Barnes
Beaton	Kehoe	Olson, Mountrail
Bilden	Lavik	Page
Blank	Lofthus	Porter
Bond	Lynch	Raschko
Brant	Morgan, Richland	Rue
Braun	Morgan, Walsh	Schrock
Bridston	Nelson, Dickey	Semerad
Brunsdale	Nelson, Griggs-	Solberg
Day	Steele	Streibel
Drew	Nelson, McKenzie	Stucke
Feton	Nelson, Renville	Thatcher
Flatt	Nordhousen	Troxel
Foss	O'Brien	Wog
Greiser	Oksendahl	Young
Hoenck		

Absent and not voting:

Ginter	Olson, McHenry	Watt
Guenther		

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, 45; nays, 0; absent and not voting, 4.

Those voting in the affirmative were:

Adam	Kamrath	Olson, Mountrail
Beaton	Kehoe	Page
Bilden	Lavik	Porter
Blank	Lofthus	Raschko
Bond	Lynch	Rue
Brant	Morgan, Richland	Schrock
Braun	Morgan, Walsh	Semerad
Bridston	Nelson, Dickey	Solberg
Brunsdale	Nelson, Griggs-	Streibel
Day	Steele	Stucke
Drew	Nelson, McKenzie	Thatcher
Feton	Nordhougen	Troxel
Flatt	O'Brien	Watt
Foss	Oksendahl	Wog
Greiser	Olson, Barnes	Young
Hoencck		

Absent and not voting:

Ginter	Nelson, Renville	Olson, McHenry
Guenther		

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, 46; nays, 0; absent and not voting, 3.

Those voting in the affirmative were:

Adam	Kamrath	Olson, Mountrail
Beaton	Kehoe	Page
Bilden	Lavik	Porter
Blank	Lofthus	Raschko
Bond	Lynch	Rue
Brant	Morgan, Richland	Schrock
Braun	Morgan, Walsh	Semerad
Bridston	Nelson, Dickey	Solberg
Brunsdale	Nelson, Griggs-	Streibel
Day	Steele	Stucke
Drew	Nelson, McKenzie	Thatcher
Feton	Nelson, Renville	Troxel
Flatt	Nordhougen	Watt
Foss	O'Brien	Wog
Greiser	Oksendahl	Young
Hoencck	Olson, Barnes	

Absent and not voting:

Ginter	Guenther	Olson, McHenry
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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, Head-

stones 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, 45; nays, 0; absent and not voting, 4.

Those voting in the affirmative were:

Adam	Kamrath	Olson, Barnes
Beaton	Kehoe	Olson, Mountrail
Bilden	Lavik	Page
Blank	Lofthus	Porter
Bond	Lynch	Raschko
Brant	Morgan, Richland	Rue
Braun	Morgan, Walsh	Schrock
Bridston	Nelson, Dickey	Semerad
Brunsdale	Nelson, Griggs-	Solberg
Day	Steele	Streibel
Drew	Nelson, McKenzie	Stucke
Feton	Nelson, Renville	Thatcher
Flatt	Nordhousen	Troxel
Foss	O'Brien	Wog
Greiser	Oksendahl	Young

Absent and not voting:

Ginter	Olson, McHenry	Watt
Guenther		

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, 46; nays, 0; absent and not voting, 3.

Those voting in the affirmative were:

Adam	Kamrath	Olson, Mountrail
Beaton	Kehoe	Page
Bilden	Lavik	Porter
Blank	Lofthus	Raschko
Bond	Lynch	Rue
Brant	Morgan, Richland	Schrock
Braun	Morgan, Walsh	Semerad
Bridston	Nelson, Dickey	Solberg
Brunsdale	Nelson, Griggs-	Streibel
Day	Steele	Stucke
Drew	Nelson, McKenzie	Thatcher
Feton	Nelson, Renville	Troxel
Flatt	Nordhousen	Watt
Foss	O'Brien	Wog
Greiser	Oksendahl	Young
Hoenck	Olson, Barnes	

Absent and not voting:

Ginter	Guenther	Olson, McHenry
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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 Sup-

plies 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, 45; nays, 0; absent and not voting, 4.

Those voting in the affirmative were:

Adam	Kamrath	Olson, Barnes
Beaton	Kehoe	Olson, Mountrail
Bilden	Lavik	Page
Blank	Lofthus	Porter
Bond	Lynch	Raschko
Brant	Morgan, Richland	Rue
Braun	Morgan, Walsh	Schrock
Bridston	Nelson, Dickey	Semerad
Brunsdale	Nelson, Griggs-	Solberg
Day	Steele	Streibel
Drew	Nelson, McKenzie	Stucke
Feton	Nelson, Renville	Thatcher
Flatt	Nordhougen	Troxel
Foss	O'Brien	Wog
Greiser	Oksendahl	Young
Hoencck		

Absent and not voting:

Ginter	Olson, McHenry	Watt
Guenther		

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

Senator Young moved that the Senate do now adjourn, which motion prevailed and the Senate stood adjourned.

W. J. TROUT, Secretary.

THIRTY-EIGHTH DAY

Bismarck, February 11, 1943

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

Prayer by the chaplain, Major W. E. Lee.

Roll call: All Senators present except Senators Guenther, Lofthus and Nelson of McKenzie.

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

Mr. President: Your Committee on Revision and Correction of the Journal have carefully examined the Journal of the Thirty-sixth Day After Recess and Thirty-seventh Day and find the same correct.

ORRIS G. NORDHOUGEN, Chairman.

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

MESSAGES TO THE HOUSE

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.

MESSAGES FROM THE GOVERNOR

State of North Dakota

OFFICE OF THE GOVERNOR

Bismarck, January 26, 1943

To the Senate of the State of North Dakota.

This is to notify you that I have today approved:

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.

And the same has been filed with the Secretary of State.

JOHN MOSES, Governor.

State of North Dakota

OFFICE OF THE GOVERNOR

Bismarck, February 1, 1943

To the Senate of the State of North Dakota:

This is to notify you that I have today approved:

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 same has been filed with the Secretary of State.

JOHN MOSES, Governor.

PETITIONS AND COMMUNICATIONS

Two telegrams were read by the Secretary from the creamery workers of Jamestown and Local B. 239, IBEW L. S. Babcock, protesting the passage of House Bills Nos. 80 and 155, which were referred to the Committee on State Affairs.

Two telegrams were read from the New Rockford Kiwanis Club: one urging support of Senate Bill No. 77, and the other urging passage of Senate Bill No. 119, re-enactment of sales tax and equalization fund increase in non-resident high school tuition, which were referred to the Committee on State Affairs.

The Lieutenant Governor handed in a communication from Mrs. Paul T. Kretschmar thanking the Senate for the Memorial Resolution forwarded to her, which was read from the desk.

A letter and concurrent resolution placing a ceiling upon the taxing powers of the federal government from the Western Tax Council in Chicago, received by the Lieutenant Governor, were read by the Secretary and referred to the Committee on Tax and Tax Laws.

REPORTS OF STANDING COMMITTEES

The Committee on Enrollment and Engrossment made the following report:

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

Senate Bill No. 88.

Senate Bill No. 91.

Senate Bill No. 113.

Senate Bill No. 114.

And find the same correctly Engrossed.

W. R. BOND, Chairman.

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

The Committee on Enrollment and Engrossment made the following report:

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

Senate Bill No. 24.

Senate Bill No. 49.

And find the same correctly Enrolled.

W. R. BOND, Chairman.

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

Mr. President: Your Committee on State Affairs to whom was referred Senate Bill No. 66, have had the same under consideration and recommend that the same be indefinitely postponed.

J. B. BRIDSTON, Chairman.

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

Mr. President: Your Committee on State Affairs to whom was referred Senate Bill No. 71, have had the same under consideration and recommend that the same be indefinitely postponed.

J. B. BRIDSTON, Chairman.

Senator Bridston moved that the report be adopted.

Senator Greiser made a substitute motion that Senate Bill No. 71 be placed on the calendar without recommendation.

Senator Greiser requested a roll call, which request was granted.

ROLL CALL

The question being on the substitute motion of Senator Greiser that Senate Bill No. 71 be placed on the calendar without recommendation, the roll was called and there were ayes, 14; nays, 33; absent and not voting, 2.

Those voting in the affirmative were:

Adam	Lynch	Olson, Mountrail
Beaton	Nelson, Dickey	Semerad
Ginter	Nelson, McKenzie	Streibel
Greiser	Nelson, Renville	Troxel
Kamrath	Olson, McHenry	

Those voting in the negative were:

Bilden	Hoenck	Page
Blank	Kehoe	Porter
Bond	Lavik	Raschko
Brant	Morgan, Richland	Rue
Braun	Morgan, Walsh	Schrock
Bridston	Nelson, Griggs-	Solberg
Brunsdale	Steele	Stucke
Day	Nordhougen	Thatcher
Drew	O'Brien	Watt
Feton	Oksendahl	Wog
Flatt	Olson, Barnes	Young

Foss

Absent and not voting:

Guenther Lofthus

So the motion was declared lost.

The question being on the original motion of Senator Bridston that the report of the Committee on State Affairs

on Senate Bill No. 71 be adopted, the motion was put and declared carried.

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 81, have had the same under consideration and recommend that the same be amended as follows:

Insert after the word "murder" in line 5 of the printed bill the words "or embezzlement of public funds"; strike out the figure 6 in line 6, and insert in lieu thereof the figure 3; and insert after the word "commission" in line 6 the following: "an information for embezzlement of public funds must be filed or an indictment found within one year after its discovery."

And when so amended recommend the same do pass.

J. J. KEHOE, Chairman.

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

Mr. President: Your Committee on State Affairs to whom was referred Senate Bill No. 123, have had the same under consideration and recommend that the same do pass.

J. B. BRIDSTON, Chairman.

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

Mr. President: Your Committee on Elections to whom was referred Senate Bill No. 135, have had the same under consideration and recommend that the same be amended as follows:

In Line 3 of the Title of the Printed Bill strike out the word and figures "Chapter 139" and insert in lieu thereof "Chapters 139 and 142".

In Section 1, Line 3 of the Printed Bill, strike out the word and figures "Chapter 139" and insert in lieu thereof "Chapters 139 and 142".

In Line 31 strike out the following: the bracket before the word "on", the word "on" and the bracket following the word "or".

In Line 38 strike out the word "past" and insert the word "paste" in lieu thereof.

In Line 40, strike out all of Lines 40 to 45 inclusive, and insert in lieu thereof "Each ballot shall contain one column, and the candidates for the various offices shall appear upon the ballot in the following order:".

In Line 58, strike out all of Line 58 and insert in lieu thereof "Public Service CommissionerVote for one".

In Line 70, strike out the word "the" following the word "of".

And when so amended recommend the same do pass.

G. I. FETON, Chairman.

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

Mr. President: Your Committee on 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 Agriculture and Livestock.

J. J. KEHOE, Chairman.

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

Mr. President: Your Committee on Judiciary to whom was referred Senate Concurrent Resolution "T," have had the same under consideration and recommend that the same do pass.

J. J. KEHOE, Chairman.

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

Mr. President: Your Committee on Elections to whom was referred Senate Concurrent Resolution "J," have had the same under consideration and recommend that the same be placed on the calendar without recommendation.

G. I. FETON, Chairman.

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

Mr. President: Your Committee on Game and Fish to whom was referred House Bill No. 58, have had the same under consideration and recommend that the same do pass.

H. R. MORGAN, Chairman.

Senator Morgan of Richland moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Game and Fish to whom was referred House Concurrent Resolution "B," have had the same under consideration and recommend that the same do pass.

H. R. MORGAN, Chairman.

Senator Morgan of Richland moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: A majority of Your Committee on State Affairs to whom was referred Senate Bill No. 146, have had the same under consideration and recommend that the same be amended as follows:

In Line 8 & 9 of the printed bill, after the word "in", strike out the language "or on premises, or premises adjacent to, but connected with a place or premises".

And in lieu thereof insert the following, "a room,".

And when so amended recommend the same do pass.

M. R. YOUNG
R. R. MORGAN
GUST WOG
M. J. RASCHKO
R. M. STREIBEL
P. W. BLANK
J. L. FLATT
A. N. LAVIK
HARRY O'BRIEN
WM. WATT

J. B. BRIDSTON, Chairman.

Mr. President: A minority of Your Committee on State Affairs to whom was referred Senate Bill No. 146, have had the same under consideration and recommend that the same be indefinitely postponed.

ROB. GREISER
IVER SOLBERG
G. F. DREW
C. NORMAN BRUNSDALE
AXEL OLSON
MILTON RUE

Senator Bridston moved that the report of the majority of the Committee on State Affairs on Senate Bill No. 146 be adopted.

Senator Solberg made a substitute motion that the report of the minority be substituted for the report of the majority.

Senator Flatt requested a roll call, which request was granted.

ROLL CALL

The question being on the motion of Senator Solberg that the report of the minority of the Committee on State Affairs on Senate Bill No. 146 be adopted, the roll was called and there were ayes, 28; nays, 19; absent and not voting, 2.

Those voting in the affirmative were:

Adam	Greiser	Olson, Mountrail
Beaton	Kamrath	Page
Bilden	Nelson, Dickey	Porter
Bond	Nelson, Griggs-	Rue
Brant	Steele	Schrock
Brunsdale	Nelson, McKenzie	Semerad
Drew	Nordhogen	Solberg
Feton	Oksendahl	Stucke
Foss	Olson, Barnes	Troxel
Ginter	Olson, McHenry	

Those voting in the negative were:

Blank	Lynch	Raschko
Braun	Morgan, Richland	Streibel
Bridston	Lavik	Thatcher
Day	Morgan, Walsh	Watt
Flatt	Nelson, Renville	Wog
Hoenck	O'Brien	Young
Kehoe		

Absent and not voting:

Guenther	Lofthus
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So the motion was declared carried.

Senator Stucke moved that the vote by which Senate Bill No. 7 was killed be reconsidered. Senator Blank seconded the motion.

Senator Morgan of Richland requested that the motion of Senator Stucke, with the second, be recorded, which request was granted.

Senator Morgan of Richland moved that action on Senator Stucke's motion be deferred until Tuesday, February 16th, which motion prevailed, on an unanimous vote.

Senator Braun moved that Senate Bill No. 105 be re-referred to the Committee on State Affairs for further consideration, which motion prevailed.

Senator Page: "I regret to inform the members of the Senate of the death of Albert Garnett, who was a Senator from Pembina county in 1903 and 1905."

Senator Page moved that the Senate stand in silent reverence for one minute in memory of Former Senator Albert Garnett, which motion prevailed, and the Senate stood in memory of Former Senator Albert Garnett.

Senator Brant moved that Senate Bill No. 48 be laid over one legislative day, which motion prevailed.

Senator Watt moved that the committee report on Senate Bill No. 34 be adopted, which motion prevailed.

Senator Thatcher moved that the Senate concur in the House amendments to Senate Concurrent Resolution "L," which motion prevailed.

Senator Morgan of Walsh moved that the Senate adopt Senate Concurrent Resolution "L," as amended by the House, which motion prevailed, and Senate Concurrent Resolution "L" was declared adopted.

Senator Young moved that Senate Bills No. 114, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 109, 110, 111, 112 and 113 be placed at the head of the calendar, which motion prevailed.

Senator Nelson of Dickey moved that the absent Senators be excused, which motion prevailed.

MESSAGES FROM THE HOUSE

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 Em-

ployed 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 SENATE BILLS

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.

Senator Young moved that Senate Bill No. 114 be referred to the Committee on Appropriations, which motion prevailed.

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, 45; nays, 0; absent and not voting, 4.

Those voting in the affirmative were:

Adam	Kamrath	Olson, McHenry
Beaton	Kehoe	Olson, Mountrail
Bilden	Lavik	Page
Blank	Lynch	Porter
Bond	Morgan, Richland	Raschko
Brant	Morgan, Walsh	Rue
Braun	Nelson, Dickey	Schrock
Bridston	Nelson, Griggs-	Semerad
Brunsdale	Steele	Solberg
Day	Nelson, McKenzie	Streibel
Drew	Nelson, Renville	Thatcher
Feton	Nordhougen	Troxel
Flatt	O'Brien	Watt
Greiser	Oksendahl	Wog
Ginter	Olson, Barnes	Young

Absent and not voting:

Foss	Lofthus	Stucke
Guenther		

So the bill passed and the title was agreed to.

Senate Bill No. 85. A Bill for an Act Requiring the Num-

bering 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, 46; nays, 0; absent and not voting, 3.

Those voting in the affirmative were:		
Adam	Kamrath	Olson, Mountrail
Beaton	Kehoe	Page
Bilden	Lavik	Porter
Blank	Lynch	Raschko
Bond	Morgan, Richland	Rue
Brant	Morgan, Walsh	Schrock
Braun	Nelson, Dickey	Semerad
Bridston	Nelson, Griggs-	Solberg
Brunsdale	Steele	Streibel
Day	Nelson, McKenzie	Stucke
Drew	Nelson, Renville	Thatcher
Feton	Nordhougen	Troxel
Flatt	O'Brien	Watt
Ginter	Oksendahl	Wog
Greiser	Olson, Barnes	Young
Hoenck	Olson, McHenry	
Absent and not voting:		
Foss	Guenther	Lofthus

So the bill passed and the title was agreed to.

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, 45; nays, 0; absent and not voting, 4.

Those voting in the affirmative were:		
Adam	Kehoe	Olson, Mountrail
Bilden	Lavik	Page
Blank	Lynch	Porter
Bond	Morgan, Richland	Raschko
Brant	Morgan, Walsh	Rue
Braun	Nelson, Dickey	Schrock
Bridston	Nelson, Griggs-	Semerad
Brunsdale	Steele	Solberg
Day	Nelson, McKenzie	Streibel
Drew	Nelson, Renville	Stucke
Feton	Nordhougen	Thatcher
Flatt	O'Brien	Troxel
Ginter	Oksendahl	Watt
Greiser	Olson, Barnes	Wog
Hoenck	Olson, McHenry	Young
Kamrath		
Absent and not voting:		
Beaton	Guenther	Lofthus
Foss		

So the bill passed and the title was agreed to.

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, 45; nays, 0; absent and not voting, 4.

Those voting in the affirmative were:

Adam	Kehoe	Olson, Mountrail
Bilden	Lavik	Page
Blank	Lynch	Porter
Bond	Morgan, Richland	Raschko
Brant	Morgan, Walsh	Rue
Braun	Nelson, Dickey	Schrock
Bridston	Nelson, Griggs-	Semerad
Brunsdale	Steele	Solberg
Day	Nelson, McKenzie	Streibel
Drew	Nelson, Renville	Stucke
Feton	Nordhougen	Thatcher
Foss	O'Brien	Troxel
Ginter	Oksendahl	Watt
Greiser	Olson, Barnes	Wog
Hoenc	Olson, McHenry	Young

Absent and not voting:

Beaton	Guenther	Lofthus
Flatt		

So the bill passed and the title was agreed to.

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, 45; nays, 0; absent and not voting, 4.

Those voting in the affirmative were:

Adam	Kehoe	Olson, Mountrail
Beaton	Lavik	Page
Bilden	Lynch	Porter
Blank	Morgan, Richland	Rue
Bond	Morgan, Walsh	Raschko
Braun	Nelson, Dickey	Schrock
Bridston	Nelson, Griggs-	Semerad
Brunsdale	Steele	Solberg
Day	Nelson, McKenzie	Streibel
Drew	Nelson, Renville	Stucke
Feton	Nordhougen	Thatcher

Foss	O'Brien	Troxel
Ginter	Oksendahl	Watt
Greiser	Olson, Barnes	Wog
Hoenck	Olson, McHenry	Young
Kamrath		

Absent and not voting:

Flatt	Brant	Lofthus
Guenther		

So the bill passed and the title was agreed to.

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, 46; nays, 0; absent and not voting, 3.

Those voting in the affirmative were:

Adam	Kamrath	Olson, Mountrail
Beaton	Kehoe	Page
Bilden	Lavik	Porter
Blank	Lynch	Raschko
Bond	Morgan, Richland	Rue
Braun	Morgan, Walsh	Schrock
Bridston	Nelson, Dickey	Semerad
Brunsdale	Nelson, Griggs-	Solberg
Day	Steele	Streibel
Drew	Nelson, McKenzie	Stucke
Feton	Nelson, Renville	Thatcher
Flatt	Nordhougen	Troxel
Foss	O'Brien	Watt
Ginter	Oksendahl	Wog
Greiser	Olson, Barnes	Young
Hoenck	Olson, McHenry	

Absent and not voting:

Brant	Guenther	Lofthus
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So the bill passed and the title was agreed to.

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.

Senator Young moved that Senate Bill No. 90 be amended as follows:

In the printed bill, strike the word "section" in line one of title of bill and insert in lieu thereof the words and figures, "Sections 3369 and". Also line one Section 1 after the word "That", the words and figures "Sections 3369 and", also line four, Section one, strike out the figure 3370 and insert "3369 and 3370", which motion prevailed.

Senator Young moved that the rules be suspended and that Senate Bill No. 90 be considered properly re-engrossed and

placed on second reading and final passage, as amended, which motion prevailed.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 44; nays, 0; absent and not voting, 5.

Those voting in the affirmative were:

Adam	Kehoe	Olson, Mountrail
Beaton	Lavik	Page
Bilden	Lynch	Porter
Blank	Morgan, Richland	Raschko
Bond	Morgan, Walsh	Rue
Braun	Nelson, Dickey	Schrock
Brunsdale	Nelson, Griggs-	Semerad
Drew	Steele	Solberg
Feton	Nelson, McKenzie	Streibel
Flatt	Nelson, Renville	Stucke
Foss	Nordhougen	Thatcher
Ginter	O'Brien	Troxel
Greiser	Oksendahl	Watt
Hoenck	Olson, Barnes	Wog
Kamrath	Olson, McHenry	Young
Absent and not voting:		
Brant	Day	Lofthus
Bridston	Guenther	

So the bill passed and the title was agreed to.

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

The Senate re-convened at the expiration of the fifteen-minute recess and the President announced that the Senate would be on the tenth order of business.

SECOND READING OF SENATE BILLS

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.

Senator Young moved that Senate Bill No. 91 be amended as follows:

Strike the last word in line 3 of title and all of line four and insert in lieu thereof after the word "Repealing" the following: "Sections 3342 and 3343 of the Compiled Laws of 1913", and Section 2, line 25, strike all of lines 25 and 26 after the word "repeal" and insert in lieu thereof: "Sections 3342 and 3343 are hereby repealed.", which motion prevailed.

Senator Young moved that the rules be suspended and that Senate Bill No. 91 be considered properly re-engrossed and placed on second reading and final passage, as amended, which motion prevailed.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 36; nays, 1; absent and not voting, 12.

Those voting in the affirmative were:

Adam	Lavik	Olson, Mountrail
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Beaton	Morgan, Richland	Porter
Bilden	Morgan, Walsh	Rue
Bond	Nelson, Dickey	Schrock
Braun	Nelson, Griggs-	Semerad
Day	Steele	Solberg
Drew	Nelson, McKenzie	Streibel
Feton	Nelson, Renville	Stucke
Flatt	O'Brien	Troxel
Ginter	Oksendahl	Watt
Greiser	Olson, Barnes	Wog
Hoenck	Olson, McHenry	Young
Kehoe		

Those voting in the negative were:

Thatcher

Absent and not voting:

Blank	Foss	Lynch
Brant	Guenther	Nordhogen
Bridston	Kamrath	Page
Brunsdale	Lofthus	Raschko

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, 40; nays, 0; absent and not voting, 9.

Those voting in the affirmative were:

Adam	Kehoe	Page
Beaton	Lavik	Porter
Bilden	Morgan, Richland	Rue
Bond	Morgan, Walsh	Schrock
Braun	Nelson, Dickey	Semerad
Bridston	Nelson, Griggs-	Solberg
Brunsdale	Steele	Stucke
Day	Nelson, McKenzie	Streibel
Drew	Nelson, Renville	Thatcher
Feton	O'Brien	Troxel
Flatt	Olson, Barnes	Watt
Ginter	Olson, McHenry	Wog
Greiser	Olson, Mountrail	Young
Hoenck	Oksendahl	

Absent and not voting:

Blank	Guenther	Lynch
Brant	Kamrath	Nordhogen
Foss	Lofthus	Raschko

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, 42; nays, 0; absent and not voting, 7.

Those voting in the affirmative were:

Adam	Kamrath	Page
Beaton	Kehoe	Porter
Bilden	Lavik	Raschko
Blank	Morgan, Richland	Rue
Bond	Morgan, Walsh	Schrock
Braun	Nelson, Dickey	Solberg
Bridston	Nelson, Griggs-	Semerad
Brunsdale	Steele	Streibel
Day	Nelson, Renville	Stucke
Drew	O'Brien	Thatcher
Feton	Oksendahl	Troxel
Flatt	Olson, Barnes	Watt
Ginter	Olson, McHenry	Wog
Greiser	Olson, Mountrail	Young

Hoencck

Absent and not voting:

Brant	Lofthus	Nelson, McKenzie
Foss	Lynch	Nordhougen
Guenther		

So the bill passed and the title was agreed to.

MESSAGE FROM THE HOUSE

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.

SECOND READING OF SENATE BILLS

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, 41; nays, 0; absent and not voting, 8.

Those voting in the affirmative were:

Adam	Kamrath	Page
Beaton	Kehoe	Porter
Bilden	Lavik	Raschko
Blank	Morgan, Richland	Rue

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 Judiciary.

Senator Nelson of Dickey moved that the absent Senators be excused, which motion prevailed.

SECOND READING OF SENATE BILLS

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.

Senator Day moved that Senate Bill No. 60 be amended as follows:

In line 14 of the engrossed bill, strike out the words "does not exceed" and insert in lieu thereof the word "exceeds", which motion prevailed.

Senator Young moved that the rules be suspended and that Senate Bill No. 60 be considered properly re-engrossed and placed on second reading and final passage, as amended, which motion prevailed.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 29; nays, 17; absent and not voting, 3.

Those voting in the affirmative were:

Beaton	Hoencck	Raschko
Bilden	Kamrath	Rue
Brant	Kehoe	Schrock
Braun	Lavik	Semerad
Bridston	Lynch	Streibel
Brunsdale	Morgan, Richland	Stucke
Day	Nelson, Renville	Watt
Drew	Oksendahl	Wog
Flatt	Page	Young
Foss	Porter	

Those voting in the negative were:

Adam	Nelson, Dickey	Olson, Barnes
Blank	Nelson, Griegs-	Olson, McHenry
Bond	Steele	Olson, Mountrail
Feton	Nelson, McKenzie	Solberg
Ginter	Nordhougen	Thatcher
Morgan, Walsh	O'Brien	Troxel
Absent and not voting:		
Greiser	Guenther	Lofthus

So the bill passed and the title was agreed to.

Senator Kehoe moved that the vote by which Senate Bill No. 60 was passed be re-considered and the motion to reconsider be laid on the table.

Which motion prevailed.

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.

Senator Watt moved that Senate Bill No. 119 be re-referred to the Committee on Tax and Tax Laws, which motion prevailed.

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, the roll was called and there were ayes, 41; nays, 5; absent and not voting, 3.

Those voting in the affirmative were:

Adam	Kamrath	Olson, McHenry
Beaton	Kehoe	Olson, Mountrail
Bilden	Lavik	Page
Bond	Lynch	Porter
Brant	Morgan, Richland	Raschko
Braun	Morgan, Walsh	Rue
Bridston	Nelson, Griggs-	Schrock
Brunsdale	Steele	Semerad
Day	Nelson, McKenzie	Solberg
Drew	Nelson, Renville	Stucke
Feton	Nordhougen	Troxel
Flatt	O'Brien	Watt
Foss	Oksendahl	Wog
Hoenck	Olson, Barnes	Young

Those voting in the negative were:

Blank	Nelson, Dickey	Thatcher
Ginter	Streibel	

Absent and not voting:

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

Senator Rue requested that the Senate be on the 8th order of business, which request was granted.

Senator Rue moved that the rules be suspended and that the President appoint a Committee of One to escort to the rostrum Lieutenant Jean Kraft of the WAAC's, the first girl to go from Bismarck and one of the first five officer candidates in the state, and who is now stationed at Rochester, New York, and that she be asked to make a few remarks, which motion prevailed.

Senator Rue stated that Lieutenant Kraft's picture has been in the papers recently with Lord Halifax.

The President appointed Senator Rue as such Committee of One.

Lieutenant Kraft: "I am very happy to be here. I don't know whether I should make my regular recruiting speech as you gentlemen are not eligible, but I would like to tell you what the corps is doing. We sent our first contingent to North Africa, just recently, at the request of General Eisenhower, who was very much impressed with the work the women in England are doing so he requested that a contingent of WAAC's be sent to Africa. They are officered by our own WAAC officers and are taking over the non-combatant jobs of the army. General Eisenhower has stated that every man released by a WAAC will go forward directly

into the front line of the war, where the fighting is going on—that is one of the main purposes of the WAAC's—to release non-combatant jobs to send men to the front.

Two weeks ago, the figures officially released by Mrs. Hobby show that we now have thirty-one thousand WAAC's. We are recruiting four thousand women a week throughout the United States and we expect to reach our authorized strength of one hundred fifty thousand by the end of 1943. If you know of any young ladies eligible to join the WAAC's, I wish you would encourage them. We need them. The army must have them. Where they have gone, they have proven their worth and we are sure that we are going to make everybody who has voted for us, very proud of us—we are doing a good job. Men are now going forward into combat duty who have been released by the WAAC's. You all know that the only way to win a war is to put man against man, plane against plane and tank against tank, and our WAAC workers are helping. We are extremely proud of our sex in being able to do something in this war effort and it is a grand opportunity for anyone who is able to join. I thank you for listening."

Senator Porter moved that the remarks of Lieutenant Kraft be printed in the journal, which motion prevailed.

SECOND READING OF SENATE BILLS

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, the roll was called and there were ayes, 45; nays, 0; absent and not voting, 4.

Those voting in the affirmative were:

Adam	Kamrath	Olson, Mountrail
Beaton	Kehoe	Page
Bilden	Lavik	Porter
Blank	Lynch	Raschko
Bond	Morgan, Richland	Rue
Brant	Morgan, Walsh	Schrock
Braun	Nelson, Dickey	Semerad
Bridgston	Nelson, Griggs-	Solberg
Brunsdale	Steele	Streibel
Day	Nelson, McKenzie	Stucke
Drew	Nelson, Renville	Thatcher
Feton	O'Brien	Troxel
Flatt	Oksendahl	Watt
Foss	Olson, Barnes	Wog
Ginter	Olson, McHenry	Young

Absent and not voting:

Greiser	Lofthus	Nordhogen
Guenther		

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

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 second time.

Senator Thatcher moved that Senate Bill No. 159 be laid over one legislative day for correction, which 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, 46; nays, 0; absent and not voting, 3.

Those voting in the affirmative were:

Adam	Kamrath	Olson, Mountrail
Blank	Kehoe	Page
Beaton	Lavik	Porter
Bilden	Lynch	Raschko
Bond	Morgan, Richland	Rue
Brant	Morgan, Walsh	Schrock
Braun	Nelson, Dickey	Semerad
Bridston	Nelson, Griggs-	Solberg
Brunsdale	Steele	Streibel
Day	Nelson, McKenzie	Stucke
Drew	Nelson, Renville	Thatcher
Feton	Nordhogen	Troxel
Flatt	O'Brien	Watt
Foss	Oksendahl	Wog
Ginter	Olson, Barnes	Young
Hoencck	Olson, McHenry	

Absent and not voting:

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

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, 46; nays, 0; absent and not voting, 3.

Those voting in the affirmative were:

Adam	Kamrath	Olson, Mountrail
Beaton	Kehoe	Page
Bilden	Lavik	Porter
Blank	Lynch	Raschko
Bond	Morgan, Richland	Rue

Brant	Morgan, Walsh	Schrock
Braun	Nelson, Dickey	Semerad
Bridston	Nelson, Griggs-	Solberg
Brunsdale	Steele	Streibel
Day	Nelson, McKenzie	Stucke
Drew	Nelson, Renville	Thatcher
Feton	Nordhougen	Troxel
Flatt	O'Brien	Watt
Foss	Oksendahl	Wog
Ginter	Olson, Barnes	Young
Hoenck	Olson, McHenry	

Absent and not voting:

Greiser	Guenther	Lofthus
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So the bill passed and the title was agreed to.

Senate Bill No. 179. A Bill for an Act to Amend and Re-enact Section 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, 46; nays, 0; absent and not voting, 3.

Those voting in the affirmative were:

Adam	Kamrath	Olson, Mountrail
Beaton	Kehoe	Page
Bilden	Lavik	Porter
Blank	Lynch	Raschko
Bond	Morgan, Richland	Rue
Brant	Morgan, Walsh	Schrock
Braun	Nelson, Dickey	Semerad
Bridston	Nelson, Griggs-	Solberg
Brunsdale	Steele	Streibel
Day	Nelson, McKenzie	Stucke
Drew	Nelson, Renville	Thatcher
Feton	Nordhougen	Troxel
Flatt	O'Brien	Watt
Foss	Oksendahl	Wog
Ginter	Olson, Barnes	Young
Hoenck	Olson, McHenry	

Absent and not voting:

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

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, the roll was called and there were ayes, 46; nays, 0; absent and not voting, 3.

Those voting in the affirmative were:

Adam	Kamrath	Olson, Mountrail
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Beaton	Kehoe	Page
Bilden	Lavik	Porter
Blank	Lynch	Raschko
Bond	Morgan, Richland	Rue
Brant	Morgan, Walsh	Schrock
Braun	Nelson, Dickey	Semerad
Bridston	Nelson, Griggs-	Solberg
Brunsdale	Steele	Streibel
Day	Nelson, McKenzie	Stucke
Drew	Nelson, Renville	Thatcher
Feton	Nordhougen	Troxel
Flatt	O'Brien	Watt
Foss	Oksendahl	Wog
Ginter	Olson, Barnes	Young
Hoenck	Olson, McHenry	
Those voting in the negative were:		
Greiser	Guenther	Lofthus

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

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, as amended, the roll was called and there were ayes, 45; nays, 0; absent and not voting, 4.

Those voting in the affirmative were:

Adam	Hoenck	Olson, Mountrail
Beaton	Kamrath	Page
Bilden	Kehoe	Porter
Blank	Lavik	Raschko
Bond	Lynch	Rue
Brant	Morgan, Richland	Schrock
Braun	Morgan, Walsh	Semerad
Bridston	Nelson, Dickey	Solberg
Brunsdale	Nelson, McKenzie	Streibel
Day	Nelson, Renville	Stucke
Drew	Nordhougen	Thatcher
Feton	O'Brien	Troxel
Flatt	Oksendahl	Watt
Foss	Olson, Barnes	Wog
Ginter	Olson, McHenry	Young

Absent and not voting:

Greiser	Lofthus	Nelson, Griggs-
Guenther		Steele

So the bill passed and the title was agreed to.

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, 30; nays, 15; absent and not voting, 4.

Those voting in the affirmative were:

Bond	Kehoe	Page
Brant	Lavik	Porter
Braun	Morgan, Richland	Raschko
Bridston	Morgan, Walsh	Rue
Brunsdale	Nelson, Griggs-	Schrock
Day	Steele	Solberg
Drew	Nordhougen	Troxel
Feton	O'Brien	Watt
Flatt	Oksendahl	Wog
Foss	Olson, Barnes	Young
Hoenck		

Those voting in the negative were:

Adam	Lynch	Olson, Mountrail
Beaton	Nelson, Dickey	Semerad
Bilden	Nelson, McKenzie	Streibel
Ginter	Nelson, Renville	Stucke
Kamrath	Olson, McHenry	Thatcher

Absent and not voting:

Blank	Guenther	Lofthus
Greiser		

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

Senator Braun moved that the vote by which Senate Bill No. 190 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senator Young moved that the Senate do now recess for ten minutes, which motion prevailed and the Senate stood recessed.

The Senate re-convened at the expiration of the ten minute recess and the President announced that the Senate would be on the 10th order of business.

MESSAGES FROM THE HOUSE

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 There-

with 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

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.
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.

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 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. 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.

SECOND READING OF SENATE BILLS

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 second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 27; nays, 0; absent and not voting, 22.

Those voting in the affirmative were:

Adam	Kamrath	Oksendahl
Beaton	Kehoe	Olson, Mountrail
Blank	Lynch	Raschko
Bond	Morgan, Richland	Rue
Braun	Morgan, Walsh	Schrock
Drew	Nelson, Dickey	Solberg
Feton	Nelson, Griggs-	Streibel
Foss	Steele	Troxel
Ginter	O'Brien	Young
Hoenck		

Absent and not voting:

Bilden	Lavik	Page
Brant	Lofthus	Porter
Bridston	Nelson, McKenzie	Semerad
Brunsdale	Nelson, Renville	Stucke
Day	Nordhougen	Thatcher
Flatt	Olson, Barnes	Watt
Greiser	Olson, McHenry	Wog
Guenther		

So the bill passed and the title was agreed to.

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 second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 35; nays, 3; absent and not voting, 11.

Those voting in the affirmative were:

Adam	Hoenck	Oksendahl
Beaton	Kamrath	Olson, Barnes
Blank	Kehoe	Olson, Mountrail
Bond	Lavik	Page
Brant	Lynch	Porter
Braun	Morgan, Richland	Rue
Bridston	Morgan, Walsh	Schrock
Day	Nelson, Dickey	Solberg
Drew	Nelson, Griggs-	Streibel
Feton	Steele	Thatcher
Foss	Nordhougen	Troxel
Ginter	O'Brien	Young

Those voting in the negative were:

Flatt	Nelson, McKenzie	Raschko
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Absent and not voting:

Bilden	Lofthus	Stucke
Brunsdale	Nelson, Renville	Watt
Greiser	Olson, McHenry	Wog
Guenther	Semerad	

So the bill passed and the title was agreed to.

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, as amended, the roll was called and there were ayes, 44; nays, 1; absent and not voting, 4.

Those voting in the affirmative were:

Adam	Hoenck	Olson, Barnes
Beaton	Kamrath	Olson, McHenry
Bilden	Kehoe	Olson, Mountrail
Blank	Lavik	Page
Bond	Lynch	Porter
Brant	Morgan, Richland	Raschko
Braun	Morgan, Walsh	Rue

Bridston	Nelson, Dickey	Schrock
Brunsdale	Nelson, Griggs-	Solberg
Day	Steele	Streibel
Drew	Nelson, McKenzie	Stucke
Feton	Nelson, Renville	Troxel
Flatt	Nordhousen	Watt
Foss	O'Brien	Wog
Ginter	Oksendahl	Young

Those voting in the negative were:

Thatcher

Absent and not voting:

Greiser
Guenther

Lofthus

Semerad

So the bill passed and the title was agreed to.

FIRST READING OF HOUSE BILLS

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 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.

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

House Bill No. 18. A Bill for an Act Making an Appropriation for Poor and Destitute Persons, Providing the Methods of Expenditure and Audit Thereof; Supervision and Inspection Therefor.

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

House Bill No. 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 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.

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

House Bill No. 21. A Bill for an Act Making an Appropriation for the Lutheran Welfare Society of North Dakota, Providing the Methods of Expenditure and Audit Thereof; Supervision and Inspection Therefor.

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

House Bill No. 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 Appropriations.

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.

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.

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.

SECOND READING OF 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.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 45; nays, 0; absent and not voting, 4.

Those voting in the affirmative were:

Adam	Kehoe	Olson, Mountrail
Beaton	Lavik	Page
Bilden	Lynch	Porter
Blank	Morgan, Richland	Raschko
Bond	Morgan, Walsh	Rue
Brant	Nelson, Dickey	Schrock
Braun	Nelson, Griggs-	Semerad
Brunsdale	Steele	Solberg
Day	Nelson, McKenzie	Streibel
Drew	Nelson, Renville	Stucke
Feton	Nordhogen	Thatcher
Flatt	O'Brien	Troxel
Foss	Oksendahl	Watt

Ginter	Olson, Barnes	Wog
Hoensch	Olson, McHenry	Young
Kamrath		
Absent and not voting:		
Bridston	Guenther	Lofthus
Greiser		

So the bill passed and the title was agreed to.

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.

Was read the second time.

ROLL CALL

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

Those voting in the affirmative were:

Adam	Kehoe	Olson, Mountrail
Bilden	Lavik	Page
Beaton	Lynch	Porter
Blank	Morgan, Richland	Raschko
Bond	Morgan, Walsh	Rue
Braun	Nelson, Dickey	Schrock
Brunsdale	Nelson, Griggs-	Solberg
Day	Steele	Thatcher
Drew	Nelson, McKenzie	Troxel
Feton	Nelson, Renville	Streibel
Flatt	Nordhougen	Stucke
Foss	O'Brien	Watt
Ginter	Oksendahl	Wog
Hoensch	Olson, Barnes	Young
Kamrath	Olson, McHenry	

Absent and not voting:

Brant	Greiser	Lofthus
Bridston	Guenther	Semerad

So the bill passed and the title was agreed to.

House Bill No. 6. A Bill for an Act Making an Appropriation for the Purpose of Paying 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, 43; nays, 0; absent and not voting, 6.

Those voting in the affirmative were:

Adam	Kehoe	Olson, Mountrail
Beaton	Lavik	Page
Bilden	Lynch	Porter
Blank	Morgan, Richland	Raschko
Bond	Morgan, Walsh	Rue
Brant	Nelson, Dickey	Schrock
Braun	Nelson, Griggs-	Semerad
Brunsdale	Steele	Solberg
Drew	Nelson, McKenzie	Streibel

Feton	Nelson, Renville	Stucke
Flatt	Nordhougen	Thatcher
Foss	O'Brien	Troxel
Ginter	Oksendahl	Watt
Hoenck	Olson, Barnes	Wog
Kamrath	Olson, McHenry	

Absent and not voting:

Bridston	Greiser	Lofthus
Day	Guenther	Young

So the bill passed and the title was agreed to.

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, 44; nays, 0; absent and not voting, 5.

Those voting in the affirmative were:

Adam	Kehoe	Olson, Mountrail
Beaton	Lavik	Page
Bilden	Lynch	Porter
Blank	Morgan, Richland	Raschko
Bond	Morgan, Walsh	Rue
Brant	Nelson, Dickey	Schrock
Braun	Nelson, Griggs-	Semerad
Brunsdale	Steele	Solberg
Drew	Nelson, McKenzie	Streibel
Feton	Nelson, Renville	Stucke
Flatt	Nordhougen	Thatcher
Foss	O'Brien	Troxel
Ginter	Oksendahl	Watt
Hoenck	Olson, Barnes	Wog
Kamrath	Olson, McHenry	Young

Absent and not voting:

Bridston	Greiser	Lofthus
Day	Guenther	

So the bill passed 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, the roll was called and there were ayes, 44; nays, 0; absent and not voting, 5.

Those voting in the affirmative were:

Adam	Kehoe	Olson, Mountrail
Beaton	Lavik	Page
Bilden	Lynch	Porter
Blank	Morgan, Richland	Raschko
Bond	Morgan, Walsh	Rue
Brant	Nelson, Dickey	Schrock

Braun	Nelson, Griggs-	Semerad
Brunsdale	Steele	Solberg
Drew	Nelson, McKenzie	Streibel
Feton	Nelson, Renville	Stucke
Flatt	Nordhougen	Thatcher
Foss	O'Brien	Troxel
Ginter	Oksendahl	Watt
Hoentck	Olson, Barnes	Wog
Kamrath	Olson, McHenry	Young
Absent and not voting:		
Bridston	Greiser	Lofthus
Day	Guenther	

So the bill passed and the title was agreed to.

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.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 44; nays, 0; absent and not voting, 5.

Those voting in the affirmative were:

Adam	Kamrath	Olson, Mountrail
Beaton	Kehoe	Page
Bilden	Lavik	Porter
Blank	Lynch	Raschko
Bond	Morgan, Walsh	Rue
Brant	Nelson, Dickey	Schrock
Braun	Nelson, Griggs-	Semerad
Brunsdale	Steele	Solberg
Day	Nelson, McKenzie	Streibel
Drew	Nelson, Renville	Stucke
Feton	Nordhougen	Thatcher
Flatt	O'Brien	Troxel
Foss	Oksendahl	Watt
Ginter	Olson, Barnes	Wog
Hoentck	Olson, McHenry	Young
Absent and not voting:		
Bridston	Guenther	Morgan, Richland
Greiser	Lofthus	

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.

Senator Porter moved that House Bill No. 31 be re-referred to the Committee on Appropriations, which motion prevailed.

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, 43; nays, 1; absent and not voting, 5.

Those voting in the affirmative were:

Adam	Kehoe	Page
Beaton	Lavik	Porter
Bilden	Lynch	Raschko
Blank	Morgan, Walsh	Rue
Bond	Nelson, Renville	Schrock
Brant	Nelson, Dickey	Semerad
Braun	Nelson, Griggs-	Solberg
Brunsdale	Steele	Streibel
Drew	Nelson, McKenzie	Stucke
Feton	Nordhogen	Thatcher
Flatt	O'Brien	Troxel
Foss	Oksendahl	Watt
Ginter	Olson, Barnes	Wog
Hoenck	Olson, McHenry	Young
Kamrath	Olson, Mountrail	

Those voting in the negative were:

Day

Absent and not voting:

Bridston	Guenther	Morgan, Richland
Greiser	Lofthus	

So the bill passed and the title was agreed to.

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, the roll was called and there were ayes, 44; nays, 0; absent and not voting, 5.

Those voting in the affirmative were:

Adam	Kamrath	Olson, Mountrail
Beaton	Kehoe	Page
Bilden	Lavik	Porter
Blank	Lynch	Raschko
Bond	Morgan, Walsh	Rue
Brant	Nelson, Dickey	Schrock
Braun	Nelson, Griggs-	Semerad
Brunsdale	Steele	Solberg
Day	Nelson, McKenzie	Streibel
Drew	Nelson, Renville	Stucke
Feton	Nordhogen	Thatcher
Flatt	O'Brien	Troxel
Foss	Oksendahl	Watt
Ginter	Olson, Barnes	Wog
Hoenck	Olson, McHenry	Young

Absent and not voting:

Bridston	Guenther	Morgan, Richland
Greiser	Lofthus	

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, the roll was called and there were ayes, 45; nays, 0; absent and not voting, 4.

Those voting in the affirmative were:

Adam	Kehoe	Olson, Mountrail
Beaton	Lavik	Page
Bilden	Lynch	Porter
Blank	Morgan, Walsh	Raschko
Bond	Morgan, Richland	Rue
Brant	Nelson, Dickey	Schrock
Braun	Nelson, Griggs-	Semerad
Brunsdale	Steele	Solberg
Day	Nelson, McKenzie	Streibel
Drew	Nelson, Renville	Stucke
Feton	Nordhousen	Thatcher
Flatt	O'Brien	Troxel
Foss	Oksendahl	Watt
Ginter	Olson, Barnes	Wog
Hoenck	Olson, McHenry	Young
Kamrath		

Absent and not voting:

Bridston	Guenther	Lofthus
Greiser		

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

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.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 45; nays, 0; absent and not voting, 4.

Those voting in the affirmative were:

Adam	Kehoe	Olson, Mountrail
Beaton	Lavik	Page
Bilden	Lynch	Porter
Blank	Morgan, Richland	Raschko
Bond	Morgan, Walsh	Rue
Brant	Nelson, Dickey	Schrock
Braun	Nelson, Griggs-	Semerad
Brunsdale	Steele	Solberg
Day	Nelson, McKenzie	Streibel
Drew	Nelson, Renville	Stucke
Feton	Nordhousen	Thatcher
Flatt	O'Brien	Troxel
Foss	Oksendahl	Watt
Ginter	Olson, Barnes	Wog

Hoenck	Olson, McHenry	Young
Kamrath		
Absent and not voting:		
Bridston	Guenther	Lofthus
Greiser		

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

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.

Senator Braun moved that House Bill No. 82 be laid over one legislative day, which motion prevailed.

SECOND READING OF HOUSE CONCURRENT RESOLUTIONS

House Concurrent Resolution "I." A Concurrent Resolution Memorializing Congress to Revise Farm Prices to Permit Reasonable Profit.

Was read the second time.

Senator Nordhougen moved that House Concurrent Resolution "I" be adopted, which motion prevailed and House Concurrent Resolution "I" was declared adopted.

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

Senator Young moved that House Bill No. 49 be placed at the head of the calendar, which motion prevailed.

The President announced that the Senate will be on the twelfth order of business, Second Reading of House Bills, until 1:45 p. m., tomorrow and directed the Secretary to continue the reading of House Bill No. 49 and that there be no intervening business. The Secretary continued the reading of House Bill No. 49.

W. J. TROUT, Secretary.

CONTINUATION OF FORTY-SECOND DAY
AND FORTY-THIRD DAY

Bismarck, February 16, 1943

The President announced that the Senate was still on the twelfth 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 President announced that the Senate would be on the fourteenth order of business for the signing of bills.

SIGNING OF BILLS

The Secretary announced that the President was about to sign:

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. 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.

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

Senator Young moved that the Senate do now adjourn, which motion prevailed, and the Senate stood adjourned.

W. J. TROUT, Secretary.

FORTY-THIRD DAY

Bismarck, February 16, 1943

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

Prayer by the chaplain, Rev. G. Adolph Johns.

Roll call: All Senators present except Senators Guenther and Lofthus.

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

Mr. President: Your Committee on Revision and Correction of the Journal have carefully examined the Journal of the Fortieth Day After Recess and Forty-second Day and find the same correct.

ORRIS G. NORDHOUGEN, Chairman.

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

REPORTS OF STANDING COMMITTEES

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

Senate Bill No. 60.

Senate Bill No. 144.

Senate Bill No. 159.

And find the same correctly Engrossed.

W. R. BOND, Chairman.

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

Mr. President: Your Committee on State Affairs to whom was referred Senate Bill No. 133, have had the same under consideration and recommend that the same be amended as follows:

Strike out lines 230 to 240 inclusive. (All of Section 10.)

Following line 282 insert a new paragraph as follows:

“Provided, that any shop constituting the only shop operating in its village, town or city, so long as it maintains and observes reasonable sanitary conditions, shall be exempt from the operation of the minimum prices so fixed by the Board, unless the owner or manager of such shop shall request in writing that the Board include such shop therein, in which case it shall be included.”

In line 259 after the word “represented” insert a new sentence reading as follows:

“When such area consists of a county, such petition shall be signed by 75 per cent of such shop owners or managers in cities of 2000 population or more and also by 75 per cent of such shop owners or managers in villages, towns or cities of less than 2000 population.”

And when so amended recommend the same do pass.

J. B. BRIDSTON, Chairman.

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

Mr. President: Your Committee on State Affairs to whom was referred Senate Bill No. 134, have had the same under

consideration and recommend that the same be amended as follows:

In line 15 strike out the word "provided" and all of lines 16, 17, 18 and 19.

In line 81 strike out \$8.00 and insert in lieu thereof \$5.00.

In line 92 strike out \$25.00 and insert in lieu thereof \$10.00.

In line 134 strike out \$5.00 and insert in lieu thereof \$4.00.

And when so amended recommend the same do pass.

J. B. BRIDSTON, Chairman.

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

Mr. President: Your Committee on State Affairs to whom was referred Senate Bill No. 176, have had the same under consideration and recommend that the same be amended as follows:

In line 18 after the word "unmarried" strike out the comma and the words "or widowed" and the comma following the word "widowed".

In line 23 after the word "unmarried" strike out the comma and the words "or widowed" and the comma following the word "widowed".

In line 110 after the word "unmarried" strike out the comma and the words "or widowed" and the comma following the word "widowed".

And when so amended recommend the same do pass.

J. B. BRIDSTON, Chairman.

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

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 189, have had the same under consideration and recommend that the same be amended as follows:

In line 4 strike out the word "shall" and in lieu thereof insert the word "should".

And when so amended recommend the same do pass.

J. J. KEHOE, Chairman.

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

Senator Morgan of Richland moved that the Senate consider the motion to reconsider the vote by which Senate Bill No. 78 was defeated, action on which motion was laid over until today, which motion prevailed.

Senator Morgan of Richland moved that Senate Bill No. 78 be placed on the calendar, which motion prevailed.

Senator Nelson of Dickey moved that the absent Senators be excused, which motion prevailed.

SECOND READING OF SENATE BILLS

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; Pro-

viding 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.

Which had been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 34; nays, 13; absent and not voting, 2.

Those voting in the affirmative were:

Adam	Ginter	Oksendahl
Blank	Hoenck	Olson, Barnes
Bond	Kehoe	Page
Brant	Lavik	Porter
Braun	Lynch	Raschko
Bridston	Morgan, Richland	Rue
Brunsdale	Morgan, Walsh	Schrock
Day	Nelson, Griggs-	Semerad
Drew	Steele	Thatcher
Feton	Nelson, Renville	Wog
Flatt	Nordhougen	Young
Foss	O'Brien	

Those voting in the negative were:

Beaton	Nelson, McKenzie	Streibel
Bilden	Olson, McHenry	Stucke
Greiser	Olson, Mountrail	Troxel
Kamrath	Solberg	Watt

Nelson, Dickey

Absent and not voting:

Guenther Lofthus

So the bill was declared passed with the required two-thirds vote.

Senator Morgan of Richland 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.

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, 46; nays, 0; absent and not voting, 3.

Those voting in the affirmative were:

Adam	Hoenck	Olson, McHenry
Beaton	Kamrath	Olson, Mountrail
Bilden	Kehoe	Page
Blank	Lavik	Porter
Bond	Lynch	Raschko
Brant	Morgan, Richland	Rue
Braun	Morgan, Walsh	Schrock
Bridston	Nelson, Dickey	Semerad
Brunsdale	Nelson, Griggs-	Streibel
Day	Steele	Stucke

Drew	Nelson, McKenzie	Thatcher
Feton	Nelson, Renville	Troxel
Flatt	Nordhougen	Watt
Foss	O'Brien	Wog
Ginter	Oksendahl	Young
Greiser	Olson, Barnes	
Absent and not voting:		
Guenther	Lofthus	Solberg

So the bill passed and the title was agreed to.

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, 46; nays, 1; absent and not voting, 2.

Those voting in the affirmative were:

Adam	Kamrath	Olson, Mountrail
Beaton	Kehoe	Page
Bilden	Lavik	Porter
Blank	Lynch	Raschko
Bond	Morgan, Richland	Rue
Brant	Morgan, Walsh	Schrock
Braun	Nelson, Dickey	Semerad
Bridston	Nelson, Griggs-	Solberg
Brunsdale	Steele	Streibel
Day	Nelson, McKenzie	Stucke
Drew	Nelson, Renville	Thatcher
Feton	Nordhougen	Troxel
Flatt	O'Brien	Watt
Foss	Oksendahl	Wog
Ginter	Olson, Barnes	Young
Hoenck	Olson, McHenry	

Those voting in the negative were:

Greiser

Absent and not voting:

Guenther Lofthus

So the bill passed and the title was agreed to.

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 second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 45; nays, 2; absent and not voting, 2.

Those voting in the affirmative were:

Adam	Hoenck	Olson, Barnes
Beaton	Kamrath	Olson, McHenry
Bilden	Kehoe	Olson, Mountrail

Blank	Lavik	Page
Bond	Lynch	Porter
Brant	Morgan, Richland	Raschko
Braun	Morgan, Walsh	Rue
Bridston	Nelson, Dickey	Schrock
Brunsdale	Nelson, Griggs-	Semerad
Day	Steele	Solberg
Drew	Nelson, McKenzie	Streibel
Feton	Nelson, Renville	Stucke
Flatt	Nordhogen	Troxel
Foss	O'Brien	Wog
Ginter	Oksendahl	Young
Greiser		
Those voting in the negative were:		
Thatcher	Watt	
Absent and not voting:		
Guenther	Lofthus	

So the bill passed and the title was agreed to.

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 second time.

Senator Troxel moved that Senate Bill No. 163 be amended as follows:

In lines 7 and 9 before the word premises in both lines, insert the word "occupied", which motion was declared lost.

Senator Day moved that Senate Bill No. 163 be re-referred to the Committee on Game and Fish, which motion was declared lost.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 26; nays, 21; absent and not voting, 2.

Those voting in the affirmative were:		
Adam	Kehoe	Semerad
Beaton	Lynch	Solberg
Bilden	Morgan, Richland	Streibel
Blank	Nelson, Dickey	Stucke
Bond	Nordhogen	Thatcher
Day	O'Brien	Troxel
Ginter	Olson, McHenry	Watt
Greiser	Olson, Mountrail	Wog
Kamrath	Page	
Those voting in the negative were:		
Brant	Hoenck	Oksendahl
Braun	Lavik	Olson, Barnes
Bridston	Morgan, Walsh	Porter
Brunsdale	Nelson, Griggs-	Raschko
Drew	Steele	Rue
Feton	Nelson, McKenzie	Schrock
Flatt	Nelson, Renville	Young
Foss		

Absent and not voting:

Guenther	Lofthus
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So the bill passed and the title was agreed to.

Senator Olson of Mountrail: "Mr. President, I want to

explain my vote. Where are the farmer's friends now? I vote 'Aye'."

Senator Morgan of Richland: "Mr. President, I want to change my vote from 'No' to 'Aye' for the purpose of re-consideration."

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.

Senator Hoenck requested that his remarks be printed in the journal.

Senator Schrock moved the remarks of Senator Hoenck be stricken from the record, which motion prevailed.

Senator Flatt moved that Senate Bill No. 78 be amended as follows:

On page 2, line 7, strike out the period and insert the following language "and expenses incurred during the biennium", which motion prevailed.

Senator Flatt moved that the rules be suspended and that Senate Bill No. 78 be considered properly re-engrossed and placed on second reading and final passage, as amended, which motion prevailed.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 27; nays, 20; absent and not voting, 2.

Those voting in the affirmative were:

Adam	Greiser	Olson, Mountrail
Beaton	Kamrath	Page
Bilden	Lavik	Porter
Blank	Lynch	Raschko
Bond	Morgan, Richland	Schrock
Braun	Nelson, Dickey	Semerad
Bridston	Nelson, Renville	Streibel
Flatt	O'Brien	Stucke
Ginter	Olson, McHenry	Thatcher

Those voting in the negative were:

Brant	Kehoe	Olson, Barnes
Brunsdale	Morgan, Walsh	Rue
Day	Nelson, Griggs-	Solberg
Drew	Steele	Troxel
Feton	Nelson, McKenzie	Watt
Foss	Nordhogen	Wog
Hoenck	Oksendahl	Young

Absent and not voting:

Guenther	Lofthus
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So the bill passed and the title was agreed to.

Senator Morgan of Richland moved that the vote by which Senate Bill No. 78 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senate Concurrent Resolution "J." A Resolution Providing for the Amendment of Section 121 of the Constitution as Amended by Article 37 of the Amendments Thereto Relating to Qualifications of Electors.

Was read the second time.

Senator Young moved that Senate Concurrent Resolution "J" be amended as follows:

In line 14, after the word "States", strike the semi-colon and insert a period, which motion prevailed.

Senator Young moved a further amendment to Senate Concurrent Resolution "J" as follows:

In line ten, strike out the words "belonging to either of the following classes", which motion prevailed.

Senator Young moved that the rules be suspended and that Senate Concurrent Resolution "J" be considered properly re-engrossed and placed on second reading and final passage, as amended, which motion prevailed.

Senator Page moved that Senate Concurrent Resolution "J" be re-referred to the committee, which motion was declared lost.

Senator Brant moved that Senate Concurrent Resolution "J" be amended as follows:

In line 13, strike out the period and add the words "and who are", and strike out the word "First" in line 14, which motion prevailed.

Senator Page moved to amend the amendment of Senator Brant on Senate Concurrent Resolution "J" as follows:

Change the word "are" to "is" and insert "a" before the word "citizens" and also strike the "s" from the word "citizens", which motion prevailed.

The amendment now reads (lines 13 and 14) "and who is a citizen".

Senator Young moved that the rules be suspended and that Senate Concurrent Resolution "J" be considered properly re-engrossed and placed on second reading and final passage, as amended, which motion prevailed.

Senator Nordhousen moved that Senate Concurrent Resolution "J" be indefinitely postponed.

Senator Young requested a roll call on the motion of Senator Nordhousen.

ROLL CALL

The question being on the motion of Senator Nordhousen that Senate Concurrent Resolution "J" be indefinitely postponed, the roll was called and there were ayes, 35; nays, 12; absent and not voting, 2.

Those voting in the affirmative were:

Adam	Kehoe	Olson, McHenry
Beaton	Lynch	Olson, Mountrail
Blank	Morgan, Richland	Page
Bond	Morgan, Walsh	Porter
Bridston	Nelson, Dickey	Raschko
Brunsdale	Nelson, Griggs-	Rue
Day	Steele	Schrock
Drew	Nelson, McKenzie	Semerad
Ginter	Nelson, Renville	Streibel
Greiser	Nordhousen	Troxel
Hoenck	O'Brien	Watt
Kamrath	Oksendahl	Wog

Those voting in the negative were:

Bilden	Flatt	Solberg
Brant	Foss	Stucke

Braun	Lavik	Thatcher
Feton	Olson, Barnes	Young
Absent and not voting:		
Guenther	Lofthus	

So the motion to indefinitely postpone Senate Concurrent Resolution "J" was declared carried.

Senator Morgan of Richland requested that the Senate return to the 5th order of business, which request was granted.

Senator Morgan of Richland moved that the report of the Committee on Game and Fish on House Bill No. 59 as printed in the journal of the forty-second day without reading, be adopted, which motion prevailed.

MESSAGES FROM THE HOUSE

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 passed as amended.

W. M. SMART, Chief Clerk.
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 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.

FIRST 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, Maintenance of Existing Dams and Drainage Channels, Construction of Needed Drainage Channels, Planning and Surveying Projects, and Expenses of State Compacts.

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

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

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.

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.

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 first time and referred to the Committee on Counties.

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.

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 Corporations.

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.

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 Corporations.

SECOND READING OF HOUSE BILLS

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, 35; nays, 0; absent and not voting, 14.

Those voting in the affirmative were:		
Blank	Morgan, Richland	Raschko
Bond	Nelson, Dickey	Rue
Brant	Nelson, McKenzie	Schrock
Braun	Nelson, Renville	Semerad
Bridston	Nordhougen	Solberg
Brunsdale	O'Brien	Stucke
Drew	Oksendahl	Thatcher
Flatt	Olson, Barnes	Troxel

Foss	Olson, McHenry	Watt
Ginter	Olson, Mountrail	Wog
Greiser	Paer	Young
Hoencck	Porter	
Absent and not voting:		
Adam	Guenther	Lynch
Beaton	Kamrath	Morgan, Walsh
Bilden	Kehoe	Nelson, Griggs-
Day	Lavik	Steele
Feton	Lofthus	Streibel

So the bill passed and the title was agreed to.

MESSAGES TO THE HOUSE

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 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. 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 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.

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 requested.

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 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 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.

The Lieutenant Governor called President Pro Tem Brunsdale to the chair.

The President Pro Tem announced that the Senate will be on the twelfth order of business, second reading of House bills, until 1:45 p. m., tomorrow and directed the Secretary to continue the reading of House Bill No. 49 and that there be no intervening business. The Secretary continued the reading of House Bill No. 49.

W. J. TROUT, Secretary.

CONTINUATION OF FORTY-THIRD DAY
AND FORTY-FOURTH DAY

Bismarck, February 17, 1943

The President announced that the Senate was still on the twelfth 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 President announced that the Senate would be on the fifth order of business for the reading of committee reports.

REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on Tax and Tax Laws to whom was referred Senate Bill No. 148, have had the same under consideration and recommend that the same be placed on the calendar without recommendation.

E. H. BRANT, Chairman.

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

Mr. President: Your Committee on 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.

E. H. BRANT, Chairman.

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

Senator Brant moved that House Concurrent Resolution "G" be re-referred to the Committee on Ways and Means, from the Committee on Tax and Tax Laws, which motion prevailed.

Senator Young moved that the Senate do now adjourn, which motion prevailed, and the Senate stood adjourned.

W. J. TROUT, Secretary.

FORTY-FOURTH DAY

Bismarck, February 17, 1943

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

Prayer by the chaplain, Rev. G. Adolph Johns.

Roll call: All Senators present except Senators Braun and Guenther.

MESSAGES TO THE HOUSE

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 Indebtedness, 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.

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

Mr. President: Your Committee on Revision and Correction of the Journal have carefully examined the Journal of the Forty-second Day and Forty-third Day and find the same correct.

ORRIS G. NORDHOUGEN, Chairman.

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

PETITIONS AND COMMUNICATIONS

Senator Olson of McHenry presented a letter from George Paige of Denbigh regarding pensions for the aged, which was read by the secretary and referred to the Special Committee on Welfare.

MESSAGES FROM THE HOUSE

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 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. 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 respectfully 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.

REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on Enrollment and Engagement respectfully report that:

Senate Concurrent Resolutions "D" and "L".

Were delivered to the Secretary of State at the hour of 1:30 o'clock p. m., February 17, 1943.

W. R. BOND, Chairman.

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

Senate Bill No. 78.

Senate Bill No. 133.

Senate Bill No. 134.

Senate Bill No. 176.

Senate Bill No. 189.

And find the same correctly Engrossed.

W. R. BOND, Chairman.

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

Mr. President: Your Committee on Corporations to whom was referred Senate Bill No. 124, have had the same under consideration and recommend that the same be amended as follows:

In Line 36 insert the word "heretofore" after the word "salaries".

And when so amended recommend the same do pass.

P. L. FOSS, Chairman.

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

Mr. President: Your Committee on Corporations to whom was referred Senate Bill No. 130, have had the same under consideration and recommend that the same be indefinitely postponed.

P. L. FOSS, Chairman.

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

Mr. President: Your Committee on Counties to whom was referred Senate Bill No. 132, have had the same under consideration and recommend that the same do pass.

HARRY O'BRIEN, Chairman.

Senator O'Brien moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Military and Indian Affairs to whom was referred Senate Bill No. 141, have had the same under consideration and recommend that the same be re-referred to the Appropriation Committee without recommendation.

J. L. FLATT, Chairman.

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

Mr. President: Your Committee on Insurance to whom was referred Senate Bill No. 145, have had the same under consideration and recommend that the same do pass.

FRANKLIN PAGE, Chairman.

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

Mr. President: Your Committee on Insurance to whom was referred Senate Bill No. 155, have had the same under consideration and recommend that the same be indefinitely postponed.

FRANKLIN PAGE, Chairman.

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

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 169, have had the same under consideration and recommend that the same be amended as follows:

Correct the title of the bill to read as follows: 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.

Under Section 1 in line 4 after the words "soy beans" insert the words "and flax seed".

Under Section 1 in line 6 after the words "soy beans" insert the words "and flax seed".

Under Section 1 in line 7 after the words "soy beans" insert the words "and flax seed".

Under Section 2 in line 10 after the words "soy beans" insert the words "and flax seed".

Under Section 2 in line 11, strike out the words "general funds of the State" and insert in lieu thereof "State Treasury to the credit of the Mill and Elevator Association Fund".

And when so amended recommend the same do pass.

WM. WATT, Chairman.

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

Mr. President: Your Committee on Corporations to whom was referred Senate Bill No. 173, have had the same under consideration and recommend that the same be amended as follows:

In Line 11 after word "ordinance" strike out the following language: "which need not be, but in the discretion of the governing body may be".

And when so amended recommend the same do pass.

P. L. FOSS, Chairman.

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

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 25, have had the same under consideration and recommend that the same be amended as follows:

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.

And when so amended recommend the same do pass.

WM. WATT, Chairman.

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

Senator Watt moved that the report of the Committee on Appropriations on House Bill No. 25 be amended to include the following:

In line 4 of the engrossed bill, change the figures "182,060.00" to read "\$182,300.00", which motion prevailed.

Mr. President: 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 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").

And when so amended recommend the same do pass.

E. H. BRANT, Chairman.

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

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 95, have had the same under consideration and recommend that the same be amended as follows:

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."

And when so amended recommend the same do pass.

WM. WATT, Chairman.

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

Senator Morgan of Richland moved that the vote by which Senate Bill No. 163 was passed, be reconsidered, which motion prevailed.

Senator Solberg moved that Senate Concurrent Resolution "U" be recalled from the Committee on State Affairs, which motion prevailed.

Senator Solberg moved that permission be granted to Senator Nelson of Griggs-Steele and himself to withdraw Senate Concurrent Resolution "U," which motion prevailed.

Senator Morgan of Richland moved that Senate Bill No. 163 be re-referred to the Committee on Game and Fish, which motion prevailed.

Senator Morgan of Walsh moved that the Senate do concur in the House amendment to Senate Bill No. 52, as follows: "In line 19 insert a period after the word 'Health' and strike out the remainder of line 19 and 20", which motion prevailed.

Senator Nelson of Dickey moved that the absent Senators be excused, which motion prevailed.

Senator Morgan of Walsh moved that the rules be suspended and that Senate Bill No. 52 be considered properly re-engrossed and placed on second reading and final passage, as amended by the House, which motion prevailed.

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, 47; nays, 0; absent and not voting, 2.

Those voting in the affirmative were:

Adam	Kamrath	Olson, McHenry
Beaton	Kehoe	Olson, Mountrail
Bilden	Lavik	Page
Blank	Lofthus	Porter
Bond	Lynch	Raschko
Brant	Morgan, Richland	Rue
Bridston	Morgan, Walsh	Schrock
Brunsdale	Nelson, Dickey	Semerad
Day	Nelson, Griggs-	Solberg
Drew	Steele	Streibel
Feton	Nelson, McKenzie	Stucke
Flatt	Nelson, Renville	Thatcher
Foss	Nordhougen	Troxel
Ginter	O'Brien	Watt
Greiser	Oksendahl	Wog
Hoeneck	Olson, Barnes	Young

Absent and not voting:

Braun Guenther

So the bill passed and the title was agreed to.

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 Exam-

iners 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.

Senator Bridston moved that further action on Senate Bill No. 133 be laid over one legislative day, 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.

Senator Bridston moved that further action on Senate Bill No. 134 be laid over one legislative day, which motion prevailed.

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, 24; nays, 21; absent and not voting, 4.

Those voting in the affirmative were:

Beaton	Kehoe	Page
Bond	Lofthus	Porter
Brant	Lynch	Raschko
Bridston	Nelson, Griggs-	Rue
Brunsdale	Steele	Schrock
Drew	Nelson, Renville	Troxel
Feton	Oksendahl	Watt
Foss	Olson, Barnes	Wog
Hoencck		

Those voting in the negative were:

Adam	Morgan, Richland	Olson, Mountrail
Bilden	Morgan, Walsh	Semerad
Flatt	Nelson, Dickey	Solberg
Ginter	Nelson, McKenzie	Streibel
Greiser	Nordhougen	Stucke
Kamrath	O'Brien	Thatcher
Lavik	Olson, McHenry	Young

Absent and not voting:

Blank	Day	Guenther
Braun		

So the bill was declared lost for want of a constitutional majority.

Senate Bill No. 189. A Bill for an Act to Provide for Filling Vacancies on the State No-Party Ballots.

Was read the second time.

Senator Morgan of Walsh moved that Senate Bill No. 189 be amended as follows:

In line 1, of the printed bill, strike out the words "the candidate" and insert in lieu thereof the following language "either of the candidates", which motion prevailed.

Senator Young moved that the rules be suspended and that Senate Bill No. 189 be considered properly re-engrossed and placed on second reading and final passage, as amended, which motion prevailed.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 45; nays, 1; absent and not voting, 3.

Those voting in the affirmative were:

Adam	Kamrath	Olson, Barnes
Beaton	Kehoe	Olson, McHenry
Bilden	Lavik	Olson, Mountrail
Blank	Lofthus	Porter
Bond	Lynch	Raschko
Brant	Morgan, Richland	Rue
Bridston	Morgan, Walsh	Schrock
Brunsdale	Nelson, Dickey	Semerad
Day	Nelson, Griggs-	Solberg
Drew	Steele	Streibel
Feton	Nelson, McKenzie	Stucke
Flatt	Nelson, Renville	Troxel
Foss	Nordhougen	Watt
Ginter	O'Brien	Wog
Greiser	Oksendahl	Young
Hoenck		

Those voting in the negative were:

Thatcher

Absent and not voting:

Braun	Guenther	Page
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So the bill passed and the title was agreed to.

Senator Young moved that the Senate do now recess for ten minutes, which motion prevailed and the Senate stood recessed.

The Senate re-convened at the expiration of the ten minute recess and the President announced that the Senate would be on the 10th order of business for the second reading of Senate Bills.

SECOND READING OF SENATE BILLS

Senate Bill No. 148. A Bill for an Act to Repeal Sections 2346a1 to 2346a50 Inclusive of the 1925 Supplement of the Compiled Laws of North Dakota for 1913 as Amended by Chapters 239 and 240 of the Laws of North Dakota for 1929, Chapters 283 and 284 of the Laws of North Dakota for 1931, Chapter 253 of the Laws of North Dakota for 1933, Chapter 241 of the Laws of North Dakota for 1937, Chapter 228 of the Laws of North Dakota for 1939 and Chapter 278 of the Laws of North Dakota for 1941 (The Income Tax Law), and Declaring an Emergency.

Was read the second time.

Senator Raschko moved that further action on Senate Bill No. 148 be laid over one day, which motion prevailed.

Senator Stucke requested that the Senate be on the 5th order of business, for the reading of a report of a standing committee, which request was granted.

REPORT OF STANDING COMMITTEE

Mr. President: Your Committee on Public Health to whom was referred Senate Bill No. 57, have had the same under consideration and recommend that the same be amended as follows:

That in section 1 on page 3 at line 40, on page 4 at line 46, and on page 6 at line 97 the words "State Laboratories Department" be substituted in lieu of "State Health Officer."

That in section 3 on page 6 at line 6 the words "State Laboratories Department" be substituted in lieu of "State Health Officer."

That in section 4 on page 6 at line 4 and on page 7 at line 17 the words "State Laboratories Department" be substituted in lieu of "State Health Officer."

That in section 9 on page 14 at line 47 the words "State Laboratories Department" be substituted in lieu of "State Health Officer."

That in section 14 on page 18 at lines 20, 23, 26, and 30 the words "State Laboratories Department" be substituted in lieu of "State Health Officer."

After line 8 in section 24 of the printed bill insert the following:

SECTION 25 SALE OF POSSESSION OF MARIHUANA PROHIBITED; PENALTY; Except as provided in this act no person shall grow, sell, trade, furnish, or give away, or have in his possession, any marihuana or cannabis. Any person who shall violate any provision of this section shall be punished by a fine of not more than two thousand dollars, or by imprisonment in the penitentiary for not more than five years, or by both such fine and imprisonment.

And renumber the following sections after section 25.

And when so amended recommend the same do pass.

E. C. STUCKE, Chairman.

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

FIRST READING OF HOUSE BILLS

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 Insurance.

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.

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.

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.

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.

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 Agriculture and Livestock.

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.

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 and Livestock.

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, 46; nays, 1; absent and not voting, 2.

Those voting in the affirmative were:

Adam	Kehoe	Olson, Mountrail
Beaton	Lavik	Page
Blank	Lofthus	Porter
Bond	Lynch	Raschko
Brant	Morgan, Richland	Rue
Bridston	Morgan, Walsh	Schrock
Brunsdale	Nelson, Dickey	Semerad
Day	Nelson, Griggs-	Solberg
Drew	Steele	Streibel
Feton	Nelson, McKenzie	Stucke

Flatt	Nelson, Renville	Thatcher
Foss	Nordhougen	Troxel
Greiser	Oksendahl	Watt
Ginter	O'Brien	Wog
Hoencck	Olson, Barnes	Young
Kamrath	Olson, McHenry	

Those voting in the negative were:
Bilden

Absent and not voting:
Braun Guenther

So the bill passed and the title was agreed to.

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.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 39; nays, 8; absent and not voting, 2.

Those voting in the affirmative were:

Adam	Kehoe	Olson, Barnes
Bilden	Lavik	Page
Blank	Lofthus	Porter
Bond	Lynch	Raschko
Brant	Morgan, Walsh	Rue
Bridston	Morgan, Richland	Schrock
Brunsdale	Nelson, Griggs-	Solberg
Day	Steele	Streibel
Drew	Nelson, McKenzie	Thatcher
Feton	Nelson, Renville	Troxel
Flatt	Nordhougen	Watt
Foss	O'Brien	Wog
Ginter	Oksendahl	Young

Those voting in the negative were:

Beaton	Nelson, Dickey	Semerad
Greiser	Olson, McHenry	Stucke
Kamrath	Olson, Mountrail	

Absent and not voting:

Braun Guenther

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

Senator Young moved that the vote by which House Bill No. 83 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senator Brunsdale arose to a point of personal privilege.

Senator Brunsdale: "I would like to ask the unanimous consent of the Senate to make a statement regarding the action taken yesterday with regard to Rule No. 31.

Yesterday by our vote, which was a majority vote, we excluded the remarks of a Senator from the Journal. This conflicted, in the opinion of many of the Senators, with Rule No. 31, which states that: 'and upon request a member may have his remarks upon any question taken and extended on the record.'

Now it is not my purpose, Mr. President, to debate this issue all over again—in fact I never did debate it, but my purpose is to inquire as to what the Senate wishes to do: Do they wish at this time, to interpret Rule No. 31 by the action taken yesterday or have a new rule adopted?"

Senator Stucke moved that the above matter be referred to the Committee on Rules, to clarify it, which motion prevailed.

SIGNING OF BILLS

The Secretary announced that the President was about to sign:

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.

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

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

The Secretary read a communication from Oscar E. Erickson, Commissioner of Insurance, with reference to holding a joint session of the two Houses to hear Mr. Grant of the Grant Engineering Company of Minneapolis regarding a plant for the manufacture of synthetic rubber, which was referred to the Committee on State Affairs.

The President Pro Tem announced that the Senate will be on the twelfth order of business, Second Reading of House Bills, until 1:45 p. m., tomorrow and directed the Secretary to continue the reading of House Bill No. 49 and that there be no intervening business. The Secretary continued the reading of House Bill No. 49.

W. J. TROUT, Secretary.

CONTINUATION OF FORTY-FOURTH DAY
AND FORTY-FIFTH DAY

Bismarck, February 18, 1943

The President announced that the Senate was still on the twelfth 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.

Senator Young moved that the Senate do now adjourn, which motion prevailed and the Senate stood adjourned.

W. J. TROUT, Secretary.

FORTY-FIFTH DAY

Bismarck, February 18, 1943

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

Prayer by the chaplain, Rev. Chester W. Hamblin.

Roll call: All Senators present except Senator Guenther.

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

Mr. President: Your Committee on Revision and Correction of the Journal have carefully examined the Journal of the Continuation of the Forty-third Day and Forty-fourth Day and find the same correct.

ORRIS G. NORDHOUGEN, Chairman.

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

PETITIONS AND COMMUNICATIONS

The Secretary read a letter from Mrs. F. T. Gronvold, which had been received by Senator Oksendahl thanking the Senate for the Memorial Resolution forwarded to them in memory of the late Senator Gronvold.

Senator Oksendahl moved that Mrs. Gronvold's letter be printed in the Journal, which motion prevailed.

Rugby, N. Dak.,
Feb. 15, 1943.

North Dakota State Senate,
Senator Knut Oksendahl,
Bismarck, N. Dak.

Dear Senator Oksendahl:

It is with deep gratitude that my children and I wish to acknowledge the Senate Memorial Resolutions sent to us.

We sincerely appreciate your comforting words given in honor of one who meant so much to us.

Respectfully yours,
MRS. F. T. GRONVOLD.

A letter received by Senator Nordhousen from Alfred Engen of Maddock, was read by the Secretary, urging passage of the weed cutting law, which was referred to the Committee on State Affairs.

Letters were received by Senator Nelson of McKenzie from Mrs. Victoria Lassey, from Glenn Myers and Robert Dobias urging the continuance of the Supervised Correspondence Study. These were read by the Secretary and referred to the Committee on Education.

The Secretary read a communication from John J. Muri, of York, North Dakota, regarding old age assistance, which had been received by Senator Nordhousen. The communication was referred to the Special Investigating Committee on Public Welfare.

MESSAGES TO THE HOUSE

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. 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 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.

MESSAGE FROM THE GOVERNOR

State of North Dakota

OFFICE OF THE GOVERNOR

To the Senate of the State of North Dakota:

This is to notify you that I have approved the following bills:

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. 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. 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.

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.

And the same have today been filed with the Secretary of State.

JOHN MOSES, Governor.

REPORTS OF STANDING COMMITTEES

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

Senate Bill No. 57.
Senate Bill No. 124.
Senate Bill No. 169.
Senate Bill No. 173.
Senate Bill No. 189.

And find the same correctly Engrossed.

W. R. BOND, Chairman.

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

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

Senate Bill No. 52.

And find the same correctly Enrolled.

W. R. BOND, Chairman.

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

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 8, have had the same under consideration and recommend that the same be amended as follows:

Under Section 1 in line 4, strike out the figures \$1,099,210.00 and insert the figures \$400,000.00 in lieu thereof.

Under Section 2 in line 23, strike out the semi-colon after the word residence and insert a period in lieu thereof.

Under Section 2 strike out all of lines 24 to 31 inclusive and renumber the balance of the lines.

Under Section 3 in line 32, strike out the figures \$1,099,210.00 and insert the figures \$400,000.00 in lieu thereof.

Under Section 3 in line 33, strike out the figures \$49,710.00 and insert the figures \$27,350.00 in lieu thereof.

Under Section 3 in line 43, strike out the figures \$34,000.00 and insert the figures \$20,000.00 in lieu thereof.

Under Section 3 in line 44, strike out the figures \$5,500.00 and insert the figures \$1,500.00 in lieu thereof.

Under Section 3 in line 45, strike out the figures \$500.00 and insert the figures \$300.00 in lieu thereof.

Under Section 3 in line 46, strike out the figures \$1,240.00 and insert the figures \$600.00 in lieu thereof.

Under Section 3 in line 47, strike out the figures \$5,400.00 and insert the figures \$1,500.00 in lieu thereof.

Under Section 3 in line 48, strike out the figures \$1,050.00 and insert the figures \$550.00 in lieu thereof.

Under Section 3 in line 51, strike out the figures \$350.00 and insert the figures \$250.00 in lieu thereof.

Under Section 3 in line 52, strike out the figures \$400.00 and insert the figures \$250.00 in lieu thereof.

Under Section 3 in line 53, strike out the word "Expense" and insert in lieu thereof "Per Diem & Expense". Also, strike out the figures \$870.00 and insert the figures \$2,000.00 in lieu thereof.

Under Section 3 in line 54 for the total, strike out the figures \$49,710.00 and insert the figures \$27,350.00 in lieu thereof.

And when so amended recommend the same do pass.

WM. WATT, Chairman.

Senator Watt moved that the report of the Committee on Appropriations on Senate Bill No. 8 be printed in the journal without reading and action delayed one legislative day, which motion prevailed.

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

Under Section 1 in line 4, strike out the figures \$2,409,395.00 and insert the figures \$3,000,000.00 in lieu thereof.

Under Section 2 in line 8, strike out the figures \$2,409,395.00 and insert the figures \$3,000,000.00 in lieu thereof.

Under Section 2 in line 9, strike out the figures \$140,575.00 and insert the figures \$66,725.00 in lieu thereof.

Under Section 2 in line 10, strike out the word "efficient".

Under Section 2 in line 23, strike out the word "expense" and insert in lieu thereof "Per Diem & Expense". Also, strike out the figures \$850.00 and insert the figures \$2,000.00 in lieu thereof.

Under Section 2, strike out line 25 in its entirety and renumber the balance of the lines.

Under Section 2 in line 26 for the total, strike out the figures \$140,575.00 and insert the figures \$66,725.00 in lieu thereof.

And when so amended recommend the same do pass.

WM. WATT, Chairman.

Senator Morgan of Richland moved that the report of the Committee on Appropriations on Senate Bill No. 9 be printed in the journal without reading and action delayed one legislative day, which motion prevailed.

Mr. President: Your Committee on Insurance to whom was referred Senate Bill No. 37, have had the same under consideration and recommend that the same be amended as follows:

In the title of the bill, in line 23, strike out the word "providing", all of lines 24, 25, 26, 27 and 28 down to and including the word "safety" and the semi-colon.

In the title of the bill, in line 33, strike out the word "Townships" and insert in lieu thereof the word "cities".

In line 57, after the word wage, insert the following language: "provided, that in the case of temporary total disability, there shall be paid to such disabled employee an additional sum of \$1.00 per week for each dependent child under the age of eighteen (18) years or if over eighteen (18) years and incapable of self support as elsewhere defined in this Act. Provided further that in no event shall the total weekly payment to said disabled employee exceed the sum of \$25.00 per week."

At the end of line 158, strike out the period and insert in lieu thereof, a comma and add "except as provided in Section C above."

In line 254, after the word "Commission", insert a period and strike out the remainder of the line and all of lines 255 and 256 up to the word "Bureau" and including the period, and insert in lieu thereof the following: "The Bureau, by rule, shall specify the amount allowable for attorney's fees in proceedings before the Bureau and the method of enforcing collection thereof from the client when his claim has been allowed."

Strike out all of Section 11.

In line 406, strike out the word "and" and insert in lieu thereof, the word "or".

In line 408, strike out the word "claimant" and insert in lieu thereof, the word "Bureau".

In line 411, strike out the word "will" and insert in lieu thereof, the word "shall".

In line 419, strike out the word "claimant" and insert in lieu thereof, the word "Bureau."

In line 436, strike out everything after "to" and insert in lieu thereof "the Workmen's Compensation fund."

Strike out all of line 437.

In line 344, strike out the word "town" and both commas, and insert in lieu thereof, the word "or"; and strike out the word "township or other political subdivisions," including the comma in line 345.

Remember the lines and sections accordingly.

And when so amended recommend the same do pass.

FRANKLIN PAGE, Chairman.

Senator Page moved that the report of the Committee on Insurance on Senate Bill No. 37 be printed in the journal without reading and action delayed one legislative day, which motion prevailed.

Mr. President: 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, page 2, of the printed bill, strike out the words "Sixteen hundred dollars" and insert in lieu thereof "Fifteen hundred dollars."

In line 19, page 2, of the printed bill, strike out the figures "\$1600.00) and insert in lieu thereof the figures "\$1500.00."

In line 27, page 3, of the printed bill, strike out the words and figures "Forty Dollars (\$40.00)" and insert in lieu thereof the words and figures "Thirty Dollars (\$30.00)":

In line 30, page 3, of the printed bill, strike out the words and figures "Three Thousand Dollars (\$3,000.00) and insert in lieu thereof the words and figures "Twenty-four hundred dollars (\$2,400.00)".

In line 33, page 3, strike out remainder of line following the word "over" and remainder of section and insert in lieu thereof the following language: "twenty-five thousand (25,000) the county commissioners shall appoint an assistant states attorney or clerk with a salary of not less than six hundred dollars (\$600.00) nor more than nine hundred dollars (\$900.00) per annum, and in counties having a population of less than twenty-five thousand (25,000) the county commissioners may appoint an assistant states attorney or clerk, whose salary shall be fixed by the county commissioners, but not to exceed six hundred dollars (\$600.00) per annum.

Strike out all of Section 3 and substitute the following language: Section 3. AMENDMENT.) That Section 5 of said initiated law be amended to read as follows:

"County Commissioners shall be allowed the sum of six dollars (\$6.00) per day, and their actual traveling expenses, which expenses shall not exceed five cents (5c) per mile necessarily traveled while performing their duties in attending meetings of the board or when engaged in other official duties, the same to be paid out of the general fund of the county; provided, however, that in counties having a population of Nine Thousand (9,000) or less, the total compensation and expenses received by any member of the board of county commissioners shall not exceed the sum of Nine Hundred Dollars (\$900.00) per annum."

In line 59, page 4, strike out the words and figures "Three Thousand Dollars (\$3,000.00)" and insert in lieu thereof the words and figures "Twenty-four Hundred Dollars (\$2,400.00).

Renumber lines in sequence.

And when so amended recommend the same do pass.

HARRY O'BRIEN, Chairman.

Senator Bridston moved that the report of the Committee on Counties on Senate Bill No. 68 be printed in the journal without reading and action delayed one legislative day, which motion prevailed.

Mr. President: Your Committee on Public Health to whom was referred Senate Bill No. 77, have had the same under consideration and recommend that the same be amended as follows:

After the word "Officer" in line 2 of the printed bill insert the following: "on information obtained in cooperation with local officers and boards," In line 6 strike out the period and the remainder of the section and insert the following:

"and the City Auditor of all cities having a population in excess of 15,000 persons. Each County Auditor and City Auditor must place the matter before the governing board of the county and or city at their next regular meeting, and the governing board must by resolution either adopt or reject the plan at the same or the first subsequent meeting.

If resolutions are adopted by the governing boards of the cities and counties as hereinbefore provided, adopting the health district plan, all laws and parts of laws in conflict herewith shall automatically become inoperative throughout the territory embraced within the district, and particularly the laws relative to city, village, township and county boards of health; provided, that if the board or boards of county commissioners, or the city council or city commission of any city, reject the plan, it may submit the question of adoption of the provisions of this act to the electors of the county or city at the next ensuing general or special election to be held in said county or city. In all elections held under the provisions of this act the vote cast in cities having a population in excess of 15,000 inhabitants shall be considered separate and apart from the vote cast in the balance of the county, and the participation in the health district by cities shall be governed by the votes cast in the city as distinguished from the vote cast in the balance of the county. If a majority of the electors vote in favor of the adoption of the provisions hereof, the board of county commissioners shall, within ten (10) days after the canvass of said election, adopt such resolution, and, upon the adoption of such resolution such county or counties, together with the cities voting in favor of the plan, shall be considered a district health unit or health district. On a petition filed with the County Auditor containing names of electors of the county equal to ten percent of the votes cast for Governor at the last general election, an election on the question of forming a health district shall be held as heretofore provided. The health districts shall follow county lines, and in case the district as outlined by the State Health Officer includes more than one county, and the plan is adopted in any of said counties or cities, and rejected in any one or more of the other counties or cities, it shall become effective in the county or counties and city or cities adopting the plan, if in the exercise of his discretion the State Health Officer deems the same operative, provided, however, that district or State health officers shall not resort to or be allowed to resort to compulsory vaccination or inoculation.

In line 53 after the comma strike out the words "one of whom shall be a physician, one a dentist, one a business or professional man, one a farmer, and one a woman, who shall be appointed for terms as follows:" and insert in lieu thereof the following words: "all of whom shall be appointed for terms as follows:"

In section 4 line 72 after the comma insert the following: "subject to removal for cause by the District Board of Health, and"

In line 76 after the comma insert the following: "or has the recommendation of the State Health Officer,"

In line 121 of Section 6 after the word OFFICER. Strike out the remainder of the section and insert the following: "The District Health Officer shall perform all the duties, and be guided by the same limitations as are now provided by law relative to County, City, Village and Township health officers, and he shall make such reports to the State Department of Health as may be required by it.

In line 110 after the word "census" insert a period and the following words: "Subsequent quarterly meetings and

special meetings shall be held at a place to be determined by the board, with the thought of rotating the meeting place among the various counties of the district."

In line 138 strike out the period after the word "District" and insert in lieu thereof a comma and the following words: "and certified by the district health board to the county auditors of the various counties within ten days thereafter, and shall be included in the county levy."

In line 147 after the word "county" strike out the remainder of the Section and insert in lieu thereof the following: "wherein the District Health Officer maintains his office as provided in Section 4, and all other counties comprising the health district shall remit and make settlement with such treasurer quarterly."

All claims against the District Health Fund shall be audited by the District Board of Health at its quarterly meetings, and shall be paid from the District Health Fund upon warrant issued by the County Auditor. All expenses actually and necessarily incurred by the District Board of Health in carrying out the provisions of this act, shall be audited and approved by the President and Secretary of the Board and certified to the County Commissioners of the County in which such fund is retained, and shall be paid the same as other county expenses are paid."

After line 168 insert the following section.

"SECTION 12. DISSOLUTION.) After a District Health Unit as provided in this Act has been in operation for two years the same may be dissolved in the following manner: On a petition filed with the County Auditor containing names of electors of the County equal to ten percent of the votes cast for Governor at the last general election, an election on the question of dissolution shall be presented to the people at the next general or special election held in the county. If a majority of the votes cast favor dissolution, the health unit shall be dissolved on July 1st following the election. If a majority of the votes cast are against dissolution, no other election shall be held until a period of two years have again expired."

And when so amended recommend the same do pass.

E. C. STUCKE, Chairman.

Senator Stucke moved that the report of the Committee on Public Health on Senate Bill No. 77 be printed in the journal without reading and action delayed one legislative day, which motion prevailed.

Mr. President: 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.

ROB. GREISER, Chairman.

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

Mr. President: Your Committee on State Affairs to whom was referred Senate Bill No. 115, have had the same under consideration and recommend that the same be amended as follows:

In line 1 after the word "State" strike out the comma and the words "County and Municipal Officers".

In line 2 strike out the first word "and".

In line 4 after the word "forty" strike out the hyphen and the word "four".

In line 4 strike out the last word "and".

Strike out all of line 5.

Add the following Sections 3 and 4:

"Section 3. All State officers and employees who have been continuously in the employ of the state for one year shall be entitled to one week's vacation with full pay, and those who have been continuously in the employ of the State for two years or more shall thereafter be entitled to two weeks' vacation each year with full pay. Any unused vacation in any year shall be accumulated for succeeding years until it totals not to exceed thirty days."

"Section 4. All State officers and employees, regardless of tenure, shall be granted sick leave with pay at the rate of one day per month, which may be accumulated until it totals not to exceed two weeks."

And when so amended recommend the same do pass.

J. B. BRIDSTON, Chairman.

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

Senator Blank moved that the report of the Committee on State Affairs on Senate Bill No. 115 be amended as follows:

Strike out the comma after the word "State", in line 2 of the title, and the words "county and Municipal Officers and", which motion prevailed.

Senator Blank moved that the report of the Committee on State Affairs on Senate Bill No. 115 be further amended as follows:

In line 12 strike out the hyphen after the word "forty" and also the word "four", which motion prevailed.

Senator Day moved that the report of the Committee on State Affairs on Senate Bill No. 115 be further amended as follows:

Strike out the period at the end of the title and insert a comma and add the following language:

"and providing for vacations and sick leave", which motion prevailed.

Mr. President: 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 Line 75 of the Engrossed bill after the word "levies" add the words "for the".

And when so amended recommend the same do pass.

E. H. BRANT, Chairman.

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

Mr. President: Your Committee on State Affairs to whom was referred Senate Bill No. 126, have had the same under consideration and recommend that the same be indefinitely postponed.

J. B. BRIDSTON, Chairman.

Senator Bridston moved that the report be adopted.

Senator Thatcher made a substitute motion that Senate Bill No. 126 be placed on the calendar, which motion prevailed.

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 164, have had the same under consideration and recommend that the same do pass.

J. J. KEHOE, Chairman.

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

Mr. President: Your Committee on State Affairs to whom was referred Senate Bill No. 185, have had the same under consideration and recommend that the same do pass.

J. B. BRIDSTON, Chairman.

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

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 194, have had the same under consideration and recommend that the same be indefinitely postponed.

J. J. KEHOE, Chairman.

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

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 198, have had the same under consideration and recommend that the same be amended as follows:

In Line 1 in the title of the printed bill, by inserting after the word "re-enact" the following: "Section 4550 of the 1913 Compiled Laws of North Dakota as amended by"; at the end of Line 2 in the title of the printed bill, strike the comma, and at the beginning of Line 3 in the title of the printed bill, strike the letter "a" and insert in lieu thereof the word "of".

In Line 1, Section 1 in the printed bill after the word "AMENDMENT" by inserting the following: "Section 4550 of the 1913 Compiled Laws of North Dakota as amended by".

In Line 12 of the printed bill, by striking out the word "the" before the word "principal" and inserting in lieu thereof the word "its".

And when so amended recommend the same do pass.

J. J. KEHOE, Chairman.

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

Mr. President: Your Committee on Judiciary to whom was referred Senate Concurrent Resolution "E," have had the same under consideration and recommend that the same be amended as follows:

In Printed Resolution:

Strike out the word "five" before the word "cents" in Line 14, of Section 45, and insert in lieu thereof the word "ten" and

In Lines 31 and 32, of Section 56, strike out the words "less than sixty days or more than one hundred and twenty days" and insert in lieu thereof the following: "more than ninety days".

And when so amended your committee recommends that

the same be placed upon the calendar without recommendation.

J. J. KEHOE, Chairman.

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

Mr. President: Your Committee on State Affairs to whom was referred Senate Concurrent Resolution "K," have had the same under consideration and recommend that the same be placed on the calendar without recommendation.

J. B. BRIDSTON, Chairman.

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

Mr. President: 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 placed on the calendar without recommendation.

J. B. BRIDSTON, Chairman.

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

Mr. President: Your Committee on State Affairs to whom was referred Senate Concurrent Resolution "Z," have had the same under consideration and recommend that the same be placed on the calendar without recommendation.

J. B. BRIDSTON, Chairman.

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

Mr. President: Your Committee on State Affairs to whom was referred Senate Concurrent Resolution "X," have had the same under consideration and recommend that the same be placed on the calendar without recommendation.

J. B. BRIDSTON, Chairman.

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

Mr. President: Your Committee on State Affairs to whom was referred Senate Concurrent Resolution "Y," have had the same under consideration and recommend that the same be placed on the calendar without recommendation.

J. B. BRIDSTON, Chairman.

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

Mr. President: Your Committee on Counties to whom was referred House Bill No. 136, have had the same under consideration and recommend that the same do pass.

HARRY O'BRIEN, Chairman.

Senator O'Brien moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Judiciary to whom was referred House Bill No. 150, have had the same under consideration and recommend that the same do pass.

J. J. KEHOE, Chairman.

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

Senator Watt moved that the report of the Committee on Appropriations on Senate Bill No. 2 as printed in the Journal of the Thirty-ninth Day without reading, be adopted, with the following amendments:

Under subdivision 11b in line 145, strike out the figures \$9,500.00 and insert the figures \$15,060.00 in lieu thereof.

Under subdivision 11b in line 149 for the total, strike out the figures \$25,800.00 and insert the figures \$31,360.00 in lieu thereof.

In line 402 for the GRAND TOTAL, strike out the figures \$2,190,793.00 and insert the figures \$2,196,353.00 in lieu thereof.

Senator Solberg made a substitute motion that the report of the Committee on Appropriations on Senate Bill No. 2 be further amended as follows: In line 391 of the printed bill, strike out the figures "75,000.00" and insert in lieu thereof the following figures "104,000.00"

and change the total, line 402, strike out the total and insert the figures "2,225,353.00", which motion was declared lost.

The question being on the original motion of Senator Watt that the report of the Committee on Appropriations as amended, be adopted, the motion was put and declared carried.

Senator Nelson of Dickey moved that the absent Senator be excused, which motion prevailed.

Senator Nordhougen moved that the vote by which Senate Bill No. 176 was declared lost be reconsidered, which motion prevailed.

Senator Brunsdale moved that Senate Bill No. 176 be placed on the calendar, which motion prevailed.

Senator Flatt moved that a committee of three be appointed to act with a like committee from the House to make arrangements for a Joint Memorial Service on February 22, 1943, which motion prevailed.

The President appointed as such Committee of Three, Senators Flatt, Schrock and Hoenck.

SECOND READING OF SENATE BILLS

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 second time.

Senator Stucke moved that further action on Senate Bill No. 57 be laid over one legislative day, which motion prevailed.

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, 46; nays, 2; absent and not voting, 1.

Those voting in the affirmative were:

Adam	Kamrath	Olson, McHenry
Beaton	Kehoe	Olson, Mountrail
Bilden	Lavik	Page
Bond	Lofthus	Porter
Brant	Lynch	Raschko
Braun	Morgan, Walsh	Rue
Bridston	Morgan, Richland	Schrock
Brunsdale	Nelson, Dickey	Semerad
Day	Nelson, Griggs-	Solberg
Drew	Steele	Streibel
Feton	Nelson, McKenzie	Stucke
Flatt	Nelson, Renville	Thatcher
Foss	Nordhougen	Troxel
Ginter	O'Brien	Wog
Greiser	Oksendahl	Young
Hoенck	Olson, Barnes	

Those voting in the negative were:

Blank Watt

Absent and not voting:

Guenther

So the bill passed and the title was agreed to.

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.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 46; nays, 0; absent and not voting, 3.

Those voting in the affirmative were:

Adam	Kamrath	Olson, McHenry
Beaton	Kehoe	Olson, Mountrail
Bilden	Lavik	Page
Blank	Lofthus	Porter
Bond	Lynch	Raschko
Brant	Morgan, Walsh	Rue

Braun	Morgan, Richland	Schrock
Brunsdale	Nelson, Dickey	Semerad
Day	Nelson, Griggs-	Streibel
Drew	Steele	Stucke
Feton	Nelson, McKenzie	Thatcher
Flatt	Nelson, Renville	Troxel
Foss	Nordhousen	Watt
Ginter	O'Brien	Wog
Greiser	Oksendahl	Young
Hoencck	Olson, Barnes	
Absent and not voting:		
Bridston	Guenther	Solberg

So the bill passed and the title was agreed to.

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.

Which had been read.

Senator Bridston moved that Senate Bill No. 133 be amended as follows:

Strike out all of Section 7, beginning with line 157, up to and including line 165, and re-numbering the sections accordingly, which motion prevailed.

Senator Nelson of Renville moved a further amendment to Senate Bill No. 133 as follows:

Strike out all of Section 12, beginning with line 250, up to and including line 295, and re-numbering the sections accordingly, which motion was declared lost.

Senator Schrock moved a further amendment to Senate Bill No. 133 as follows:

In line 285, strike out the words "either upon its own initiative or".

And in line 286, strike out the figure "50" and insert the figures "75", which motion prevailed.

Senator Kehoe moved a further amendment to Senate Bill No. 133 as follows:

In line 258, strike out the word "minimum" and insert the word "maximum", which motion was declared lost.

Senator Young moved that the rules be suspended and that Senate Bill No. 133 be considered properly re-engrossed and placed on second reading and final passage, as amended, which motion prevailed.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 35; nays, 12; absent and not voting, 2.

Those voting in the affirmative were:

Beaton	Foss	Page
Bilden	Ginter	Porter
Blank	Hoencck	Raschko
Bond	Lavik	Rue

Brant	Lofthus	Schrock
Braun	Morgan, Walsh	Solberg
Bridston	Nelson, Dickey	Stucke
Brunsdale	Nelson, Griggs-	Thatcher
Day	Steele	Troxel
Drew	Nelson, McKenzie	Watt
Feton	Oksendahl	Wog
Flatt	Olson, Barnes	Young
Those voting in the negative were:		
Adam	Lynch	Olson, McHenry
Greiser	Nelson, Renville	Olson, Mountrail
Kamrath	Nordhousen	Semerad
Kehoe	O'Brien	Streibel
Absent and not voting:		
Guenther	Morgan, Richland	

So the bill passed and the title was agreed to.

Senator Flatt 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.

Senator Young moved that the Senate do now recess for ten minutes, which motion prevailed and the Senate stood recessed.

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

MESSAGES FROM THE HOUSE

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.

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.

SECOND READING OF SENATE BILLS

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.

Which had been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 36; nays, 2; absent and not votign, 11.

Those voting in the affirmative were:

Adam	Ginter	Oksendahl
Beaton	Greiser	Olson, Barnes
Blank	Hoenck	Olson, McHenry
Bond	Kehoe	Olson, Mountrail
Brant	Lavik	Page
Braun	Lofthus	Porter
Bridston	Lynch	Raschko
Day	Morgan, Richland	Rue
Drew	Morgan, Walsh	Schrock
Feton	Nelson, Dickey	Streibel
Flatt	Nelson, McKenzie	Wog
Foss	O'Brien	Young

Those voting in the negative were:

Nelson, Griggs-
Steele Troxel

Absent and not voting:

Bilden	Nelson, Renville	Stucke
Brunsdale	Nordhogen	Thatcher
Guenther	Semerad	Watt
Kamrath	Solberg	

So the bill passed and the title was agreed to.

Senator Flatt 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. 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, 47; nays, 0; absent and not voting, 2.

Those voting in the affirmative were:

Adam	Hoencck	Olson, Barnes
Beaton	Kamrath	Olson, McHenry
Bilden	Kehoe	Olson, Mountrail
Blank	Lavik	Page
Bond	Lofthus	Porter
Brant	Lynch	Raschko
Braun	Morgan, Walsh	Rue
Bridston	Morgan, Richland	Schrock
Brunsdale	Nelson, Dickey	Semerad
Day	Nelson, Griggs-	Solberg
Drew	Steele	Streibel
Feton	Nelson, McKenzie	Stucke
Flatt	Nelson, Renville	Thatcher
Foss	Nordhougen	Troxel
Ginter	O'Brien	Wog
Greiser	Oksendahl	Young

Absent and not voting:

Guenther Watt

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

Senator Braun requested that the Senate be on the 7th order of business, which request was granted.

FIRST READING OF SENATE CONCURRENT RESOLUTIONS

Senator Braun introduced:

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.

Senator Nordhougen moved that the rules be suspended and that Senate Concurrent Resolution "1-C" be adopted, which motion prevailed and Senate Concurrent Resolution "1-C" was declared adopted.

Senator Braun moved that Senate Concurrent Resolution "1-C" be printed in the journal, which motion prevailed.

SENATE CONCURRENT RESOLUTION "1-C"

A 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.

1 WHEREAS, it is self evident and nationally recognized:

2 1. That the production of food for the people of the
3 United States, the people and armed forces of its Allies,
4 and for its own armed forces, it is of prime importance in
5 the war effort.

6 2. That for such food production, as well as for the
7 production of the ammunition of war, many of the pop-
7a ulation
8 of our own state of North Dakota, must be deferred from
8a in-
9 duction into the armed forces of our country.

10 3. That such men are rendering unto their country a
11 duty of great necessity.

12 4. That no censure should be placed upon such man,
12a but
13 that their contribution to the war effort should be
13a recognized,

14 NOW THEREFORE, Be it resolved by the Senate of
14a the State

15 of North Dakota, the House of Representatives concur-
15a ring,

16 that the National Congress and the Selective Service, is
17 requested to adopt some form of distinctive and appro-
17a priate

18 insignia to be worn by such men.

MESSAGE FROM THE HOUSE

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.

SECOND READING OF SENATE BILLS

Senate Bill No. 148. A Bill for an Act to Repeal Sections 2346a1 to 2346a50 Inclusive of the 1925 Supplement of the Compiled Laws of North Dakota for 1913 as Amended by Chapters 239 and 240 of the Laws of North Dakota for 1929, Chapters 283 and 284 of the Laws of North Dakota for 1931, Chapter 253 of the Laws of North Dakota for 1933, Chapter 241 of the Laws of North Dakota for 1937, Chapter 228 of the Laws of North Dakota for 1939 and Chapter 278 of the Laws of North Dakota for 1941 (The Income Tax Law), and Declaring an Emergency.

Which had been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 8; nays, 40; absent and not voting, 1.

Those voting in the affirmative were:

Bond	Morgan, Richland	Raschko
Feton	Page	Rue
Hoenck	Porter	

Those voting in the negative were:

Adam	Kamrath	Olson, Barnes
Beaton	Kehoe	Olson, McHenry
Bilden	Lavik	Olson, Mountrail
Blank	Lofthus.	Schrock
Brant	Lynch	Semerad
Braun	Morgan, Walsh	Solberg
Bridston	Nelson, Dickey	Streibel
Brunsdale	Nelson, Griggs-	Stucke
Day	Steele	Thatcher
Drew	Nelson, McKenzie	Troxel
Flatt	Nelson, Renville	Watt
Foss	Nordhogen	Wog
Ginter	O'Brien	Young
Greiser	Oksendahl	

Absent and not voting:

Guenther

So the bill was declared lost.

Senator Young moved that the Senate be on the fifteenth

order of business for announcements and that on the conclusion of that order of business, the Senate be on the twelfth order of business for the reading of House Bill No. 49 and that the Secretary continue the reading of House Bill No. 49 until 1:45 p. m., tomorrow, which motion prevailed.

The President announced that the Senate will be on the twelfth order of business, Second Reading of House Bills, until 1:45 p. m., tomorrow and directed the secretary to continue the reading of House Bill No. 49 and that there be no intervening business. The Secretary continued the reading of House Bill No. 49.

W. J. TROUT, Secretary.

CONTINUATION OF THE FORTY-FIFTH DAY
AND FORTY-SIXTH DAY

Bismarck, February 19, 1940

The President announced that the Senate was still on the twelfth 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 President announced that the Senate would be on the eleventh order of business for the first reading of House bills.

FIRST READING OF HOUSE BILLS

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 Appropriations.

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.

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.

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 and Indian 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.

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

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.

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

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.

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 Agriculture and Livestock.

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.

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 and Indian Affairs.

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.

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.

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.

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 first time and referred to the Committee on Education.

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.

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

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.

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.

SIGNING OF BILLS

The Secretary announced that the President was about to sign:

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.

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. 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.

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.

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

Senator Young moved that the Senate do now adjourn, which motion prevailed, and the Senate stood adjourned.

W. J. TROUT, Secretary.

FORTY-SIXTH DAY

Bismarck, February 19, 1943

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

Prayer by the chaplain, Rev. Chester W. Hamblin.

Roll call: All Senators present except Guenther and Nelson of Dickey.

MESSAGES TO THE HOUSE

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.

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

Mr. President: Your Committee on Revision and Correction of the Journal have carefully examined the Journal of the Forty-fourth Day After Recess and Forty-fifth Day and find the same correct.

ORRIS G. NORDHOUGEN, Chairman.

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

PETITIONS AND COMMUNICATIONS

The Secretary read a communication from Mrs. Mabel L. Fowler thanking the Senate for the memorial resolution sent her by the Senate in memory of the late Senator A. W. Fowler, which was received by Senator Hoenck.

Senator Watt moved that the letter from Mrs. Fowler be printed in the Journal, which motion prevailed.

Tucson, Arizona,

Feb. 16, 1943.

Dear Senator Hoenck,

Thank you so much for sending me and my family the Senate Journal for Jan. 25th. Mine was forwarded to me from Pensacola.

I wish Art could have read it—he would have felt well-repaid for all the hard work he put in in the Senate.

I know how hard he worked, always willingly—he loved his political life. It is a great comfort to know he was appreciated.

I especially thank you for your kind words and hope some day to be able to thank each of the other Senators who said such kind things about Art.

I was greatly moved! There were many flattering remarks but, I think, he deserved them all for he was a fine man, kind husband and generous father.

Gratefully yours,

MABEL L. FOWLER.

Two communications which had been received by the Lieutenant Governor were read by the Secretary. One from the Resolutions Committee of the N. D. A. C. Farmers Union Cooperative Association urging passage of House Bill No. 189, which was referred to the Committee on Education.

The other from the chairman of the McHenry County Commissioners opposing passage of Senate Bill No. 77, which was referred to the Committee on Public Health.

REPORTS OF STANDING COMMITTEES

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

Senate Concurrent Resolution "E."

And find the same correctly Engrossed.

W. R. BOND, Chairman.

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

Mr. President: Your Committee on Enrollment and En-

grossment respectfully report that they have examined the following bills:

- Senate Bill No. 2.
- Senate Bill No. 37.
- Senate Bill No. 115.
- Senate Bill No. 119.
- Senate Bill No. 133.
- Senate Bill No. 198.

And find the same correctly Engrossed.

W. R. BOND, Chairman.

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

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 56, have had the same under consideration and recommend that the Appropriation be approved as is and that the bill be re-referred to the Committee on Game and Fish for further amendments.

WM. WATT, Chairman.

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

Mr. President: Your Committee on Insurance to whom was referred Senate Bill No. 128, have had the same under consideration and recommend that the same be indefinitely postponed.

FRANKLIN PAGE, Chairman.

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

Mr. President: Your Committee on Insurance to whom was referred Senate Bill No. 129, have had the same under consideration and recommend that the same be indefinitely postponed.

FRANKLIN PAGE, Chairman.

Senator Page moved that the report be adopted.

Senator Bridston made a substitute motion that Senate Bill No. 129 be placed on the calendar, which motion prevailed.

Mr. President: Your Committee on Ways and Means to whom was referred Senate Bill No. 131, have had the same under consideration and recommend that the same do pass.

M. R. YOUNG, Chairman.

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

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 139, have had the same under consideration and recommend that the same do pass.

WM. WATT, Chairman.

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

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 140, have had the same under consideration and recommend that the same be amended as follows:

Under Section 4 in line 67 after the word of, strike out the following: "forty thousand and no/100 dollars (\$40,000.00) and insert in lieu thereof "thirty thousand and no/100 dollars (\$30,000.00)".

And when so amended recommend the same do pass.

WM. WATT, Chairman.

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

Mr. President: Your Committee on Corporations to whom was referred Senate Bill No. 143, have had the same under consideration and recommend that the same do pass.

P. L. FOSS, Chairman.

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

Mr. President: Your Committee on Temperance to whom was referred Senate Bill No. 160, have had the same under consideration and recommend that the same be indefinitely postponed.

R. R. LOFTHUS, Chairman.

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

Mr. President: Your Committee on Insurance to whom was referred Senate Bill No. 177, have had the same under consideration and recommend that the same be amended as follows:

At the end of the 6th line of the title add the following:

"making it unlawful for the insurance commissioner to publish annual statements of insurance companies or other advertising in papers in which members of the legislative assembly have an interest and".

At the end of Section 1, add a new section, as follows:

"Section 2. It shall be unlawful for the insurance commissioner to publish or cause to be published any insurance company's annual statement required to be published by Section 4915 of the 1925 Supplement of the Compiled Laws of North Dakota or any other paid advertising, in any newspaper in this state edited or managed or owned in whole or in part by any member of the legislative assembly".

Renumber Sections that follow.

And when so amended recommend the same do pass.

FRANKLIN PAGE, Chairman.

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

Mr. President: Your Committee on Tax and Tax Laws to whom was referred Senate Bill No. 180, have had the same under consideration and recommend that the same be indefinitely postponed.

E. H. BRANT, Chairman.

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

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 184, have had the same under consideration and recommend that the same be amended as follows:

Under Section 12 in line 9, strike out the word "on" and insert in lieu thereof the word "in".

And when so amended recommend the same do pass.

WM. WATT, Chairman.

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

Mr. President: Your Committee on Agriculture and Livestock to whom was referred House Concurrent Resolution "N," have had the same under consideration and recommend that the same do pass.

A. N. LAVIK, Chairman.

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

Senator Watt moved that the report of the Committee on Appropriations on Senate Bill No. 9 as printed in the journal of the forty-fifth day without reading, be adopted, which motion prevailed.

Senator Page moved that the report of the Committee on Insurance on Senate Bill No. 37 as printed in the journal of the forty-fifth day without reading, be adopted, which motion prevailed.

Senator O'Brien moved that the report of the Committee on Counties on Senate Bill No. 68 as printed in the journal of the forty-fifth day without reading, be adopted, which motion prevailed.

Senator Stucke moved that the report of the Committee on Public Health on Senate Bill No. 77 as printed in the journal of the forty-fifth day without reading, be adopted, which motion prevailed.

Senator Watt moved that the report of the Committee on Appropriations on Senate Bill No. 8 as printed in the journal of the forty-fifth day without reading, be adopted, which motion prevailed.

Senator Page moved that the Committee on Insurance be allowed to withdraw Senate Bill No. 98, which motion prevailed.

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

Senator Rue moved that the vote by which Senate Bill No. 146 was lost, be reconsidered, which motion prevailed.

Senator Bridston moved that House Bill No. 84 be referred to the Committee on Mines and Minerals from the Committee on State Affairs, which motion prevailed.

Senator Bridston moved that further action on Senate Bill No. 126 which is on today's calendar be laid over one day, which motion prevailed.

Senator Flatt moved that Senate Bill No. 146 be referred to the Committee on State Affairs, which motion prevailed.

SECOND READING OF SENATE BILLS

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, 47; nays, 0; absent and not voting, 2.

Those voting in the affirmative were:

Adam	Hoenck	Olson, McHenry
Beaton	Kamrath	Olson, Mountrail

Bilden	Kehoe	Page
Blank	Lavik	Porter
Bond	Lofthus	Raschko
Brant	Lynch	Rue
Braun	Morgan, Walsh	Schrock
Bridston	Morgan, Richland	Semerad
Brunsdale	Nelson, Griggs-	Solberg
Day	Steele	Streibel
Drew	Nelson, McKenzie	Stucke
Feton	Nelson, Renville	Thatcher
Flatt	Nordhougen	Troxel
Foss	O'Brien	Watt
Ginter	Oksendahl	Wog
Greiser	Olson, Barnes	Young
Absent and not voting:		
Guenther	Nelson, Dickey	

So the bill passed 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, 46; nays, 1; absent and not voting 2.

Those voting in the affirmative were:

Adam	Hoenck	Olson, McHenry
Beaton	Kamrath	Olson, Mountrail
Bilden	Kehoe	Page
Blank	Lavik	Porter
Bond	Lofthus	Raschko
Brant	Lynch	Rue
Braun	Morgan, Walsh	Schrock
Bridston	Morgan, Richland	Semerad
Brunsdale	Nelson, Griggs-	Streibel
Day	Steele	Stucke
Drew	Nelson, McKenzie	Thatcher
Feton	Nelson, Renville	Troxel
Flatt	Nordhougen	Watt
Foss	O'Brien	Wog
Ginter	Oksendahl	Young
Greiser	Olson, Barnes	

Those voting in the negative were:

Solberg

Absent and not voting:

Guenther Nelson, Dickey

So the bill passed and the title was agreed to.

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 had been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 38; nays, 8; absent and not voting, 3.

Those voting in the affirmative were:

Beaton	Hoenck	Page
Bilden	Kamrath	Porter
Blank	Kehoe	Raschko
Bond	Lavik	Rue
Brant	Lofthus	Schrock
Braun	Lynch	Semerad
Bridston	Nelson, Griggs-	Solberg
Brunsdale	Steele	Streibel
Day	Nelson, McKenzie	Stucke
Drew	Nelson, Renville	Troxel
Feton	Nordhougen	Watt
Foss	Oksendahl	Wog
Ginter	Olson, Barnes	Young
Those voting in the negative were:		
Adam	Morgan, Walsh	Olson, Mountrail
Flatt	O'Brien	Thatcher
Greiser	Olson, McHenry	

Absent and not voting:

Guenther	Morgan, Richland	Nelson, Dickey
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So the bill passed and the title was agreed to.

Senator Brunsdale moved that the vote by which Senate Bill No. 176 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senate Bill No. 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.

Senator Watt moved that Senate Bill No. 2 be amended as follows, after line 402, insert the following:

"Section 4. Appropriations herein provided insofar as they are used for postage may be expended only on the direction of the Board of Administration, pursuant to the rules and regulations provided for in Chapter 214, Session Laws of 1941."

And renumber the following sections and lines accordingly.

Which motion prevailed.

Senator Watt moved that the rules be suspended and that Senate Bill No. 2 be considered properly re-engrossed and placed on second reading and final passage, as amended, which motion prevailed.

ROLL CALL

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

Those voting in the affirmative were:

Adam	Hoenck	Olson, McHenry
Beaton	Kamrath	Olson, Mountrail
Bilden	Kehoe	Page
Blank	Lavik	Porter
Bond	Lofthus	Raschko

Brant	Lynch	Rue
Braun	Morgan, Walsh	Schrock
Bridston	Morgan, Richland	Semerad
Brunsdale	Nelson, Griggs-	Streibel
Day	Steele	Stucke
Drew	Nelson, McKenzie	Troxel
Feton	Nelson, Renville	Thatcher
Flatt	Nordhougen	Watt
Foss	O'Brien	Wog
Ginter	Oksendahl	Young
Greiser	Olson, Barnes	

Those voting in the negative were:

Solberg

Absent and not voting:

Guenther

Nelson, Dickey

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

Senator Watt moved that the vote by which Senate Bill No. 2 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senate Bill No. 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 second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 45; nays, 2; absent and not voting, 2.

Those voting in the affirmative were:

Adam	Hoenck	Olson, Barnes
Beaton	Kamrath	Olson, McHenry
Bilden	Kehoe	Olson, Mountrail

Blank	Lavik	Page
Bond	Lofthus	Raschko
Brant	Lynch	Rue
Braun	Morgan, Walsh	Schrock
Bridston	Morgan, Richland	Solberg
Brunsdale	Nelson, Griggs-	Streibel
Day	Steele	Stucke
Drew	Nelson, McKenzie	Thatcher
Feton	Nelson, Renville	Troxel
Flatt	Nordhougen	Watt
Foss	O'Brien	Wog
Ginter	Oksendahl	Young
Greiser		

Those voting in the negative were:

Porter Semerad

Absent and not voting:

Guenther Nelson, Dickey

So the bill passed and the title was agreed to.

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, 44; nays, 0; absent and not voting, 5.

Those voting in the affirmative were:

Adam	Hoenck	Olson, Barnes
Beaton	Kamrath	Olson, McHenry
Bilden	Kehoe	Olson, Mountrail
Blank	Lavik	Page
Bond	Lofthus	Porter
Brant	Lynch	Raschko
Bridston	Morgan, Walsh	Rue
Brunsdale	Morgan, Richland	Schrock
Day	Nelson, Griggs-	Semerad
Drew	Steele	Solberg
Feton	Nelson, McKenzie	Streibel
Flatt	Nelson, Renville	Stucke
Foss	Nordhougen	Troxel
Ginter	O'Brien	Wog
Greiser	Oksendahl	Young

Absent and not voting:

Braun Nelson, Dickey Watt
Guenther Thatcher

So the bill passed and the title was agreed to.

Senate Bill No. 115. A Bill for an Act Requiring and Fixing Hours of Labor Per Week of All State Employees and Providing for Deduction of Salary and Pay, and Providing for Vacations and Sick Leave.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 23; nays, 22; absent and not voting, 4.

Those voting in the affirmative were:

Bond	Lavik	Page
Brant	Morgan, Richland	Raschko
Bridston	Nelson, Griggs-	Rue
Brunsdale	Steele	Semerad
Feton	Nelson, McKenzie	Streibel
Foss	O'Brien	Watt
Greiser	Oksendahl	Wog
Kehoe	Olson, McHenry	Young

Those voting in the negative were:

Adam	Kamrath	Olson, Mountrail
Beaton	Lofthus	Porter
Bilden	Lynch	Schrock
Day	Morgan, Walsh	Solberg
Drew	Nelson, Renville	Stucke
Flatt	Nordhougen	Thatcher
Ginter	Olson, Barnes	Troxel

Absent and not voting:

Blank	Guenther	Nelson, Dickey
Braun		

So the bill was lost for lack of a constitutional majority.

Senator Flatt moved that the vote by which Senate Bill No. 115 was lost be reconsidered and the motion to reconsider be laid on the table, 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.

Senator Morgan of Walsh moved that further consideration of Senate Bill No. 119 be delayed one legislative day, which motion prevailed.

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 second time.

Senator Stucke moved that Senate Bill No. 164 be amended as follows:

In line 3 of the bill, change the word "possesses" to "possess", which motion prevailed.

Senator Day moved a further amendment to Senate Bill No. 164 as follows:

In line four of the title, strike out the comma and insert a period and strike out the word "and" in that line and all of line 5, "providing a penalty therefor", which motion prevailed.

Senator Watt moved that the rules be suspended and that Senate Bill No. 164 be considered properly re-engrossed and placed on second reading and final passage, which motion prevailed.

ROLL CALL

The question being on the final passage of the bill, as

amended, the roll was called and there were ayes, 30; nays, 13; absent and not voting, 6.

Those voting in the affirmative were:

Adam	Lavik	Olson, Barnes
Beaton	Lofthus	Olson, McHenry
Bilden	Morgan, Walsh	Page
Brant	Nelson, Griggs-	Raschko
Bridston	Steele	Schrock
Day	Nelson, McKenzie	Semerad
Drew	Nelson, Renville	Stucke
Feton	Nordhougen	Thatcher
Foss	O'Brien	Watt
Hoenck	Oksendahl	Young
Kehoe		

Those voting in the negative were:

Flatt	Morgan, Richland	Solberg
Ginter	Olson, Mountrail	Streibel
Greiser	Porter	Troxel
Kamrath	Rue	Wog
Lynch		

Absent and not voting:

Blank	Braun	Guenther
Bond	Brunsdale	Nelson, Dickey

So the bill passed and the title was agreed to.

Senator Kehoe moved that the vote by which Senate Bill No. 164 was passed be reconsidered and the motion to reconsider be laid on the table, which motion lost.

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, 45; nays, 0; absent and not voting, 4.

Those voting in the affirmative were:

Adam	Hoenck	Olson, McHenry
Beaton	Kamrath	Olson, Mountrail
Bilden	Kehoe	Page
Blank	Lavik	Porter
Bond	Lofthus	Raschko
Brant	Lynch	Rue
Braun	Morgan, Walsh	Schrock
Bridston	Morgan, Richland	Semerad
Brunsdale	Nelson, Griggs-	Streibel
Day	Steele	Stucke
Drew	Nelson, McKenzie	Thatcher
Feton	Nelson, Renville	Troxel
Flatt	O'Brien	Watt
Foss	Oksendahl	Wog
Ginter	Olson, Barnes	Young
Greiser		

Absent and not voting:

Guenther	Nordhougen	Solberg
Nelson, Dickey		

So the bill passed 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.

Senator Morgan of Richland moved that Senate Bill No. 198 be amended as follows:

In line 9, after the word "state and comma and insert the following language:" "if two-thirds of the stockholders consent to such meetings in writing," which motion prevailed.

Senator Morgan of Richland moved that the rules be suspended and that Senate Bill No. 198 be considered properly re-engrossed and placed on second reading and final passage, as amended, which motion prevailed.

Senator Day moved that Senate Bill No. 198 as amended be further amended as follows:

In line 9, strike out the words "stockholders consent to such meetings in writing" and insert the words "capital stock", which motion lost.

Senator Young moved that Senate Bill No. 198 be placed at the foot of the calendar, which motion prevailed.

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

Was read the second time.

Senator Beaton moved that we strike out everything after the title of Senate Concurrent Resolution "E," and insert the following:

"SENATE CONCURRENT RESOLUTION 'E'

Introduced by Senators Thatcher and Young

A Concurrent Resolution Providing for the Amendment of Section 45 of Article 2 of the Constitution of the State of North Dakota, Fixing the Per Diem and Mileage of the Legislative Assembly.

BE IT ENACTED BY THE SENATE OF THE STATE OF NORTH DAKOTA AND THE HOUSE OF REPRESENTATIVES CONCURRING:

1 That the following proposed amendment to Section 45 of
 2 Article 2 of the Constitution of the State of North Dakota
 3 is agreed to and that the same be submitted to the
 3a qualified
 4 electors of the State for approval or rejection in accord-
 5 ance with the provisions of Section 202 of the Constitu-
 6 tion of the State of North Dakota, as amended.
 7 SECTION 1. AMENDMENT.) That Section 45 of
 7a Article 2
 8 of the Constitution of the State of North Dakota is hereby
 9 amended and re-enacted to read as follows:
 10 Section 45. Each member of the Legislative Assembly
 11 shall receive as compensation for his services for each
 12 Regular and Special Session Seven Dollars (\$7.00) per
 12a day,
 13 and five cents (5c) for every mile of necessary travel in
 14 going to and returning from the place of the meeting of

15. the Legislative Assembly on the shortest or most usual
16 route."

And that such amendment to Senate Concurrent Resolution "E" be printed in the Journal and further action delayed one legislative day, which motion prevailed.

Senator Day moved that Senate Bill No. 198 be placed at the head of the calendar, which motion prevailed.

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.

Senator Day moved that Senate Bill No. 198 be amended as follows:

In line nine, following the semi-colon, insert the following language, "provided that any stockholder resident of the State of North Dakota may by making written objection to the secretary of the corporation require any meeting to be held at the company's principal place of business in this state;" which motion prevailed.

Senator Day moved that the rules be suspended and that Senate Bill No. 198 be considered properly re-engrossed and placed on second reading and final passage, as amended, which motion prevailed.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 41; nays, 3; absent and not voting, 5.

Those voting in the affirmative were:

Adam	Kamrath	Olson, Mountrail
Beaton	Kehoe	Page
Bilden	Lavik	Raschko
Bond	Lofthus	Schrock
Brant	Lynch	Semerad
Braun	Morgan, Walsh	Solberg
Bridston	Morgan, Richland	Streibel
Brunsdale	Nelson, McKenzie	Stucke
Day	Nelson, Renville	Thatcher
Drew	Nordhousen	Troxel
Feton	O'Brien	Watt
Foss	Oksendahl	Wog
Ginter	Olson, Barnes	Young
Greiser	Olson, McHenry	

Those voting in the negative were:

Flatt	Porter	Rue
-------	--------	-----

Absent and not voting:

Blank	Hoeneck	Nelson, Griggs-
Guenther	Nelson, Dickey	Steele

So the bill passed and the title was agreed to.

Senator Young moved that the Senate recess for ten minutes, which motion prevailed and the Senate stood recessed.

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

MESSAGE FROM THE HOUSE

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 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. 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.

MESSAGE FROM THE SECRETARY OF STATE
DEPARTMENT OF STATE

Bismarck, February 18, 1943

To the Senate of the State of North Dakota

Gentlemen:

This is to advise that I have today mailed copies of Senate Concurrent Resolution "L." A Concurrent Resolution Memorializing Congress and the President to Take Immediate Steps Toward Production of Synthetic Rubber from Farm Products.

To the 79 persons therein designated; also, copies of Senate Concurrent Resolution "D." Memorializing Congress to Take Action on S 2600 Cited as the "Rubber Supply Act of 1942."

To the 30 persons therein designated.

Respectfully,

THOMAS HALL
Secretary of State.

TH:SH

SECOND READING OF SENATE CONCURRENT RESOLUTIONS

Senate Concurrent Resolution "K." A Concurrent Resolution Providing for the Amendment of Article 54 of the Constitution of the State of North Dakota.

Was read the second time.

Senator Olson of Mountrail moved that Senate Concurrent Resolution "K" be amended as follows:

Change the third and fourth lines of the engrossed bill, to read:

"Be It Resolved by the Senate of the State of North Dakota, the House of Representatives Concurring", which motion prevailed.

Senator Olson of Mountrail moved that the rules be suspended and that Senate Concurrent Resolution "K" be considered properly re-engrossed and placed on second reading and final passage, as amended, which motion prevailed.

ROLL CALL

The question being on the final passage of the Resolution, as amended, the roll was called and there were ayes, 24; nays, 20; absent and not voting, 5.

Those voting in the affirmative were:

Adam	Lynch	Schrock
Beaton	Nelson, McKenzie	Semerad
Bilden	Nelson, Renville	Solberg
Bond	Nordhousen	Streibel
Drew	O'Brien	Stucke
Ginter	Olson, McHenry	Thatcher
Greiser	Olson, Mountrail	Troxel
Kamrath	Page	Wog

Those voting in the negative were:

Brant	Foss	Oksendahl
Braun	Kehoe	Olson, Barnes
Bridston	Lavik	Porter
Brunsdale	Lofthus	Raschko
Day	Morgan, Walsh	Rue
Feton	Nelson, Griggs-	Watt
Flatt	Steele	Young

Absent and not voting:

Blank	Hoencck	Nelson, Dickey
Guenther	Morgan, Richland	

So the concurrent resolution was declared lost for lack of a constitutional majority.

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 second time.

ROLL CALL

The question being on the final passage of the Resolution, the roll was called and there were ayes, 39; nays, 6; absent and not voting, 4.

Those voting in the affirmative were:

Adam	Kamrath	Olson, McHenry
Beaton	Kehoe	Page
Bilden	Lavik	Porter
Bond	Lofthus	Rue

Brant	Morgan, Walsh	Raschko
Braun	Morgan, Richland	Schrock
Bridston	Nelson, Griggs-	Semerad
Brunsdale	Steele	Stucke
Drew	Nelson, McKenzie	Thatcher
Feton	Nelson, Renville	Troxel
Flatt	Nordhougen	Watt
Foss	O'Brien	Wog
Ginter	Oksendahl	Young

Those voting in the negative were:

Day	Olson, Barnes	Solberg
Lynch	Olson, Mountrail	Streibel

Absent and not voting:

Blank	Hoенck	Nelson, Dickey
Guenther		

So the concurrent resolution passed and the title was agreed to.

Senate Concurrent Resolution "Z." A Concurrent Resolution Providing for the Amendment of Section 82 of the Constitution of the State of North Dakota.

Was read the second time.

Senator Thatcher moved that Senate Concurrent Resolution "Z" be amended as follows:

In line 24, after the semi-colon, strike out the balance of line 24 and all of line 25, which motion prevailed.

Senator Brunsdale moved that the rules be suspended and that Senate Concurrent Resolution "Z" be considered properly re-engrossed and placed on second reading and final passage, as amended, which motion prevailed.

ROLL CALL

The question being on the final passage of the Resolution, as amended, the roll was called and there were ayes, 13; nays, 32; absent and not voting, 4.

Those voting in the affirmative were:

Brant	Morgan, Richland	Rue
Bridston	Oksendahl	Thatcher
Brunsdale	Olson, Barnes	Troxel
Drew	Page	Young

Those voting in the negative were:

Adam	Kehoe	Olson, McHenry
Beaton	Lavik	Olson, Mountrail
Bilden	Lofthus	Porter
Bond	Lynch	Raschko
Braun	Morgan, Walsh	Schrock
Day	Nelson, Griggs-	Semerad
Feton	Steele	Solberg
Foss	Nelson, McKenzie	Streibel
Ginter	Nelson, Renville	Stucke
Greiser	Nordhougen	Watt
Kamrath	O'Brien	Wog

Absent and not voting:

Blank	Hoенck	Nelson, Dickey
Guenther		

So the concurrent resolution was declared lost.

Senator Watt moved that the vote by which Senate Concurrent Resolution "Z" was passed be reconsidered and the

motion to reconsider be laid on the table, which motion prevailed.

Senator Bridston moved that further action on Senate Concurrent Resolution "X" be laid over until Monday, which motion was lost.

Senate Concurrent Resolution "X." A Concurrent Resolution Providing for the Amendment of Section 32 of the Constitution of the State of North Dakota.

Was read the second time.

Senator Semerad moved that Senate Concurrent Resolution "X" be indefinitely postponed, which motion prevailed.

Senate Concurrent Resolution "Y." A Concurrent Resolution Providing for the Amendment of Section 26 of the Constitution of the State of North Dakota.

Was read the second time.

Senator Watt moved that Senate Concurrent Resolution "Y" be indefinitely postponed, which motion prevailed.

Senator Young moved that the Senate be on the fifteenth order of business for announcements and that at the conclusion of that order of business the Senate be on the twelfth order of business for the reading of House Bill No. 49 and that the Secretary continue the reading of House Bill No. 49 until 1:45 p. m., tomorrow, which motion prevailed.

The President announced that the Senate will be on the twelfth order of business, Second Reading of House Bills, until 1:45 p. m., tomorrow and directed the secretary to continue the reading of House Bill No. 49 and that there be no intervening business. The Secretary continued the reading of House Bill No. 49.

W. J. TROUT, Secretary.

CONTINUATION OF THE FORTY-SIXTH DAY
AND FORTY-SEVENTH DAY

Bismarck, February 20, 1943

The President announced that the Senate was still on the twelfth 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 President announced that the Senate would be on the eleventh order of business for the

FIRST READING OF HOUSE BILLS AND
CONCURRENT RESOLUTIONS

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.

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 Tax and Tax Laws.

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 State Affairs.

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 Military and Indian Affairs.

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.

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.

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 and Indian Affairs.

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.

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 Corporations.

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 Orig-

inal 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.

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.

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.

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.

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 State Affairs.

Senator Young moved that the Senate do now adjourn, which motion prevailed and the Senate stood adjourned.

W. J. TROUT, Secretary.

FORTY-SEVENTH DAY

Bismarck, February 20, 1943

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

Prayer by the chaplain, Rev. Chester W. Hamblin.

Roll call: All Senators present except Adam, Bilden, Fetton, Guenther, Hoenck, Nelson of Dickey, Olson of McHenry, Semerad, Solberg and Stucke.

MESSAGES TO THE HOUSE

Senate Chamber

Bismarck, February 20, 1943

Mr. President: 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. 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.

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.

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 Relat-

ing 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 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.

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

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

On page 441, line 28, change the figure "80" to "8".

And when so corrected recommend that the same be approved.

ORRIS G. NORDHOUGEN, Chairman.

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

PETITIONS AND COMMUNICATIONS

A communication from the Farmers Co-operative Elevator Company of Blaisdell and ten others, received by Senator Olson of Mountrail and a telegram to Senator Watt from Staale Hendrickson, protesting passage of Senate Bill No. 192, was read by the secretary and referred to the Committee on Mines and Minerals.

A card from the Jamestown Jr-Sr. High School was read by the Secretary urging passage of Senate Bill No. 119, which was referred to the Committee on Education.

A communication from the N. D. A. C. Farmers Union Cooperative Association urging that compulsory R. O. T. C. not be re-instated at the University and Agricultural College, which was referred to the Committee on Military and Indian Affairs.

REPORTS OF STANDING COMMITTEES

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

Senate Bill No. 2.
Senate Bill No. 8.
Senate Bill No. 9.
Senate Bill No. 68.
Senate Bill No. 77.
Senate Bill No. 140.
Senate Bill No. 164.
Senate Bill No. 177.
Senate Bill No. 184.
Senate Bill No. 198.
Senate Concurrent Resolution "E."

And find the same correctly Engrossed.

W. R. BOND, Chairman.

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

Mr. President: Your Committee on Rules beg to make the following report:

In Section 31, "Explanation of Vote", after the word Journal in line 4, strike out the semi-colon and place a period. Also, strike out the balance of line 4, 5 and 6.

Your committee recommends a new paragraph to be numbered 31-A, title to be "Recording Remarks in Journal".

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

WILLIAM A. THATCHER, Chairman.

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

Mr. President: Your Committee on Game and Fish to

whom was referred Senate Bill No. 56, have had the same under consideration and recommend that the same be amended as follows:

In line 2 of the title of the bill, after the word "biennium" and before the word "to", insert "beginning July 1, 1943 and ending June 30, 1945,".

In the title of the bill in line 12, after the word "labor" and preceding the word "to", insert "of the State of North Dakota".

In Section 1, line 1 of the printed bill, after the word "Labor" and preceding the word "is", insert "of the State of North Dakota".

In line 8, page 2, of the printed bill, after the word "of" at the beginning of the sentence, strike out the word "Agriculture" and insert in lieu thereof the words "the Interior".

In line 17 of the printed bill after the word "the", insert "Fish and Wild Life Service may enter into".

At the end of the title, strike out "and declaring an emergency."

And when so amended recommend the same do pass.

H. R. MORGAN, Chairman.

Senator Morgan of Richland moved that the report of the Committee on Game and Fish on Senate Bill No. 56 be printed in the journal without reading and further action delayed one legislative day, which motion prevailed.

Mr. President: 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 amended as follows:

Strike out everything in Lines 42 and 43 following the period in Line 42, and add the following:

"The license fee for the first brand of paint sold by a manufacturer shall be \$50.00, and each subsequent brand shall be \$10.00, but the total license fee from any manufacturer shall not exceed \$100.00 for all brands.

"The license fee for the first brand of varnish sold by a manufacturer shall be \$50.00, and each subsequent brand shall be \$10.00, but the total license fee from any manufacturer shall not exceed \$100.00 for all brands. Provided, however, no license shall be required for paints or varnishes in the hands of a retailer, within the state, prior to January 1st, 1944.

"If the manufacturer or distributor secures a license for a product, subsequent sellers, including retailers, need not again secure a license for the same product."

And when so amended recommend the same do pass.

M. R. YOUNG, Acting Chairman.

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

Mr. President: Your Committee on State Affairs to whom was referred Senate Bill No. 146, have had the same under consideration and recommend that the same be amended as follows:

In the title of the bill on line four after the semi-colon insert the following language:

“permitting municipalities by ordinance to prohibit operation”; (semi-colon).

Strike out all of lines 7, 8, 9, and 10, and insert in lieu thereof the following language:

“that any municipality may by ordinance prohibit the operation of bowling alleys on the first day of the week”.

And when so amended recommend the same do pass.

M. R. YOUNG, Acting Chairman.

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

Mr. President: Your Committee on Game and Fish to whom was referred Senate Bill No. 163, have had the same under consideration and recommend that the same be amended as follows:

In line 6 of the engrossed bill after the parenthesis following the word “WHEN”, strike out the remainder of the bill and insert in lieu thereof the following language:

Sub-section 1. POSTED, OR WITHIN FORTY RODS OF RESIDENCE.) It shall be unlawful for any person to enter upon the premises of another for the purpose of hunting or pursuing game birds, or to hunt or pursue game birds upon the premises of another without first obtaining permission of the person legally entitled to grant the same, in the following cases:

A. If the owner or the tenant of said land or premises shall have placed near the border of said property “No Hunting” signs, posted at a distance not more than eighty rods apart, in a position to be reasonably discernible, or

B. If within forty rods of any occupied residence.

Sub-section 2. POSSESSION OF FIRE ARMS, HUNTING.) Any persons entering upon premises of another without permission, who shall at the time of so entering, have in his or her possession, any gun or fire arm, shall prima facie be presumed to have entered said premises for the purpose of hunting game within the meaning of this act, but nothing herein shall prevent a person from going upon posted land without his gun, to take game, shot or killed, on land where such person has lawful right to hunt.

Sub-section 3. FINE.) Every person trespassing in violation of this section, shall, in addition to any penalty hereinafter provided, be liable to pay to the owner or tenant in possession of the land upon which the trespassing occurred, liquidating damage in the sum of \$25.00 for trespassing, to be recovered in a civil action.

And when so amended recommend the same do pass.

H. R. MORGAN, Chairman.

Senator Morgan of Richland moved that the report of the Committee on Game and Fish on Senate Bill No. 163 be printed in the journal without reading and action delayed one legislative day, which motion prevailed.

Mr. President: Your Committee on State Affairs to whom was referred Senate Bill No. 165, have had the same under consideration and recommend that the same be indefinitely postponed.

M. R. YOUNG, Acting Chairman.

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

Mr. President: Your Committee on State Affairs to whom was referred Senate Bill No. 166, have had the same under consideration and recommend that the same do pass.

M. R. YOUNG, Acting Chairman.

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

DIVIDED REPORT

Mr. President: The following members of your Committee on State Affairs to whom was referred Senate Bill No. 167, have had the same under consideration and recommend that the same do pass.

M. R. YOUNG
J. L. FLATT
A. N. LAVIK
M. J. RASCHKO
GUST WOG
P. W. BLANK
G. F. DREW

J. B. BRIDSTON, Chairman.

Mr. President: The following members of your Committee on State Affairs to whom was referred Senate Bill No. 167, have had the same under consideration and recommend that the same be indefinitely postponed.

MILTON RUE
HARRY O'BRIEN
R. R. MORGAN
C. N. BRUNSDALE
R. M. STREIBEL
ROB. GREISER
AXEL OLSON
IVER SOLBERG

Senator Bridston moved that Senate Bill No. 167 be placed on the calendar, which motion prevailed and the report was adopted.

Mr. President: 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.

M. J. RASCHKO, Chairman.

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

Mr. President: Your Committee on Banks and Banking to whom was referred Senate Bill No. 171, have had the same under consideration and recommend that the same be amended as follows:

In line 73 strike out the word "state" and insert the words "chief deputy". In line 74 after the word "shall" insert the words "act as secretary and".

And when so amended recommend the same do pass.

M. J. RASCHKO, Chairman.

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

Mr. President: Your Committee on Banks and Banking to whom was referred Senate Bill No. 172, have had the same under consideration and recommend that the same do pass.

M. J. RASCHKO, Chairman.

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

Mr. President: Your Committee on Agriculture and Livestock 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 Section 17 and insert in lieu thereof the following:

Section 17. MISLABELING.) It shall be unlawful for any person knowingly either for himself or while acting as agent or servant for any other person to sell, consign for sale, offer or expose for sale, have in possession or storage with intent for sale or to deliver or distribute within the state, any seed which shall be mislabeled within the meaning of this act or the regulations made thereunder, or which is falsely labeled, represented or advertised in any respect, or which is designated, offered, represented or advertised under any name or identification other than that by which such seed was originally known, provided, however, that any person may, under rules and regulations to be made therefor by the Commissioner, submit to the State Seed Commissioner a sample of any seed which he claims to be a new variety distinct from any commonly known variety of such seed, together with a proposed distinctive name therefor. The State Seed Commissioner shall within one year make such tests as he shall consider necessary and if he finds as a result of such tests that such seed or plant is of a new variety distinct from any variety of such seed known theretofore, and that the name proposed therefor will properly distinguish said seed from any and all other varieties thereof, he shall issue to the person applying therefor a permit to designate such seed by said name.

And when so amended recommend the same do pass.

A. N. LAVIK, Chairman.

Senator Lavik moved that the report of the Committee on Agriculture and Livestock on Senate Bill No. 175 be printed in the Journal without reading and action delayed one legislative day, which motion prevailed.

Mr. President: Your Committee on Highways to whom was referred Senate Bill No. 178, have had the same under consideration and recommend that the same do pass.

GUST WOG, Chairman.

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

Mr. President: Your Committee on Banks and Banking to whom was referred Senate Bill No. 186, have had the same under consideration and recommend that the same do pass.

M. J. RASCHKO, Chairman.

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

Mr. President: Your Committee on Banks and Banking to whom was referred Senate Bill No. 187, have had the same under consideration and recommend that the same do pass.

M. J. RASCHKO, Chairman.

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

Mr. President: Your Committee on State Affairs to whom was referred Senate Bill No. 192, have had the same under consideration and recommend that the same do pass.

M. R. YOUNG, Acting Chairman.

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

Mr. President: Your Committee on Mines and Minerals to whom was referred House No. 84, have had the same under consideration and recommend that the same do pass.

AXEL OLSON, Chairman.

Senator Olson of Mountrail moved that the report be adopted, which motion prevailed and the report was adopted.

FIRST READING OF SENATE BILLS AND CONCURRENT RESOLUTIONS

The Committee on Tax and Tax Laws introduced:

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.

The Committee on Appropriations introduced:

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.

The Interim Committee (Senators Streibel and Kehoe) introduced:

Senate Bill No. 201. A Bill for an Act Permitting the Issuing of Licenses to Practice Embalming in This State by Reciprocity and to Any Person Who Has Been Actively Engaged in Undertaking in the State for Twenty Years Without an Examination.

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

The Interim Committee (Senators Streibel and Kehoe) introduced:

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.

The Committee on Delayed Bills introduced:

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 Appropriations.

The Committee on Delayed Bills introduced:

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.

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

The Committee on Delayed Bills introduced:

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 first time and referred to the Committee on Judiciary.

The Committee on Delayed Bills introduced:

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.

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

Senator Thatcher moved that Senate Bill No. 126 be laid over one legislative day and the amendments printed in the Journal, which motion prevailed.

Strike out at the end of the title, "and declaring an emergency."

In line 11, after the word "ring", strike out "or place where said sale is held" and insert in lieu thereof, "farm or other place where a public auction is advertised,".

In line 21, strike out the word "Treasurer" and insert in lieu thereof "Auditor".

In line 22, strike out "Fifty" and insert in lieu thereof "Twenty-five".

In line 23, strike out the figures "(\$50.00)" and insert in lieu thereof the figures "(\$25.00) and an annual fee of Ten (\$10.00) Dollars" and after the word "Dollars" in line 23, strike out "and filing a bond as herein after provided" and in line 24 after the word "anyone" insert "obtaining such license must be a bonafide".

In lines 25 and 26, after the word "Dakota" strike out "shall obtain his license in the county of his legal residence".

At the end of line 37, strike out the period and insert a semi-colon and insert "provided that auctioneers from other states, holding licenses therein, and where reciprocal agreements can be made, shall have such licenses honored in this state; and further provided, that this law will not prohibit professional auctioneers, who conduct sales of registered stock only, from conducting such sales.

Strike out all of Section 3 and insert in lieu thereof the following language:

"Section 3. BOND.) Any auctioneer conducting sales in the State of North Dakota, who assumes full control of any auction sale whereby he shall handle, or be responsible in any way for the proceeds of such sale, shall execute a bond in the sum of One Thousand and no/100 (\$1,000.00) Dollars from the State of North Dakota Bonding Department or an approved surety company licensed in this state. Said bond shall be deposited with the County Treasurer, who upon approval of same, shall endorse same as to form and sufficiency and file it in his office. Any person having any lawful claim against the auctioneer and licensee on account of, or arising out of, an auction sale conducted by him or in which he assisted, may institute any action to recover the same in his own name upon said bond in the manner and with like effect as though the said bond were made payable to him."

In line 67, strike out "period of one year" and all of line 68 and insert in lieu thereof, "year in which license is issued; further, to have all applications and licenses uniform within the state, it shall be the duty of the Attorney General of the State of North Dakota, to draw and approve forms for said applications and licenses."

In line 70, after the word "auctioneer" insert "or any clerk or assistant at any sale".

In line 77, after the word "fined" insert, "not more than."

Senator Braun moved that one copy of Senate Concurrent Resolution "1-C" be sent to the President of the United States, to our Senators and Representatives in Congress, and to the Governor of North Dakota, 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, 38; nays, 0; absent and not voting 11.

Those voting in the affirmative were:

Beaton	Kehoe	Olson, Mountrail
Blank	Lavik	Page
Bond	Lofthus	Porter
Brant	Lynch	Raschko
Braun	Morgan, Walsh	Rue
Bridston	Morgan, Richland	Schrock
Brunsdale	Nelson, Griggs-	Solberg
Day	Steele	Streibel
Drew	Nelson, Renville	Thatcher
Flatt	Nordhousen	Troxel
Foss	O'Brien	Watt
Ginter	Oksendahl	Wog
Kamrath	Olson, Barnes	Young

Absent and not voting:

Adam	Guenther	Olson, McHenry
Bilden	Hoenck	Semerad
Feton	Nelson, Dickey	Stucke
Greiser	Nelson, McKenzie	

So the bill passed and the title was agreed to.

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, 37; nays, 0; absent and not voting, 12.

Those voting in the affirmative were:

Beaton	Lavik	Page
Blank	Lofthus	Porter
Bond	Lynch	Raschko
Brant	Morgan, Walsh	Rue
Braun	Morgan, Richland	Schrock
Bridston	Nelson, Griggs-	Solberg
Brunsdale	Steele	Streibel
Day	Nelson, Renville	Thatcher
Drew	Nordhogen	Troxel
Flatt	O'Brien	Watt
Foss	Olson, Barnes	Wog
Kamrath	Olson, Mountrail	Young
Kehoe	Oksendahl	

Absent and not voting:

Adam	Greiser	Nelson, McKenzie
Bilden	Guenther	Olson, McHenry
Feton	Hoenck	Semerad
Ginter	Nelson, Dickey	Stucke

So the bill passed and the title was agreed to.

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 Payment 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, 38; nays, 0; absent and not voting, 11.

Those voting in the affirmative were:

Beaton	Kehoe	Olson, Mountrail
Blank	Lavik	Page
Bond	Lofthus	Porter
Brant	Lynch	Raschko
Braun	Morgan, Walsh	Rue
Bridston	Morgan, Richland	Schrock
Brunsdale	Nelson, Griggs-	Solberg
Day	Steele	Streibel
Drew	Nelson, McKenzie	Thatcher
Flatt	Nordhougen	Troxel
Foss	O'Brien	Watt
Ginter	Oksendahl	Wog
Kamrath	Olson, Barnes	Young

Absent and not voting:

Adam	Guenther	Olson, McHenry
Bilden	Hoencck	Semerad
Feton	Nelson, Dickey	Stucke
Greiser	Nelson, Renville	

So the bill passed and the title was agreed to.

Senator Young moved that the Senate be on the fifteenth order of business for announcements and that at the conclusion of that order of business the Senate be on the twelfth order of business for the reading of House Bill No. 49 and that the Secretary continue the reading of House Bill No. 49 until 1:00 p. m. Monday, which motion prevailed.

Senator Flatt announced that the Committee for the Joint Memorial Session on Monday, February 22nd had decided to hold the Joint Memorial Session on Thursday, February 25th.

The President announced that the Senate will be on the twelfth order of business, second reading of House bills, until 1:00 p. m., Monday and directed the secretary to continue the reading of House Bill No. 49 and that there be no intervening business. The Secretary continued the reading of House Bill No. 49.

W. J. TROUT, Secretary.

CONTINUATION OF THE FORTY-SEVENTH DAY
AND FORTY-NINTH DAY

Bismarck, February 22, 1943

The President announced that the Secretary had completed the reading of House Bill No. 94.

Senator Morgan of Richland moved that the rules be suspended and that House Bill No. 49 be placed at the head of the calendar, which motion prevailed.

The President announced that the Senate would be on the twelfth order of business for the second reading and final passage of House bills.

The President called Senator Kehoe to the chair.

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, 37; nays, 0; absent and not voting, 12.

Those voting in the affirmative were:

Adam	Kehoe	Page
Beaton	Lavik	Porter
Blank	Lynch	Raschko
Bond	Morgan, Walsh	Rue
Brant	Morgan, Richland	Schrock
Braun	Nelson, Dickey	Semerad
Drew	Nelson, McKenzie	Solberg
Feton	Nelson, Renville	Streibel
Flatt	O'Brien	Thatcher
Foss	Oksendahl	Troxel
Ginter	Olson, Barnes	Wog
Hoenck	Olson, Mountrail	Young
Kamrath		

Absent and not voting:

Bilden	Greiser	Nordhogen
Bridston	Guenther	Olson, McHenry
Brunsdale	Lofthus	Stucke
Day	Nelson, Griggs-	Watt
	Steele	

So the bill passed and the title was agreed to.

REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 156, have had the same under consideration and recommend that the same be amended as follows:

That the title of said bill be amended to read as follows:

"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."

In line 8 of Section 2 delete the word "shall" and insert in lieu thereof the word "may".

In line 119 of Section 8 delete the word "exclusive".

In line 122 of Section 8 delete the semi-colon and insert in lieu thereof a colon.

In line 123 of Section 8 delete the figure "(2)".

In line 237 of Section 13 after the word "offense" delete the words "of the degree of felony".

Commencing with line 238 of Section 13 after the word "discretion" delete the remainder of said section and insert in lieu thereof the words: "permit such child to be proceeded against in accordance with the laws or ordinances that may be in force governing such offense."

In line 245 of Section 14 after the word "court" insert the words "or juvenile commissioner".

After line 318 of Section 18 add the following:

"The Court may conduct the hearing in an informal manner. Such hearings shall be reported as in civil cases. The general public shall be excluded and only such persons admitted as have a direct interest in the case. The Court shall hear and determine all cases without a jury."

In line 409 of Section 25 delete the whole of said section following the figures "25" and insert in lieu thereof the following:

"COURT TO APPOINT GUARDIAN AD LITEM, WHEN.) In any proceeding brought under the provisions of this Chapter, the Court, in any case where the child is not represented by any person, may appoint a guardian ad litem to appear and act on behalf of said child."

In line 414 of Section 26 delete the whole of said section following the figures "26" and insert in lieu thereof the following:

"GUARDIAN AD LITEM, POWERS THEREOF.) A Guardian ad litem appointed by the juvenile court may take such other action as may be deemed best for the interests of such ward under the supervision of the court.

In line 443 of Section 27 after the word "court" delete the words "within the meaning of Section 26 of this chapter".

After line 454 of Section 27 add the following:

"7. Wilfull neglect of child; or

"8. The parent found to be guilty of contributing to the delinquency of the child."

In line 455 of Section 28 delete the whole of said section following the figures "28" and insert in lieu thereof the following:

"DUTY OF STATE'S ATTORNEY.) It shall be the duty of the State's Attorney of any county to aid the court and the juvenile commissioner in carrying out the provisions of this act."

Commencing with line 461 of Section 29 delete the whole thereof down to and including all of line 471.

Commencing with line 472 of Section 30 delete the whole thereof down to and including the whole of line 478.

Commencing with line 489 of Section 32 delete the whole thereof down to and including all of line 491.

And that the lines and sections of said bill be renumbered accordingly.

And when so amended recommend the same do pass.

J. J. KEHOE, Chairman.

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 158, have had the same under consideration and recommend that the same be placed on the calendar without recommendation of the committee.

J. J. KEHOE, Chairman.

Senator Kehoe moved that the report be adopted.

Senator Hoenck made a substitute motion that Senate Bill No. 158 be indefinitely postponed, which motion prevailed.

Senator Kehoe moved that the report of the Committee on Judiciary on Senate Bill No. 156 be printed in the Journal without reading and action delayed one legislative day, which motion prevailed.

Senator Morgan of Richland moved that the report of the Committee on Game and Fish on Senate Bill No. 163 as printed in the Journal of the forty-seventh day without reading, be adopted, which motion prevailed.

Senator Morgan of Richland moved that the report of the Committee on Game and Fish on Senate Bill No. 56 as printed in the Journal of the forty-seventh day without reading, be adopted, which motion prevailed.

Senator Lavik moved that the report of the Committee on Agriculture and Livestock on Senate Bill No. 175 as printed in the Journal of the forty-seventh day without reading, be adopted, which motion prevailed.

Senator Thatcher moved that the amendments to Senate Bill No. 126 as printed on pages 466 and 467 of the Senate Journal, be adopted, which motion prevailed.

Mr. President: 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:

Insert after the word "North Dakota" and before the word "requiring" in the title, the following: "Authorizing a full or part-time deputy executive director, directing discharge of executive director or deputy executive director".

Strike out Section 3 and insert in lieu thereof the following:

"Section 3. The Public Welfare Board of North Dakota shall select and appoint a competent, full or part-time, deputy executive director whenever the efficient administration of the Public Welfare law of North Dakota requires such appointment."

After Section 3 insert the following:

"Section 4. The Public Welfare Board of North Dakota shall remove the executive director or deputy executive director whenever he fails to execute the orders of such board, comply with the Public Welfare Laws of North Dakota, or perform the duties of the executive director as defined by the North Dakota Merit System Council."

Strike out the figure "4" after the word "Section" and insert in lieu thereof the figure "5".

And renumber the lines accordingly.

And when so amended recommend the same do pass.

G. F. DREW, Chairman.

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

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 182, have had the same under consideration and recommend that the same be amended as follows:

Insert the words "and re-enacted" after the word "amended" in Line 3 of the printed bill.

Strike out the article "a" and insert the word "its" before the word "written" in Line 7 of the printed bill and add the letter "s" to the word "finding" in Line 7 of such bill.

Strike out the word "be" and insert the word "is" after the word "application" in Line 8 of the printed bill.

Strike out the word "and" after the word "allowed" and insert the word "its" in line 10 of the printed bill.

Strike out the word "said" and insert the word "the" before the word "findings" in Line 10 of such bill.

Strike out the word "said" in Line 15 of the printed bill.

Strike out the words "such old age person" in Line 21 of the printed bill and insert the words "the applicant".

Strike out the word "advising" and insert the word "advise" in line 22 of the printed bill.

Strike out the word "constable" and insert the word "counsel" in line 24 of the printed bill.

Strike out the words "old age person" and insert the word "applicant" in line 26 of the printed bill.

Strike out the words "old age person" and insert the word "applicant" in Line 34 of the printed bill.

Strike out words "old age person" and insert the word "applicant" in Line 39 of the printed bill.

Strike out the words "old age person" and insert the word "applicant" in Line 48 of the printed bill.

Strike out the words "old age person" and insert the word "applicant" in Lines 59 and 60 of the printed bill.

Strike out the word "secretary" and insert the word "satisfactorily" in line 67 of the printed bill.

And when so amended recommend the same do pass.

J. J. KEHOE, Chairman.

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

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

J. J. KEHOE, Chairman.

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

Mr. President: Your Committee on Education to whom was referred Senate Bill No. 199, have had the same under consideration and recommend that the same do pass.

RILIE R. MORGAN, Chairman.

Senator Morgan of Walsh moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Education to whom was referred Senate Bill No. 202, have had the same under consideration and recommend that the same do pass.

RILIE R. MORGAN, Chairman.

Senator Morgan of Walsh moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: A majority of your Committee on Insurance to whom was referred Senate Bill No. 174, have had the same under consideration and recommend that the same do pass.

MELVIN OLSON

P. L. FOSS

WM. A. THATCHER

IVER SOLBERG

A. N. LAVIK

CHAS. A. GINTER

STEVE NELSON

Mr. President: A minority of your Committee on Insurance to whom was referred Senate Bill No. 174, have had the same under consideration and recommend that the same be indefinitely postponed.

J. L. FLATT

JOHN J. ADAM

J. B. BRIDSTON

C. N. BRUNSDALE

FRANKLIN PAGE, Chairman.

Senator Page moved that the report of the minority be adopted.

Senator Bridston made a substitute motion that Senate Bill No. 174 be placed on the calendar, which motion prevailed.

Mr. President: 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.

J. J. KEHOE, Chairman.

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

Mr. President: Your Committee on Judiciary to whom was referred Senate Concurrent Resolution "1-F," have had the same under consideration and recommend that the same be amended as follows:

Add, after the word "supervisor" in Line 10 of the printed resolution the letter "y".

Insert after the word "that" and before the word "the" in Line 21 of the printed resolution, the following: "each member of".

Strike out the word "compensation" in Line 27 of the printed resolution and insert in lieu thereof the word "payment".

And when so amended recommend the same do pass.

J. J. KEHOE, Chairman.

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

Senator Brant moved that the Committee on Tax and Tax Laws be given the privilege of withdrawing Senate Bills Nos. 73 and 151, which motion prevailed.

Senator Kehoe moved that the Interim Committee (composed of Senator Streibel and himself) be allowed to withdraw Senate Bill No. 201, which motion prevailed.

Senator Braun requested that the Senate be on the seventh order of business.

Senator Braun moved that he be allowed to introduce a new bill, which motion prevailed.

FIRST READING OF SENATE BILLS

Senators Streibel and Kehoe introduced:

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.

Senators Streibel and Kehoe introduced:

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.

Senator Braun introduced:

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 State Affairs.

Senators Brant, Brunsdale and Watt introduced:

Senate Bill No. 207. 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 Mortgage 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 Judiciary.

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.

Senator Porter moved that Senate Bill No. 68 be amended as follows:

In the engrossed bill, line 45, change the word "six" to "five" and in line 46, change the figure, (\$6.00) to (\$5.00) which motion was declared lost.

Senator Watt moved that the vote by which the amendment of Senator Porter was declared lost be reconsidered, which motion prevailed.

The question being on the amendment of Senator Porter to amend Senate Bill No. 68, the question was put and declared lost on a voice vote.

Senator Watt requested a division vote, which request was granted, and the motion was declared lost.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 43; nays, 2; absent and not voting, 4.

Those voting in the affirmative were:

Adam	Kamrath	Olson, Barnes
Beaton	Kehoe	Olson, Mountrail
Blank	Lavik	Page
Bond	Lofthus	Raschko
Brant	Lynch	Rue
Braun	Morgan, Walsh	Schrock
Bridston	Morgan, Richland	Semerad
Brunsdale	Nelson, Dickey	Solberg
Day	Nelson, Griggs-	Streibel
Drew	Steele	Stucke
Feton	Nelson, Renville	Thatcher
Flatt	Nelson, McKenzie	Troxel
Foss	Nordhougen	Wog

Ginter	O'Brien	Young
Hoenck	Oksendahl	
Those voting in the negative were:		
Porter	Watt	
Absent and not voting:		
Bilden	Guenther	Olson, McHenry
Greiser		

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

Senator Kehoe: "Mr. President, I am going to vote 'Aye' on this with the understanding that in two years from now when those county commissioners come in here to ask for an increased mill levy to meet this, I am going to be opposed to it."

Senator Braun requested that the Senate be on the 8th order of business, which request was granted.

Senator Braun moved that the vote by which Senate Bill No. 194 was indefinitely postponed be reconsidered, which motion prevailed.

Senator Braun moved that Senate Bill No. 194 be placed on the calendar, which motion prevailed.

Senator Watt requested that the Senate be on the 5th order of business, which request was granted.

REPORTS OF STANDING COMMITTEES

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

Under Section 1 in line 3, strike out the figures \$204,110.00 and insert the figures \$47,550.00 in lieu thereof.

Under Section 1 in line 7, strike out the figures \$28,235.00 and insert the figures \$29,650.00 in lieu thereof.

Under Section 1 in line 8, strike out the figures \$3,000.00 and insert the figures \$5,000.00 in lieu thereof.

Under Section 1 in lines 11 & 12, strike out all of lines 11 & 12 and renumber the following lines.

Under Section 1 in line 16, strike out the figures \$675.00 and insert the figures \$700.00 in lieu thereof.

Under Section 1 in line 17 for the total, strike out the figures \$204,110.00 and insert the figures \$47,550.00 in lieu thereof.

And when so amended recommend the same do pass.

WM. WATT, Chairman.

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

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 6, have had the same under consideration and recommend that the same be amended as follows:

Under Section 1 in line 3, strike out the figures \$175,625.00 and insert the figures \$183,675.00 in lieu thereof.

Under Section 1 in line 8, strike out the figures \$5,600.00 and insert the figures \$6,000.00 in lieu thereof.

Under Section 1 in line 9, strike out the figures \$2,025.00 and insert the figures \$2,125.00 in lieu thereof.

Under Section 1 in line 10, strike out the figures \$47,025.00 and insert the figures \$49,375.00 in lieu thereof.

Under Section 1 in line 11, strike out the figures \$18,275.00 and insert the figures \$23,275.00 in lieu thereof.

Under Section 1 in line 20, strike out the figures \$2,000.00 and insert the figures \$2,200.00 in lieu thereof.

Under Section 1 in line 22 for the total, strike out the figures \$175,625.00 and insert the figures \$183,675.00 in lieu thereof.

And when so amended recommend the same do pass.

WM. WATT, Chairman.

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

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 7, have had the same under consideration and recommend that the same be amended as follows:

Under Section 1 in line 3, strike out the figures \$34,540.00 and insert the figures \$19,955.00 in lieu thereof.

Under Section 1 in line 7, strike out the figures \$6,990.00 and insert the figures \$7,330.00 in lieu thereof.

Under Section 1 in line 11, strike out all of line 11 and renumber the following lines.

Under Section 1 in line 13, strike out the figures \$1,350.00 and insert the figures \$1,425.00 in lieu thereof.

Under Section 1 in line 16 for the total, strike out the figures \$34,540.00 and insert the figures \$19,955.00 in lieu thereof.

And when so amended recommend the same do pass.

WM. WATT, Chairman.

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

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

Under Section 1 in line 4, strike out the figures \$980,160.00 and insert the figures \$1,266,120.00 in lieu thereof.

Under Section 1 in line 7 after the word "by" strike out "Chapters 209 and" and insert in lieu thereof "Chapter 243 of the Session Laws of 1941 and Chapter".

Under Section 1 in line 8 after 1937 insert the words "as amended".

Under Section 1 in line 10 after 1935 insert the following: "and Chapter 242 of the Session Laws of 1941".

Under Section 2 in line 16, strike out the figures \$796,800.00 and insert the figures \$1,077,000.00 in lieu thereof.

Under Section 2 in line 18 after the word Chapter, strike out the figure 209 and insert the figure 243 in lieu thereof.

Under Section 2 in line 19 after the word "of", strike out the figure 1937 and insert the figure 1941 in lieu thereof.

Under Section 3 in line 21, strike out the figures \$56,845.00 and insert the figures \$62,605.00 in lieu thereof.

Under Section 3 in line 24 after 1937 insert the words "as amended".

Under Section 5 in line 34 after 1935 insert the following: "and Chapter 242 of the Session Laws of 1941".

Under Section 6 in line 36, strike out the figures \$980,160.00 and insert the figures \$1,266,120.00 in lieu thereof.

Under Section 6 in line 37, strike out the figures \$219,660.00 and insert the figures \$73,705.00 in lieu thereof.

Under Section 6 in line 41, strike out the figures \$48,440.00 and insert the figures \$51,440.00 in lieu thereof.

Under Section 6 in line 51, strike out the figures \$955.00 and insert the figures \$2,000.00 in lieu thereof.

Under Section 6 in line 53, strike out all of line 53 and renumber the following line.

Under Section 6 in line 54 for the total, strike out the figures \$219,660.00 and insert the figures \$73,705.00 in lieu thereof.

And when so amended recommend the same do pass.

WM. WATT, Chairman.

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

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 12, have had the same under consideration and recommend that the same be amended as follows:

Under Section 1 in line 3, strike out the figures \$40,340.00 and insert the figures \$35,907.00 in lieu thereof.

Under Section 1 in line 8, strike out the figures \$11,340.00 and insert the figures \$11,907.00 in lieu thereof.

Under Section 1 in line 12, strike out the figures \$25,000.00 and insert the figures \$20,000.00 in lieu thereof.

Under Section 1 in line 14 for the total, strike out the figures \$40,340.00 and insert the figures \$35,907.00 in lieu thereof.

And when so amended recommend the same do pass.

WM. WATT, Chairman.

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

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 95, have had the same under consideration and recommend that the same do pass.

WM. WATT, Chairman.

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

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 121, have had the same under consideration and recommend that the same be amended as follows:

In the title of the bill after "and Declaring an Emergency" strike out everything down to the line "Be it enacted by the Legislative Assembly of the State of North Dakota".

After line 12 in Section 1, strike out all of lines 13 to 16 inclusive and insert in lieu thereof the following:

For co-operating with Bureau of Reclamation or Army Engineers, to be expended only when matched in equal amounts by Federal Funds, and

under the direction of the Bureau of Reclamation or Army Engineers	\$200,000.00
For investigations, surveys and preparatory work on projects other than those approved by the Bureau of Reclamation, to be matched either in whole or in part by State or Federal agencies	\$100,000.00
Total	\$300,000.00

And when so amended recommend the same do pass.

WM. WATT, Chairman.

Senator Watt moved that the report of the committee on Senate Bill No. 121 be amended to read: Line 4, page 2, change the figures "\$500,000.00" to read "\$300,000.00", which motion prevailed.

Senator Watt moved that the report of the committee on Senate Bill No. 121, as amended, be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 141, have had the same under consideration and recommend that the same be indefinitely postponed.

WM. WATT, Chairman.

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

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 200, have had the same under consideration and recommend that the same do pass.

WM. WATT, Chairman.

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

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 203, have had the same under consideration and recommend that the same be amended as follows:

Under Section 10 in line 122, strike out the word "forty" and insert the word "twenty" in lieu thereof.

Under Section 10 in line 123, strike out the figures \$40,000.00 and insert the figures \$20,000.00 in lieu thereof.

And when so amended recommend the same do pass.

WM. WATT, Chairman.

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

SECOND READING OF SENATE 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.

Which had been read.

Senator Morgan of Richland moved that Senate Bill No. 77 be amended as follows:

In line 79 of the engrossed bill, after the comma, insert the following language "one of whom shall be a physician, one a dentist., one a business or professional man, one a farmer and one a woman", and strike the words "all of whom" and insert the word "who", which motion prevailed.

Senator Morgan of Richland moved that the rules be suspended and that Senate Bill No. 77 be considered properly re-engrossed and placed on second reading and final passage, as amended, which motion prevailed.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 34; nays, 10; absent and not voting 5.

Those voting in the affirmative were:

Adam	Hoencck	O'Brien
Blank	Kamrath	Oksendahl
Bond	Kehoe	Page
Brant	Lavik	Porter
Braun	Lofthus	Rue
Bridston	Lynch	Streibel
Brunsdale	Morgan, Richland	Stucke
Day	Nelson, Griggs-	Troxel
Drew	Steele	Watt
Flatt	Nelson, McKenzie	Wog
Fess	Nelson, Renville	Young
Ginter	Nordhougen	

Those voting in the negative were:

Beaton	Olson, Barnes	Schrock
Feton	Olson, Mountrail	Semerad
Morgan, Walsh	Raschko	Solberg

Nelson, Dickey

Absent and not voting:

Bilden	Guenther	Thatcher
Greiser	Olson, McHenry	

So the bill passed and the title was agreed to.

Senator Young 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.

Senator Brunsdale requested that the Senate be on the 7th order of business for the introduction of bills, which request was granted.

The President called Senator O'Brien to the chair.

FIRST READING OF SENATE BILLS

The Interim Committee (Senators Streibel and Kehoe) introduced:

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 Judiciary.

The Interim Committee (Senators Streibel and Kehoe) introduced:

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.

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

Senator Young moved that the Senate do now adjourn, which motion prevailed and the Senate stood adjourned.

W. J. TROUT, Secretary.

FORTY-NINTH DAY

Bismarck, February 22, 1943

The Senate convened at 2:00 p. m., with Senator O'Brien presiding.

Prayer by the chaplain, Rev. Albert Keombeis.

Roll call: All Senators present except Senators Bilden, Greiser, Guenther, and Olson of McHenry.

MESSAGE TO THE HOUSE

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 requested.

W. J. TROUT, Secretary.

MESSAGES FROM THE HOUSE

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 Appro-

priation 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.
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 respectfully requested.

W. M. SMART, Chief Clerk.

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

Mr. President: Your Committee on Revision and Correction of the Journal have carefully examined the Journal of the Continuation of the Forty-seventh Day and the Forty-ninth Day and find the same correct.

ORRIS G. NORDHOUGEN, Chairman.

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

REPORTS OF STANDING COMMITTEES

The Committee on Enrollment and Engrossment made the following report:

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

- Senate Bill No. 56.
- Senate Bill No. 105.
- Senate Bill No. 146.
- Senate Bill No. 163.
- Senate Bill No. 171.
- Senate Bill No. 175.

And find the same correctly Engrossed.

W. R. BOND, Chairman.

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

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

The Senate reconvened at the expiration of the fifteen minute recess, with the President presiding.

Senator Brant moved that the vote by which Senate Bill No. 161 was lost be re-considered, which motion prevailed.

Senator Brant moved that Senate Bill No. 161 be amended as follows: "Strike out all of the bill, beginning with line 47, thru and including 99," which motion prevailed.

Senator Brant moved that the rules be suspended and that Senate Bill No. 161 be considered properly re-engrossed and placed on Second Reading and Final Passage, as amended, which motion prevailed.

Senator Nelson of Dickey moved that the absent Senators be excused, which motion prevailed.

FIRST READING OF SENATE CONCURRENT RESOLUTION

The Committee on Appropriations introduced: 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.

MESSAGE FROM THE HOUSE

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 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. Which had been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 37; nays, 9; absent and not voting, 3.

Those voting in the affirmative were:

Adam	Hoencck	Olson, Barnes
Beaton	Kamrath	Page
Blank	Lavik	Porter
Bond	Lofthus	Raschko
Brant	Lynch	Rue
Braun	Morgan, Walsh	Schrock
Bridston	Morgan, Richland	Semerad
Brunsdale	Nelson, Griggs-	Stucke
Day	Steele	Thatcher
Drew	Nelson, Renville	Troxel
Feton	Nordhougen	Wog
Flatt	O'Brien	Young
Foss	Oksendahl	

Those voting in the negative were:

Ginter	Nelson, Dickey	Solberg
Greiser	Nelson, McKenzie	Streibel
Kehoe	Olson, Mountrail	Watt

Absent and not voting:

Bilden	Guenther	Olson, McHenry
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So the bill passed and the title was agreed to.

Senator Nordhousen: "I vote 'Aye' for the purpose of reconsideration."

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.

Senator Page moved that Senate Bill No. 129 be indefinitely postponed.

Senator Bridston requested a roll call.

Senator Page withdrew his motion.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 27; nays, 19; absent and not voting, 3.

Those voting in the affirmative were:

Blank	Foss	Olson, Barnes
Bond	Ginter	Schrock
Brant	Hoenck	Semerad
Braun	Kehoe	Solberg
Bridston	Lavik	Troxel
Brunsdale	Lofthus	Watt
Day	Morgan, Walsh	Wog
Drew	Morgan, Richland	Young
Feton	Nelson, Griggs-	
Flatt	Steele	

Those voting in the negative were:

Adam	Nelson, Renville	Porter
Beaton	Nordhousen	Raschko
Greiser	O'Brien	Rue
Kamrath	Oksendahl	Streibel
Lynch	Olson, Mountrail	Stucke
Nelson, Dickey	Page	Thatcher

Nelson, McKenzie

Absent and not voting:

Bilden	Guenther	Olson, McHenry
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So the bill passed and the title was agreed to.

Senator Flatt 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.

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, 40; nays, 2; absent and not voting, 7.

Those voting in the affirmative were:

Adam	Hoenck	Olson, Barnes
Beaton	Kamrath	Olson, Mountrail
Blank	Kehoe	Porter

Bond	Lavik	Rue
Brant	Lofthus	Schrock
Braun	Lynch	Semerad
Brunsdale	Morgan, Walsh	Solberg
Day	Morgan, Richland	Streibel
Drew	Nelson, Griggs-	Thatcher
Feton	Steele	Troxel
Flatt	Nelson, McKenzie	Watt
Foss	Nelson, Renville	Wog
Ginter	O'Brien	Young
Greiser	Oksendahl	

Those voting in the negative were:

Page Raschko

Absent and not voting:

Bilden	Nelson, Dickey	Olson, McHenry
Bridston	Nordhougen	Stucke
Guenther		

So the bill passed and the title was agreed to.

The President called Senator Braun to the chair.

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, 25; nays, 19; absent and not voting, 5.

Those voting in the affirmative were:

Bond	Hoenck	Page
Brant	Kehoe	Porter
Braun	Lavik	Raschko
Bridston	Morgan, Walsh	Rue
Brunsdale	Morgan, Richland	Thatcher
Drew	Nelson, Griggs-	Watt
Feton	Steele	Wog
Flatt	O'Brien	Young
Foss	Oksendahl	

Those voting in the negative were:

Adam	Lofthus	Olson, Mountrail
Beaton	Lynch	Schrock
Blank	Nelson, McKenzie	Semerad
Day	Nelson, Renville	Streibel
Ginter	Nordhougen	Stucke
Greiser	Olson, Barnes	Troxel
Kamrath		

Absent and not voting:

Bilden	Nelson, Dickey	Solberg
Guenther	Olson, McHenry	

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

Senator Young 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.

The President resumed the Chair.

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, 41; nays, 3; absent and not voting, 5.

Those voting in the affirmative were:

Adam	Greiser	Olson, Barnes
Beaton	Hoencck	Page
Blank	Kamrath	Porter
Bond	Kehoe	Raschko
Brant	Lavik	Rue
Braun	Lofthus	Schrock
Bridston	Lynch	Semerad
Brunsdale	Morgan, Walsh	Solberg
Day	Morgan, Richland	Stucke
Drew	Nelson, McKenzie	Thatcher
Feton	Nelson, Renville	Watt
Flatt	Nordhougen	Wog
Foss	O'Brien	Young
Ginter	Oksendahl	

Those voting in the negative were:

Olson, Mountrail	Streibel	Troxel
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Absent and not voting:

Bilden	Nelson, Dickey	Olson, McHenry
Guenther	Nelson, Griggs-	
	Steele	

So the bill passed and the title was agreed to.

Senator Young moved that after announcements and the reading of Senate Bills No. 143, 177, 184, 146, 166, 167 and 170, that the Senate recess until 7:45 p. m. this evening, which motion prevailed.

The Senate recessed pursuant to Senator Young's motion.

The Senate re-convened at 7:45 p. m., pursuant to Senator Young's motion.

The President announced that the Senate would be on the tenth order of business for the second reading of senate bills.

SECOND READING OF SENATE BILLS

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.

Which had been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 16; nays, 16 absent and not voting, 17.

Those voting in the affirmative were:

Bond	Foss	Olson, Barnes
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Braun	Hoenck	Rue
Bridston	Lavik	Thatcher
Drew	Lynch	Wog
Feton	Morgan, Walsh	Young
Flatt		
Those voting in the negative were:		
Beaton	Nelson, Renville	Schrock
Greiser	Nordhougen	Semerad
Kehoe	Olson, McHenry	Solberg
Lofthus	Olson, Mountrail	Streibel
Morgan, Richland	Porter	Troxel
Nelson, Dickey		
Absent and not voting:		
Adam	Ginter	O'Brien
Bilden	Guenther	Oksendahl
Blank	Kamrath	Page
Brant	Nelson, Griggs-	Raschko
Brunsdale	Steele	Stucke
Day	Nelson, McKenzie	Watt

So the bill was declared lost for lack of a constitutional majority.

Senator Schrock: "Mr. President, I vote 'No' for the purpose of reconsideration."

Senator Morgan of Walsh: "Mr. President, I had intended to vote 'No' for the purpose of reconsideration, but I now vote 'Aye'. I believe if the Senators understood this bill, they would not vote 'No'."

Senator Young moved that Senate Bills No. 166, 167, 187, and 192 be placed at the foot of the calendar, which motion prevailed.

Senate Bill No. 177. A Bill for an Act Prohibiting Members of the Legislative Assembly of North Dakota from Soliciting, Receiving, or Accepting Reinsurance from the State Fire and Tornado Fund, or Any Other Insurance Covering or Connected With Any State Departments, Institutions, or Industries or Political Sub-divisions of This State, and Making It Unlawful for the Insurance Commissioner to Publish Annual Statements of Insurance Companies or Other Advertising in Papers in Which Members of the Legislative Assembly Have an Interest, and Declaring an Emergency.

Which had been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 16; nays, 24; absent and not voting, 9.

Those voting in the affirmative were:		
Adam	Nelson, Dickey	Streibel
Blank	Nelson, McKenzie	Stucke
Bridston	Olson, McHenry	Thatcher
Greiser	Olson, Mountrail	Wog
Kehoe	Semerad	Young
Lofthus		
Those voting in the negative were:		
Beaton	Hoenck	Oksendahl
Bond	Kamrath	Olson, Barnes
Brant	Lavik	Porter
Braun	Lynch	Rue
Drew	Morgan, Walsh	Schrock

Feton	Morgan, Richland	Solberg
Flatt	Nelson, Renville	Troxel
Foss	Nordhougen	Watt
Absent and not voting:		
Bilden	Ginter	O'Brien
Brunsdale	Guenther	Page
Day	Nelson, Griggs- Steele	Raschko

So the bill was declared lost for want of a constitutional majority.

Senator Flatt moved that the vote by which Senate Bill No. 177 was lost be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

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.

Which had been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 32; nays, 11; absent and not voting, 6.

Those voting in the affirmative were:

Adam	Lavik	Porter
Beaton	Morgan, Walsh	Raschko
Blank	Morgan, Richland	Rue
Brant	Nelson, Griggs- Steele	Schrock
Braun		Semerad
Bridston	Nelson, McKenzie	Solberg
Feton	Nordhougen	Stucke
Flatt	O'Brien	Thatcher
Foss	Oksendahl	Watt
Hoencck	Olson, Barnes	Wog
Kamrath	Page	Young

Those voting in the negative were:

Bond	Lynch	Olson, Mountrail
Drew	Nelson, Dickey	Streibel
Greiser	Nelson, Renville	Troxel
Lofthus	Olson, McHenry	

Absent and not voting:

Bilden	Day	Guenther
Brunsdale	Ginter	Kehoe

So the bill passed and the title was agreed to.

Senator Flatt 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.

SECOND READING OF SENATE CONCURRENT
RESOLUTION

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

Was read the second time.

Senator Semerad moved that Senate Concurrent Resolution "E" be indefinitely postponed, which motion prevailed.

Senator Watt moved that the Senate reconsider the action by which Senate Concurrent Resolution "E" was indefinitely postponed, in order that Senator Thatcher may have a chance to talk on same, which motion prevailed.

Senator Watt moved that Senate Concurrent Resolution "E" be indefinitely postponed.

Senator Thatcher requested a roll call, which was granted.

ROLL CALL

The question being on the motion of Senator Watt that Senate Concurrent Resolution "E" be indefinitely postponed, the roll was called and there were ayes, 19; nays, 23; absent and not voting, 7.

Those voting in the affirmative were:

Beaton	Lofthus	Olson, McHenry
Bond	Lynch	Page
Brunsdale	Nelson, McKenzie	Porter
Drew	Nelson, Renville	Rue
Flatt	Nordhousen	Watt
Greiser	Oksendahl	Wog
Lavik		

Those voting in the negative were:

Adam	Morgan, Walsh	Raschko
Blank	Morgan, Richland	Schrock
Brant	Nelson, Dickey	Semerad
Braun	Nelson, Griggs-	Streibel
Feton	Steele	Stucke
Foss	O'Brien	Thatcher
Hoencck	Olson, Barnes	Troxel
Kamrath	Olson, Mountrail	Young

Absent and not voting:

Bilden	Ginter	Kehoe
Bridston	Guenther	Solberg
Day		

So the motion of Senator Watt to indefinitely postpone Senate Concurrent Resolution "E" was declared lost.

Senator Thatcher: "Mr. President, I wish to explain my vote. I vote 'No' because I am not voting on the original concurrent resolution."

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

ROLL CALL

The question being on the final passage of the Resolution,

as amended, the roll was called and there were ayes, 9; nays, 33; absent and not voting, 7.

Those voting in the affirmative were:

Adam	Nordhousen	Streibel
Beaton	O'Brien	Thatcher
Blank	Oksendahl	Young

Those voting in the negative were:

Bond	Lofthus	Olson, Mountrail
Brant	Lynch	Page
Braun	Morgan, Walsh	Porter
Brunsdale	Morgan, Richland	Raschko
Drew	Nelson, Dickey	Rue
Feton	Nelson, Griggs-	Schrock
Flatt	Steele	Semerad
Foss	Nelson, McKenzie	Stucke
Greiser	Nelson, Renville	Troxel
Hoeneck	Olson, Barnes	Watt
Kamrath	Olson, McHenry	Wog

Lavik

Absent and not voting:

Bilden	Ginter	Kehoe
Bridston	Guenther	Solberg
Day		

So the Resolution was declared lost.

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 second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 28; nays, 13; absent and not voting, 8.

Those voting in the affirmative were:

Adam	Morgan, Richland	Porter
Blank	Nelson, Dickey	Raschko
Bond	Nelson, Griggs-	Rue
Brant	Steele	Schrock
Braun	Nelson, McKenzie	Semerad
Brunsdale	Nelson, Renville	Stucke
Flatt	Nordhousen	Watt
Foss	O'Brien	Wog
Greiser	Olson, McHenry	Young
Lavik	Olson, Mountrail	

Those voting in the negative were:

Beaton	Lofthus	Olson, Barnes
Drew	Lynch	Streibel
Feton	Morgan, Walsh	Thatcher
Hoeneck	Oksendahl	Troxel

Kamrath

Absent and not voting:

Bilden	Ginter	Page
Bridston	Guenther	Solberg
Day	Kehoe	

So the bill passed and the title was agreed to.

Senator Braun moved that the vote by which Senate Bill

No. 105 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

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.

Which had been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 27; nays, 14; absent and not voting, 8.

Those voting in the affirmative were:

Blank	Lynch	Raschko
Brant	Morgan, Walsh	Rue
Braun	Morgan, Richland	Schrock
Brunsdale	Nelson, Renville	Semerad
Drew	Nordhougen	Stucke
Flatt	O'Brien	Thatcher
Foss	Olson, McHenry	Watt
Hoencck	Page	Wog
Lavik	Porter	Young

Those voting in the negative were:

Adam	Kamrath	Oksendahl
Beaton	Lofthus	Olson, Barnes
Bond	Nelson, Griggs-	Olson, Mountrail
Feton	Steele	Streibel
Greiser	Nelson, McKenzie	Troxel

Absent and not voting:

Bilden	Ginter	Nelson, Dickey
Bridston	Guenther	Solberg
Day	Kehoe	

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

Senator Semerad 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.

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.

Which had been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 33; nays, 7; absent and not voting, 9.

Those voting in the affirmative were:

Adam	Kamrath	Porter
Beaton	Lavik	Raschko
Blank	Lynch	Rue
Bond	Morgan, Walsh	Schrock
Brant	Morgan, Richland	Semerad
Braun	Nelson, Dickey	Stucke
Brunsdale	Nelson, McKenzie	Thatcher
Feton	Nordhougen	Troxel

Flatt	O'Brien	Watt
Foss	Oksendahl	Wog
Hoenck	Olson, Barnes	Young
Those voting in the negative were:		
Drew	Nelson, Renville	Olson, Mountrail
Greiser	Olson, McHenry	Streibel
Lofthus		
Absent and not voting:		
Bilden	Guenther	Page
Bridston	Kehoe	Solberg
Day	Nelson, Griggs-	
Ginter	Steele	

So the bill passed and the title was agreed to.

Senator Raschko moved that Senate Bill No. 171 be placed at the foot of the calendar, which motion prevailed.

Senator Young moved that Senate Bill No. 172 be placed at the foot of the calendar, which motion prevailed.

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 second time.

Senator Wog moved that Senate Bill No. 178 be amended as follows:

Page 2, line 19, of the printed bill, after the word "vehicles", insert the following language: "of six thousand pounds registered gross weight or less," which motion prevailed.

Senator Wog moved that the rules be suspended and that Senate Bill No. 178 be considered properly re-engrossed and placed on second reading and final passage, as amended, which motion prevailed.

ROLL CALL

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

Those voting in the affirmative were:

Adam	Lavik	Olson, Mountrail
Beaton	Lofthus	Porter
Blank	Lynch	Raschko
Bond	Morgan, Walsh	Rue
Brant	Morgan, Richland	Schrock
Braun	Nelson, Dickey	Semerad
Brunsdale	Nelson, McKenzie	Streibel
Drew	Nelson, Renville	Stucke
Feton	Nordhougen	Thatcher
Flatt	O'Brien	Troxel
Foss	Oksendahl	Watt
Greiser	Olson, Barnes	Wog
Hoenck	Olson, McHenry	Young
Kamrath		
Absent and not voting:		
Bilden	Guenther	Page
Bridston	Kehoe	Solberg
Day	Nelson, Griggs-	
Ginter	Steele	

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

Senator Flatt moved that Senate Bill No. 186 be placed at the foot of the calendar, 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.

Senator Brant moved that Senate Bill No. 161 be amended as follows:

In line 1 of the title, strike out the words "and Section 5", which motion prevailed.

Senator Brant moved a further amendment to Senate Bill No. 161 as follows:

In line 3 of the title, strike out the comma after the word "Board", insert a period and strike out the balance of the title, which motion prevailed.

Senator Brant moved that the rules be suspended and that Senate Bill No. 161 be considered properly re-engrossed and placed on second reading and final passage, as amended, which motion prevailed.

ROLL CALL

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

Those voting in the affirmative were:

Beaton	Lavik	Olson, Mountrail
Blank	Lofthus	Porter
Bond	Lynch	Raschko
Brant	Morgan, Walsh	Rue
Braun	Morgan, Richland	Schrock
Brunsdale	Nelson, Dickey	Semerad
Drew	Nelson, McKenzie	Streibel
Feton	Nelson, Renville	Stucke
Flatt	Nordhougen	Thatcher
Foss	O'Brien	Troxel
Greiser	Oksendahl	Watt
Hoenck	Olson, Barnes	Wog
Kamrath	Olson, McHenry	Young

Absent and not voting:

Adam	Ginter	Nelson, Griggs-
Bilden	Guenther	Steele
Bridston	Kehoe	Page
Day		Solberg

So the bill passed and the title was agreed to.

Senator Braun moved that Senate Bill No. 194 be placed at the foot of the calendar, which motion prevailed.

MESSAGE FROM THE HOUSE

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 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.

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

W. M. SMART, Chief Clerk.

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, 39; nays, 0; absent and not voting, 10.

Those voting in the affirmative were:

Beaton	Lavik	Olson, Mountrail
Blank	Lofthus	Porter
Bond	Lynch	Raschko
Brant	Morgan, Walsh	Rue
Braun	Morgan, Richland	Schrock
Brunsdale	Nelson, Dickey	Semerad
Drew	Nelson, McKenzie	Streibel
Feton	Nelson, Renville	Stucke
Flatt	Nordhougen	Thatcher
Foss	O'Brien	Troxel
Greiser	Oksendahl	Watt
Hoenck	Olson, Barnes	Wog
Kamrath	Olson, McHenry	Young

Absent and not voting:

Adam	Ginter	Nelson, Griggs-
Bilden	Guenther	Steele
Bridston	Kehoe	Page
Day		Solberg

So the bill passed and the title was agreed to.

Senator Young moved that the Senate be on the fifteenth order of business for announcements and that at the conclusion of this order, the Senate be on the tenth order of business for the reading of Senate bills and the Senate stand recessed until 10:00 a. m., February 23rd, which motion prevailed.

And the Senate stood recessed pursuant to the motion of Senator Young.

W. J. TROUT, Secretary.

CONTINUATION OF THE FORTY-NINTH DAY
AND THE FIFTIETH DAY

Bismarck, February 23, 1943

The President announced that the Senate would be on the fifth order of business for the reading of committee reports.

REPORTS OF STANDING COMMITTEES

Mr. President: 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.

J. J. KEHOE, Chairman.

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

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 205, have had the same under consideration and recommend that the same do pass.

J. J. KEHOE, Chairman.

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

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 207, have had the same under consideration and recommend that the same be placed upon the calendar without recommendation from the committee.

J. J. KEHOE, Chairman.

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

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 208, have had the same under consideration and recommend that the same do pass.

J. J. KEHOE, Chairman.

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

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 209, have had the same under consideration and recommend that the same do pass.

J. J. KEHOE, Chairman.

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

Mr. President: Your Committee on Ways and Means to whom was referred Senate Concurrent Resolution "I-D", have had the same under consideration and recommend that the same do pass.

M. R. YOUNG, Chairman.

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

Senator Young moved that Senate Bills Nos. 4, 6, 7, 10 and 12 be placed at the head of the calendar, which motion prevailed.

SECOND READING OF SENATE BILLS

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.

Which had been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 31; nays, 0; absent and not voting, 18.

Those voting in the affirmative were:

Adam	Hoenck	Oksendahl
Beaton	Kehoe	Olson, Barnes
Blank	Lavik	Olson, Mountrail
Bond	Lofthus	Porter
Bridston	Lynch	Rue
Brunsdale	Morgan, Richland	Schrock
Drew	Nelson, Griggs-	Thatcher
Feton	Steele	Troxel
Flatt	Nelson, Renville	Wog
Foss	Nordhogen	Young
Greiser	O'Brien	

Absent and not voting:

Bilden	Kamrath	Raschko
Brant	Morgan, Walsh	Semerad
Braun	Nelson, Dickey	Solberg
Day	Nelson, McKenzie	Streibel
Ginter	Olson, McHenry	Stucke
Guenther	Page	Watt

So the bill passed and the title was agreed to.

Senator Porter moved that the vote by which Senate Bill No. 4 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senate Bill No. 6. A Bill for an Act Making an Appropriation for the Operation and Maintenance of the State Hail Insurance Department.

Which had been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 34; nays, 0; absent and not voting, 15.

Those voting in the affirmative were:

Adam	Hoenck	Olson, Barnes
Beaton	Kehoe	Olson, McHenry
Blank	Lavik	Olson, Mountrail
Bond	Lofthus	Porter
Brant	Lynch	Rue
Bridston	Morgan, Richland	Schrock
Brunsdale	Nelson, Griggs-	Stucke
Drew	Steele	Thatcher
Feton	Nelson, Renville	Troxel
Flatt	Nordhogen	Wog
Foss	O'Brien	Young
Greiser	Oksendahl	

Absent and not voting:

Bilden	Kamrath	Raschko
Braun	Morgan, Walsh	Semerad
Day	Nelson, Dickey	Solberg
Ginter	Nelson, McKenzie	Streibel
Guenther	Page	Watt

So the bill passed and the title was agreed to.

Senator Porter moved that the vote by which Senate Bill No. 6 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senate Bill No. 7. A Bill for an Act Making an Appropriation for the Purpose of Operating and Maintaining the State Bonding Fund.

Which had been read.

ROLL CALL

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

Those voting in the affirmative were:

Adam	Greiser	Oksendahl
Beaton	Hoencck	Olson, Barnes
Bilden	Kehoe	Olson, McHenry
Blank	Lavik	Olson, Mountrail
Bond	Lynch	Porter
Brant	Lofthus	Rue
Bridston	Morgan, Walsh	Schrock
Brunsdale	Morgan, Richland	Solberg
Day	Nelson, Griggs-	Stucke
Drew	Steele	Thatcher
Feton	Nelson, Renville	Troxel
Flatt	Nordhousen	Wog
Foss	O'Brien	Young

Absent and not voting:

Braun	Nelson, Dickey	Semerad
Ginter	Nelson, McKenzie	Streibel
Guenther	Page	Watt
Kamrath	Raschko	

So the bill passed and the title was agreed to.

Senator Porter 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. 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.

Which had been read.

ROLL CALL

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

Those voting in the affirmative were:

Adam	Greiser	Oksendahl
Beaton	Hoencck	Olson, Barnes

Bilden	Kehoe	Olson, McHenry
Blank	Lavik	Olson, Mountrail
Bond	Lofthus	Porter
Brant	Lynch	Rue
Bridston	Morgan, Walsh	Schrock
Brunsdale	Morgan, Richland	Solberg
Day	Nelson, Griggs-	Stucke
Drew	Steele	Thatcher
Feton	Nelson, Renville	Troxel
Flatt	Nordhougen	Wog
Foss	O'Brien	Young
Absent and not voting:		
Braun	Nelson, Dickey	Semerad
Ginter	Nelson, McKenzie	Streibel
Guenther	Page	Watt
Kamrath	Raschko	

So the bill passed and the title was agreed to.

Senator Porter moved that the vote by which Senate Bill No. 10 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senate Bill No. 12. A Bill for an Act Making an Appropriation for Administration and Expenses for the Liquor Control Act.

Which had been read.

ROLL CALL

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

Those voting in the affirmative were:

Adam	Hoenck	Olson, Barnes
Beaton	Kehoe	Olson, McHenry
Bilden	Lavik	Olson, Mountrail
Blank	Lofthus	Porter
Bond	Lynch	Rue
Brant	Morgan, Walsh	Schrock
Bridston	Morgan, Richland	Semerad
Brunsdale	Nelson, Griggs-	Solberg
Day	Steele	Stucke
Drew	Nelson, Renville	Thatcher
Feton	Nordhougen	Troxel
Flatt	O'Brien	Wog
Foss	Oksendahl	Young
Greiser		
Absent and not voting:		
Braun	Nelson, Dickey	Raschko
Ginter	Nelson, McKenzie	Streibel
Guenther	Page	Watt
Kamrath		

So the bill passed and the title was agreed to.

Senator Porter moved that the vote by which Senate Bill No. 12 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senator Young moved that Senate Bills Nos. 56, 95, 126, 163, 175, 181 and 182 be placed at the head of the calendar, which motion prevailed.

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 had been read.

ROLL CALL

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

Those voting in the affirmative were:

Adam	Hoenck	Olson, McHenry
Beaton	Kehoe	Olson, Mountrail
Bilden	Lavik	Porter
Blank	Lofthus	Rue
Bond	Lynch	Schrock
Brant	Morgan, Walsh	Semerad
Bridston	Morgan, Richland	Solberg
Brunsdale	Nelson, Griggs-	Stucke
Day	Steele	Thatcher
Drew	Nelson, Renville	Troxel
Feton	Nordhougen	Watt
Flatt	O'Brien	Wog
Foss	Oksendahl	Young
Greiser	Olson, Barnes	

Absent and not voting:

Braun	Kamrath	Page
Ginter	Nelson, Dickey	Raschko
Guenther	Nelson, McKenzie	Streibel

So the bill passed and the title was agreed to.

Senator Porter 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.

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 had been read.

Senator Watt moved that Senate Bill No. 95 be amended as follows:

Strike out lines 6, 7, 8, 9, 10, 11, 14, 15 and 16.

In the title, line two, strike out the words "at the".

In the title, line three, strike out the words "School for the Deaf, the School for the Blind,".

In the title, line four, strike out the words "the State Work Farm and the State Capitol," and insert a period after the word "penitentiary".

In line 3 of the bill, change the figures "\$6,945.62" to "\$3,419.69".

In line 17 of the bill, change the figures "\$6,945.62" to "\$3,419.69".

Which motion prevailed.

Senator Watt moved that the rules be suspended and that Senate Bill No. 95 be considered properly re-engrossed and placed on the Second Reading and Final Passage, as amended, which motion prevailed.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 31; nays, 12; absent and not voting, 6.

Those voting in the affirmative were:

Bond	Kamrath	Oksendahl
Brant	Kehoe	Olson, Barnes
Braun	Lavik	Page
Bridston	Lofthus	Rue
Brunsdale	Morgan, Walsh	Schrock
Day	Morgan, Richland	Solberg
Drew	Nelson, Griggs-	Troxel
Feton	Steele	Watt
Foss	Nelson, McKenzie	Wog
Greiser	Nordhougen	Young
Hoenicke	O'Brien	

Those voting in the negative were:

Adam	Flatt	Olson, Mountrail
Beaton	Lynch	Semerad
Bilden	Nelson, Renville	Stucke
Blank	Olson, McHenry	Thatcher

Absent and not voting:

Ginter	Nelson, Dickey	Raschko
Guenther	Porter	Streibel

So the bill passed and the title was agreed to.

Senator Watt moved that the vote by which Senate Bill No. 95 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senator Greiser: "Mr. President: I was under the impression that after the Appropriations Committee had deliberated over a bill and brought it in, we could not make any amendments. We turned down some amendments on a bill here the other day, for that reason. I don't think this is the proper procedure, but in spite of that, I will vote 'Aye'."

Senator Nelson of Dickey: "Mr. President: I wasn't present when the bill was read and would ask to be excused from voting on it."

Senate Bill No. 126. A Bill for an Act Defining Auctioneers and Providing for the Compulsory Licensing and Bonding of Auctioneers and Persons Making Auction Sales Within This State, Fixing License Fees and Amount of Bond and Providing for the Manner of Paying of Fees and Filing Bond and Issuing of Licenses, Regulating the Business of Auctioneers, Repealing Chapter 89 of the Session Laws of 1927 and All Acts in Conflict With the Provisions of This Act, and Declaring an Emergency.

Which had been read.

Senator Thatcher moved that Senate Bill No. 126 be amended as follows:

In the title of the bill, as amended on page 466 of the Senate Journal, be amended to strike out the period at the end of the title, and insert the words "and declaring an emergency", which motion prevailed.

Senator Young moved that Senate Bill No. 126 be placed at the foot of the calendar, which motion prevailed.

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.

Which had been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 35; nays, 9; absent and not voting, 5.

Those voting in the affirmative were:

Adam	Foss	Olson, McHenry
Beaton	Greiser	Olson, Mountrail
Bilden	Kamrath	Rue
Bond	Kehoe	Schrock
Brant	Lavik	Semerad
Braun	Lofthus	Solberg
Bridston	Lynch	Stucke
Brunsdale	Morgan, Richland	Thatcher
Day	Nelson, Dickey	Watt
Drew	Nelson, McKenzie	Wog
Feton	Nelson, Renville	Young
Flatt	Nordhougen	

Those voting in the negative were:

Blank	Nelson, Griggs-	Olson, Barnes
Hoenck	Steele	Porter
Morgan, Walsh	O'Brien	Troxel
	Oksendahl	

Absent and not voting:

Ginter	Page	Streibel
Guenther	Raschko	

So the bill passed and the title was agreed to.

Senator Porter moved that the vote by which Senate Bill No. 163 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senate Bill No. 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.

Which had been read.

Senator Thatcher moved that Senate Bill No. 175 be amended as follows:

In line 3 of the title, insert a period after the word "Department" and strike out the balance of the line, which motion prevailed.

Senator Thatcher moved that the rules be suspended and that Senate Bill No. 175 be considered properly re-engrossed and placed on Second Reading and Final Passage, as amended, which motion prevailed.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 40; nays, 1; absent and not voting, 8.

Those voting in the affirmative were:

Beaton	Hoenck	Olson, Barnes
Bilden	Kamrath	Olson, McHenry
Blank	Kehoe	Olson, Mountrail

Bond	Lavik	Porter
Brant	Loffhus	Rue
Braun	Morgan, Walsh	Schrock
Bridston	Morgan, Richland	Semerad
Brunsdale	Nelson, Dickey	Stucke
Day	Nelson, McKenzie	Thatcher
Drew	Nelson, Renville	Troxel
Feton	Nordhougen	Watt
Flatt	O'Brien	Wog
Foss	Oksendahl	Young

Greiser

Those voting in the negative were:

Adam

Absent and not voting:

Ginter	Nelson, Griggs-	Raschko
Guenther	Steele	Solberg
Lynch	Page	Streibel

So the bill passed and the title was agreed to.

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.

Which had been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 43; nays, 1; absent and not voting, 5.

Those voting in the affirmative were:

Adam	Kehoe	Olson, Mountrail
Beaton	Lavik	Page
Bilden	Loffhus	Porter
Blank	Morgan, Walsh	Rue
Bond	Morgan, Richland	Schrock
Braun	Nelson, Dickey	Semerad
Bridston	Nelson, Griggs-	Solberg
Brunsdale	Steele	Streibel
Day	Nelson, McKenzie	Stucke
Feton	Nelson, Renville	Thatcher
Flatt	Nordhougen	Troxel
Foss	O'Brien	Watt
Greiser	Oksendahl	Wog
Hoенck	Olson, Barnes	Young
Kamrath	Olson, McHenry	

Those voting in the negative were:

Drew

Absent and not voting:

Brant	Guenther	Raschko
Ginter	Lynch	

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

Senator Porter 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.

Senator Kehoe moved that the report of the Committee on

Judiciary on Senate Bill No. 182 as shown in the Senate Journal, page 474, be amended as follows: In line nine of the amendment, strike out the word "its" and insert the word "it", which motion prevailed.

Senator Kehoe moved that the rules be suspended and that Senate Bill No. 182 be considered properly re-engrossed and placed on Second Reading and Final Passage, as amended, 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.

Which had been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 45; nays, 0; absent and not voting, 4.

Those voting in the affirmative were:

Adam	Kamrath	Olson, Barnes
Blank	Kehoe	Olson, McHenry
Beaton	Lavik	Olson, Mountrail
Bilden	Lofthus	Page
Bond	Lynch	Porter
Brant	Morgan, Walsh	Rue
Braun	Morgan, Richland	Schrock
Bridston	Nelson, Dickey	Semerad
Brunsdale	Nelson, Griggs-	Solberg
Day	Steele	Streibel
Drew	Nelson, McKenzie	Stucke
Feton	Nelson, Renville	Troxel
Flatt	Nordhugen	Watt
Foss	O'Brien	Wog
Greiser	Oksendahl	Young
Hoencck		

Absent and not voting:

Ginter	Raschko	Thatcher
Guenther		

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

Senator Kehoe moved that the vote by which Senate Bill No. 182 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senator Morgan of Walsh moved that Senate Bill No. 199 be placed at the foot of the calendar, which motion prevailed.

Senator Young moved that the Senate now start at the head of the calendar, which motion prevailed.

Senator Wog moved that Senate Bill No. 192 be placed at the foot of the calendar, which motion prevailed.

Senate Bill No. 194. A Bill for an Act to Amend and Re-enact Section 1 of Chapter 186 of the Session Laws of 1939, Authorizing the Investment of All Trust Funds by the Legal Custodian of Such Funds.

Which had been read.

Senator Kehoe moved that Senate Bill No. 194 be amended as follows:

In line 1 of the printed bill, after the word and figure and the period insert the following: "Any trust funds of which"; In line 4, strike out the word "Which"; in line 5, strike out "of any trust funds, are hereby"; strike out all of lines 6, 7, 8; insert the following words at the beginning of line 9, "may be invested"; in line 14, strike out the words "pursuant to"; strike out all of line 15; in line 16, change the word "hsubject" to "subject"; in line 17, strike out the period after the word "Dakota", insert a comma and the following language, "and of Senate Bill No. 159 of the 1943 legislative assembly".

Senator Day made a substitute motion to place Senate Bill No. 194 at the foot of the calendar, which motion prevailed.

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.

Which had been read.

Senator Day moved that Senate Bill No. 166 be amended as follows:

In line 24, strike out the word "attorneys"; strike out all of section "D" from line 32 to line 47, inclusive, which motion was declared lost on a rising vote.

Senator Morgan of Walsh moved that Senate Bill No. 166 be amended as follows:

At the end of the title, strike out the period, insert a comma and the words "and declaring an emergency".

Senator Brunsdale made a substitute motion that Section 6 be stricken from the bill, which motion prevailed.

Senator Young moved that the rules be suspended and that Senate Bill No. 166 be considered properly re-engrossed and placed on Second Reading and Final Passage, as amended, which motion prevailed.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 23; nays, 23; absent and not voting, 3.

Those voting in the affirmative were:

Bond	Foss	O'Brien
Brant	Hoenck	Oksendahl
Braun	Kehoe	Olson, Barnes
Bridston	Lavik	Page
Brunsdale	Morgan, Walsh	Porter
Drew	Morgan, Richland	Rue
Feton	Nelson, Griggs-	Watt
Flatt	Steele	Wog

Those voting in the negative were:

Adam	Lynch	Semerad
Beaton	Nelson, Dickey	Solberg
Bilden	Nelson, McKenzie	Streibel
Blank	Nelson, Renville	Stucke
Day	Nordhougen	Thatcher

Greiser	Olson, McHenry	Troxel
Kamrath	Olson, Mountrail	Young
Lofthus	Schrock	
Absent and not voting:		
Ginter	Guenther	Raschko

So the bill was declared lost for want of a constitutional majority.

Senator Olson of Mountrail: "Mr. President—I wish to explain my vote. So far nothing has come out of this investigation. Why spend more for nothing? People are getting disgusted—the taxpayers are getting disgusted. I vote 'No'."

Senator Young: "Mr. President—I vote 'No' for the purpose of reconsideration.

Senator Young moved that the Senate do now recess until 1:15 p. m., which motion lost.

The President called President Pro Tem Brunsdale to the chair.

Senate Bill No. 167. A Bill for an Act to Amend and Re-enact Section 4, Chapter 291, of the Session Laws of North Dakota for the Year 1941, Relating to Unfair Trade Practices.

Which had been read.

Senator Braun moved that Senate Bill No. 167 be amended as follows: After line 21, insert the following:

"Provided further, that if any prices established in conformity with the terms of this Act shall be higher than the "ceiling prices" now in effect or which may hereafter be established by the Office of Price Administration during the war now in progress, then the prices thus established under authority of the Federal Government shall be the highest that may be charged by any person, firm or corporation doing business in the State of North Dakota;

The term "prices" shall be deemed to cover what is known as "ceiling prices" and also any limitation that may be established by Federal Law affecting what is known as "the mark-up" allowable over wholesale cost of merchandise as defined in Chapter 291 of the Session Laws of North Dakota for 1941 as amended hereby", which motion prevailed.

Senator Braun moved that the rules be suspended and that Senate Bill No. 167 be considered properly re-engrossed and placed on Second Reading and Final Passage, as amended, which motion prevailed.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 21; nays, 22; absent and not voting, 6.

Those voting in the affirmative were:

Bilden	Flatt	Page
Blank	Foss	Schrock
Bond	Hoencck	Semerad
Brant	Kamrath	Thatcher
Bridston	Kehoe	Troxel
Day	Lavik	Wog
Feton	Olson, Barnes	Young

Those voting in the negative were:

Adam	Morgan, Richland	Olson, McHenry
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Beaton	Nelson, Dickey	Olson, Mountrail
Braun	Nelson, McKenzie	Porter
Brunsdale	Nelson, Renville	Rue
Drew	Nordhogen	Solberg
Lofthus	O'Brien	Streibel
Lynch	Oksendahl	Watt
Morgan, Walsh		
Absent and not voting:		
Ginter	Guenther	Raschko
Greiser	Nelson, Griggs- Steele	Stucke

So the bill was declared lost.

Senator Braun: "Mr. President—I change my vote from 'Aye' to 'No' for the purpose of reconsideration."

Senator Young moved that the Senate do now recess until 1:30 p. m., which motion prevailed, and the Senate stood recessed.

The Senate re-convened at 1:30 p. m., pursuant to the motion of Senator Young.

The President announced that the Senate would be on the fifth order of business for the reading of reports of standing committees.

REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on Insurance to whom was referred Senate Bill No. 127, have had the same under consideration and recommend that the same be amended as follows:

In the title of the Bill strike out the word "permit" and substitute therefor the word "require".

Strike out all the matter following the words "Section 1" and substitute therefor the following:

"From and after the first day of August, 1943, the Commissioner of Insurance is directed and required to procure and he shall keep in force a policy or policies of excess Catastrophe Insurance against the hazards of fire and windstorm on all property insured in the State Fire & Tornado Insurance Fund. Such Catastrophe Insurance shall insure the said Fund against any loss in excess of \$100,000.00 arising from any single catastrophe, as that term is defined in the usual policies of Catastrophe Insurance, against the hazards of fire and windstorm, except in the case of so-called fire proof buildings in protected areas, rated by the Fire Underwriters Inspection Bureau as Class "A" or "AX" risks, and as to such risks, such protection shall be afforded as to the hazard of windstorm only."

"Section 2. On or before the second Monday in July of 1943, and of each odd numbered year thereafter, the Commissioner of Insurance shall publish in the official newspaper of Burleigh County, North Dakota, a notice that on the last Monday in July the Insurance Commissioner will accept bids for such Catastrophe Insurance at his office in the City of Bismarck. A copy of such notice shall also be posted at the office of the Fire and Tornado Fund. A schedule of all properties insured by the State Fire and Tornado Fund shall be made available by the Insurance Commissioner to any person, firm or corporation who may request the same. On said last Monday in July of each odd numbered year, the Commissioner

of Insurance shall contract for such excess Catastrophe Insurance from the Company or group of Companies submitting the lowest, responsible and qualified bid therefor for the two-year period commencing on the ensuing first day of August."

"Section 3. If, for any reason, it is found impossible to secure Catastrophe Insurance exactly according to the stipulations in Section 1 of this Act, the Commissioner of Insurance may make whatever changes are necessary in these stipulations in order to secure catastrophe bids from insurance companies. Provided, however, that no loss shall be covered by such Catastrophe Insurance below \$100,000.00. Provided, further, that if the Commissioner of Insurance should find that insurance companies would not include the State Mill and Elevator, the twine and cordage plant or any other extraordinary risks of like nature owned by the State of North Dakota or any of its political sub-divisions, he may secure re-insurance on such risks, over \$100,000.00, through separate bids in similar manner to that provided in Section 2 above."

"Section 4. No company shall be permitted to assume a share of such Catastrophe Insurance risk in excess of the amount permitted by law based upon the assets and liabilities of said company.

"Section 5. All Acts or parts of Acts in conflict herewith are hereby repealed."

And when so amended recommend the same do pass.

FRANKLIN PAGE, Chairman.

Senator Page moved that the report of the Committee on Insurance on Senate Bill No. 127 be adopted and be printed in the journal without reading, which motion prevailed.

Mr. President: Your Committee on State Affairs to whom was referred Senate Bill No. 206, have had the same under consideration and recommend that the same do pass.

J. B. BRIDSTON, Chairman.

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

Mr. President: Your Committee on Insurance to whom was referred Senate Bill No. 122, have had the same under consideration and recommend that the same be amended as follows:

Strike out everything after "A Bill" and insert in lieu thereof the following:

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.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY
OF THE STATE OF NORTH DAKOTA:

1 . AMENDMENT: That Sections 189c1 to 189c14 in-
2 clusive, of the 1925 Supplement to the Compiled Laws
3 of 1925, as amended by Chapter 153, Laws of 1935 and
4 Chapter 149, Laws of 1937, being Chapter 26 of the
5 Title, Insurance In North Dakota, Revised Code for
6 1943, be amended and re-enacted to read as follows:

7 SECTION 1. DEFINITIONS.) In this Act unless
8 the context or subject matter otherwise requires;

- 9 (1) Commissioner shall mean the Commissioner
10 of Insurance;
11 (2) Fund, shall mean the State Fire and
12 Tornado Fund;
13 (3) Political Subdivision, shall include a
14 County, City, Township, Village, School
15 District or Park District of this State;
16 (4) Permanent Contents, shall refer only to
17 such property as is regularly kept and
18 used within an insured building and
19 shall not include automobiles, trucks,
20 tractors, road machinery or similar pro-
21 perty used principally outside of such
22 buildings.

23 SECTION 2. STATE FIRE AND TORNADO

23a FUND UNDER MAN-

24 AGEMENT OF COMMISSIONER OF INSURANCE.)

24a The Fund shall

25 be under the management of the Commissioner and
25a shall

26 be maintained as a fund to insure the various state
27 industries and the various political sub-divisions
28 against loss to the public buildings and fixtures and
29 permanent contents therein, through fire, lightning,
30 inherent explosion, windstorm, cyclone and tornado and
30a hail, ex-
31 plosion, riot attending a strike, aircraft, smoke and
32 vehicles. All monies collected under the provisions
33 of this act shall be paid into such Fund and shall be
34 used only for the purposes provided for in this act.

35 SECTION 3. EMPLOYMENT OF ASSISTANTS—

35a EXPENDITURES

36 FROM FUND.) To carry out the provisions of this
36a Act,

37 the Commissioner may utilize the services of any deputy
38 fire marshal and of any of the employees in the De-
38a part-
39 ment of Insurance and he may employ such assistants
39a and

40 incur such expense as may be necessary but all expendi-
41 tures made for such purposes shall remain within the
42 limits of appropriations made therefor by the legisla-
43 tive assembly from time to time and shall be paid out of
44 the fund upon warrant of the Commissioner drawn upon
44a the

45 State Treasurer against such Fund.

46 SECTION 4. PUBLIC BUILDINGS INSURABLE
46a ONLY IN

47 FUND.) The public buildings and fixtures and per-
 47a manent
 48 contents therein belonging to the State, the various
 49 State industries and the political sub-divisions of the
 50 State, shall be insured under the provisions of this
 51 Act. No officer or agent of the State or of any politi-
 52 cal sub-division thereof and no person having charge
 53 of any public buildings belonging to the State, any
 54 State Industry or any political sub-division of the
 55 State, shall pay out any public monies or funds on ac-
 56 count of any insurance against loss by fire, lightning,
 57 inherent explosion, windstorm, cyclone, tornado and
 58 hail, explosion, riot attending a strike, aircraft,
 59 smoke and vehicle, or contract in any manner for or
 60 incur any indebtedness against the State or any politi-
 61 cal sub-division thereof on account of any such in-
 62 surance upon any of the buildings or fixtures and
 63 permanent contents herein belonging to the State or
 64 any political sub-division thereof, except in the man-
 65 ner provided in this Act.

66 SECTION 5. CERTAIN PROPERTY OF STATE
 66a AND OF BANK

67 OF NORTH DAKOTA EXCEPTED.) The provisions
 67a of this
 68 Act shall not apply to farm buildings situated on land
 69 owned by the State, nor to the property of the Bank of
 70 North Dakota, other than its banking house, furniture
 71 and fixtures located in the City of Bismarck.

72 SECTION 6. TOWNSHIPS AND SCHOOL DIS-
 72a TRICTS HAVE

73 OPTION AS TO INSURANCE OF CERTAIN PROP-
 73a ERTY.) The pro-
 74 visions of this Act shall not apply to the property of
 75 any township or school district located outside of the
 76 incorporated limits of a city or village, unless the
 77 clerk of the township or school district, at the direc-
 78 tion of a Board of township supervisors or school board,
 79 as the case may be, shall file with the Commissioner a
 80 written application for such insurance and request
 81 that such township or school district come under the
 82 provisions of this Act. To be effective, such applica-
 83 tions must be approved in writing by the Commissioner.

84 SECTION 7. DEPOSIT OF FUND AT INTEREST;
 84a INVEST-

85 MENTS AUTHORIZED; CONTINUING APPRO-
 85a PRIATION.) The State

86 Treasurer shall deposit the fund in the Bank of North
 87 Dakota, subject to check, at the usual rate of interest
 88 paid on other funds of the State. Whenever there is
 89 more than fifty thousand dollars in such checking ac-
 90 count, the State Treasurer shall deposit the excess
 91 over such amount upon time certificates of deposits
 92 drawing the same rate of interest as is drawn on other
 93 State funds deposited upon time certificates. The Com-
 94 missioner, when authorized to do so by a resolution
 95 duly adopted by the Industrial Commission of the State
 96 of North Dakota, may invest excess monies in the fund
 97 in bonds of the United States of America, bonds of the
 98 State of North Dakota or of any other state, or in cer-

99 tificates of indebtedness of the State of North Dakota
 100 or in bonds or certificates of indebtedness of any pol-
 101 itical sub-division of the State of North Dakota which
 102 constitute the general obligations of the issuing tax
 103 authority. Investment in bonds or certificates of in-
 104 debtedness of political sub-divisions at no time shall
 105 exceed twenty-five percent of the amount of the fund
 106 and shall be made only in such securities issued by
 107 political sub-divisions having an assessed valuation in
 108 excess of two million dollars. In addition to the in-
 109 vestments herein provided for, such monies may be in-
 110 vested in legally issued and registered warrants of any
 111 school district in this State issued in payment of sal-
 112 aries, and such warrants shall be bought at par value
 113 and only from the payee named in such warrant. Before
 114 any investment is made in any securities, however, the
 115 investment shall be duly authorized by the Commis-
 115a sioner,
 116 and such securities shall be approved by the Attorney
 117 General as to the form and legality thereof. The State
 118 Treasurer shall be the custodian of all such bonds,
 119 certificates, and warrants, and the Commissioner shall
 120 deliver any such securities so purchased to the State
 121 Treasurer as such custodian. This section shall con-
 122 stitute a continuing appropriation out of the fund of
 123 all monies that may be required for making of the
 124 investments authorized by this section. The Commis-
 124a sion-
 125 er or any other officer who shall invest any monies
 126 in the fund without first having obtained the authori-
 127 zation of the Industrial Commission as provided in this
 128 section, shall be guilty of a misdemeanor.
 129 SECTION 8. PUBLIC BUILDINGS TO BE RE-
 129a PORTED TO
 130 COMMISSIONER OF INSURANCE.) On or between
 130a July first
 131 and August first, 1943, and each odd numbered year
 132 thereafter, the Board of Administration, the State Board
 133 of Higher Education and each officer or agent of the
 134 State and of any industry thereof having in charge any
 135 public buildings of any kind whatsoever belonging to
 135a the
 136 State, and each County Auditor, State Auditor, Town-
 136a ship
 137 Clerk, Village Clerk and school district clerk, as the
 138 case may be, shall report to the Commissioner the sound
 139 depreciated value of each public building and of the
 140 fixtures and permanent contents therein belonging to
 141 the State or political sub-division, and shall supply
 142 such other information as may be required by the Com-
 143 missioner on forms provided by him.
 144 SECTION 9. COMMISSIONER TO PROVIDE IN-
 144a SURANCE ON
 145 ALL PUBLIC BUILDINGS.) Between July first and
 145a August
 146 first, 1943, and each odd numbered year thereafter, the
 147 Commissioner shall provide for insurance against loss
 148 by fire, lightning, inherent explosion, windstorm,
 149 cyclone, tornado and hail, explosion, riot attending a

150 strike, aircraft, smoke and vehicles, all in the manner
151 and subject to the restrictions of the Standard Fire
152 Insurance policy and Standard Extended Coverage En-
153 dorsement, and no other hazards, in the Fund, on all
154 buildings owned by the State, State Industries, and
155 political sub-divisions of the State, and the fixtures
156 and permanent contents in such buildings, to the extent
157 of eighty (80%) percent of the full insurable value of
158 such property, as such value is determined by the
158a Commis-
159 sioner and approved by the officer or board having con-
160 trol of such property, or, in case of disagreement, by
161 approval of arbitration as hereinafter provided.

162 SECTION 10. ARBITRATION.) In case the Com-
162a missioner
163 and the Board or officer having charge of any property
164 are unable to agree upon the insurable value of such
165 property, such value shall be determined by a recognized
166 appraisal company at the expense of the State industry
167 or political sub-division owning such property, if such
168 appraisal company arbitrator meets with the approval of
169 both the Commissioner and the Board or officer con-
169a cerned,
170 and in case they are unable to agree on such arbitrator,
171 then the matter shall be submitted to arbitration by
172 a Board of Arbitration selected as follows:

173 The Commissioner and the Board or officer in charge
174 of the property shall each select one competent, dis-
175 interested contractor, architect or appraisal company
176 and the two so chosen shall select a third person of
177 similar qualification. The three arbitrators shall pro-
178 ceed to determine the sound depreciated insurable value
179 of such property and the decision of said arbitrators,
180 or a majority of them, shall be given in writing to the
181 Commissioner and the Board or official concerned and
182 shall be binding upon both parties. Each party of the
183 dispute shall pay the expense and charges of the arbi-
184 trator chosen by him and the expense and the charges
185 of the third arbitrator shall be borne equally by both
186 parties in the dispute. Until the Commissioner and
187 Board or officer in charge shall have agreed, or in
188 case of dispute, until the decision of the appraisal
189 company or arbitrators, the property shall continue to
190 be valued in the same amount as previously or in case of
191 new buildings or property, in the amount fixed by the
192 Commissioner. The same procedure shall be followed in
193 case of new construction or in any increase or de-
194 crease in values.

195 SECTION 11. POLICY FEE.) For each insurance
196 policy issued, the Commissioner shall collect a fee of
197 ten cents (10c) per thousand dollars but in no case shall
198 such fee be less than Two (\$2.00) Dollars.

199 SECTION 12. RESERVE FUND-PAYMENT OF
199a LOSS.) All
200 monies in the Fund at the time of the taking effect of
201 this act, shall be set aside as a reserve fund on the
202 first day of August 1943, and from such reserve fund
203 shall be paid all losses, loss expense and loss ad-
204 justment expenses which may be incurred thereafter, to-

205 gether with such losses and expense as may theretofore
206 accrue against the Fund and remaining unpaid on that
207 date.

208 SECTION 13. ASSESSMENTS.) Between the first
208a day

209 of July and the first day of August, 1945 and each odd
210 numbered year thereafter, if the reserve fund shall
211 have been depleted below the sum of Two Million Dol-
211a lars,

212 the Commissioner shall determine the amount of money
213 which may be necessary as of the first day of July in
214 such year, to bring the said reserve fund up to the sum
215 of Two Million Dollars and he, thereupon, shall levy
216 as assessment against each and every policy on all pub-
217 lic property except as hereinafter provided, in pro-
218 portion to the length of time such policy shall have
219 been in force during the preceding two year period.
220 Said assessment shall be computed as follows:

221 The 80% co-insurance rate established by the Fire
222 Underwriters Inspection Bureau for each insured prop-
223 erty to which said 80% co-insurance rate may be ap-
224 plicable, and the full rate established for properties
225 to which the said co-insurance rate is not applicable
226 under the rules of the said Fire Underwriters Inspec-
227 tion Bureau, shall be applied to the amount of in-
228 surance provided in each policy and the result of the
229 application of said rate to the amount of insurance
230 shall set the tentative assessment to be made against
231 such policy. The total of all such tentative as-
232 sessments shall then be ascertained. The percentage of
233 such tentative assessments necessary to restore the re-
234 serve fund to the sum of Two Million Dollars shall then
235 be computed and collected on each policy. In case of
236 a fractional percentage the next higher whole percent
237 shall be used in such computation.

238 SECTION 14. NEW CONSTRUCTION INSUR-
238a ANCE RATE.) Any

239 property which shall not have been insured in the Fund
240 for a period of at least five years, shall be charged
241 a premium equal to fifty percent of the rate established
242 by the Fire Underwriters Inspection Bureau. After any
243 such property shall have been insured in the Fund for a
244 period of five years, it shall not thereafter be
245 chargeable with any insurance premium but shall be sub-
246 ject to assessment as provided in this Act. During the
247 period that any such property shall be subject to the
248 payment of insurance premiums, it shall not be subject
249 to any assessment to restore the reserve fund.

250 SECTION 15. COLLECTION OF PREMIUMS AND
250a ASSESS-

251 MENTS.) The Commissioner, as soon as possible after
252 he has provided for the insurance of any property be-
253 longing to the State or political sub-division, shall
254 certify to the Board or officer in charge of such prop-
255 erty the amount of premium or assessment due from
255a the

256 State, State industry or political sub-division. The
257 certificate shall give the name, location and descrip-
258 tion of such property insured, the amount of insurance

259 written thereon, and the amount of the premium or as-
 260 sessment. The amount of the premium or assessment so
 261 certified shall be remitted within sixty days after
 262 date of such certification to the Commissioner by the
 263 proper officer and the Commissioner shall deposit such
 264 premiums and assessments with the State Treasurer to
 264a the
 265 credit of the Fund. If such premiums or assessments
 265a are
 266 not paid within sixty days after the date they are
 267 certified by the Commissioner, they shall thereafter
 268 bear interest at the rate of six percent per annum and
 269 collection thereof may be enforced by appropriate action.
 270 The Attorney General and the States Attorney of the
 271 several counties shall bring appropriate actions to en-
 272 force the collection of such premium and assessment
 272a upon
 273 request of the Commissioner. Payment of such pre-
 273a miums
 274 or assessments certified pursuant to the provisions of
 275 this section may be made by any State department, offi-
 276 cer, board, institution or agency and by any political
 277 sub-division out of any available funds notwithstanding
 278 that no specific appropriation or tax levy has been
 279 made therefor.

280 SECTION 16. REJECTION OF CERTAIN RISKS.)
 280a In the

281 event the Commissioner shall find that any risk is un-
 282 reasonably hazardous, he may require the Board or offi-
 283 cer having control of such risk to make such improve-
 284 ments or changes as may be necessary to remove such
 284a ex-
 285 tra hazard. If the Board or agency shall fail to make
 286 such improvements or changes within a reasonable time,
 287 and at all events within six months after demand there-
 288 for by the Commissioner, he may cancel the insurance on
 289 such renewal upon thirty days' notice. If a dispute
 290 shall arise between the Commissioner and the Board or
 291 official having control of the risk, either as to the
 292 insurability thereof or as to the compliance of such
 293 Board or officer with the requirements of the Commis-
 294 sioner, such dispute shall be submitted to a Board of
 295 Arbitration as provided in Section 10 of this act and
 296 the decision of such Board of Arbitration shall be bind-
 297 ing on both parties. If the insurance on any risk shall
 298 be cancelled as provided in this section, the Board or
 299 officer in charge of such risk may procure insurance
 300 thereon from any authorized insurance company and the
 301 premiums therefor shall be a proper charge against
 302 the State, State industry or political sub-division
 303 owning such property.

304 SECTION 17. LOSS—HOW PAID.) All losses
 304a occasioned
 305 by the hazards hereinbefore provided for shall be paid
 306 out of the Fund in an amount not exceeding the amount
 307 of the insurance upon any particular risk. The loss
 308 upon any building or property insured in the Fund
 309 whether totally destroyed or partially damaged by rea-
 310 son of said hazards or any of them, shall be adjusted by

311 the Commissioner or a duly authorized adjuster or ad-
 312 justing company. Immediately upon the happening or
 313 occasion of any such loss or damage the officer, board,
 314 agent or agency having charge or control of the property
 315 destroyed or damaged shall notify the Commissioner by
 316 telegram or in writing, giving the description of the
 317 property, the amount of insurance carried, the probable
 318 amount of loss or damage, and the probable cause of
 318a loss
 319 or damage. The officer, board or agency having control
 320 of such damaged property shall not disturb the same ex-
 321 cept as provided in the policy until the Commissioner or
 322 his agent shall have adjusted the loss or shall have no-
 323 tified them that the information on which adjustment is
 324 to be made has been secured. Adjustment and allowance
 325 for the loss and damage to insured property shall be paid
 326 out of the Fund upon warrants drawn by the Commis-
 326a sioner
 327 upon the State Treasurer against the Fund.

328 SECTION 18. ARBITRATION OF LOSS.) In case
 328a an
 329 agreement as to the amount of loss sustained by any
 330 building or property insured under the provisions of
 331 this act cannot be arrived at between the Commissioner
 332 or his representative and the person or board represent-
 333 ing the State or political sub-division owning such
 334 building or property, such loss may be arbitrated as
 335 provided by law.

336 SECTION 19. REPAIR OR REPLACEMENT OF
 336a DESTROYED
 337 BUILDINGS.) In the event that the Commissioner and
 337a the
 338 insured shall agree that the Fund shall repair or re-
 339 place the building destroyed or damaged, no such repairs,
 340 rebuilding or replacement shall be undertaken by the
 340a Com-
 341 missioner or any employees of his department but if they
 342 are deemed necessary or proper in any case, they shall
 343 be performed by independent contractors and any such
 344 work shall be let on competitive bids whenever practi-
 345 cal and upon such a notice as the Commissioner may
 346 prescribe. In no event shall the cost of such repairs,
 347 rebuilding or replacements exceed the amount of the in-
 348 surance carried upon the particular risk.

349 SECTION 20. PAYMENT OF ADJUSTMENT EX-
 349a PENSE.) The
 350 Commissioner may charge the actual expense of ad-
 350a justing
 351 losses to the loss account but the payment of such ad-
 352 justment expense shall be subject to appropriations made
 353 therefor by the legislative assembly, and the amount
 354 thereof shall be stated in the Commissioner's reports.

355 SECTION 21. REPLACEMENT OF POLICIES.) No
 355a policies
 356 of insurance in force on the first day of August, 1943,
 357 on property not heretofore required by law to be insured
 358 by the Fund, shall not be cancelled by the Commissioner,
 359 but all such risks as and when the policies covering the
 360 same shall lapse, expire or otherwise be cancelled, shall
 361 be insured in accordance with the provisions of this

362 act. The amount of the insurance carried by the Fund
 363 shall be increased or decreased from time to time so as
 364 to maintain at all times on the property insured there-
 365 by the amount of insurance required by the provisions of
 366 this act. All reinsurance policies taken or held by the
 367 Fund shall be cancelled as of the first day of August,
 368 1943, and all returned premiums thereon shall be added
 369 to the reserve fund.
 370 SECTION 22. REPEAL.) All acts or parts of acts in
 371 conflict herewith are hereby repealed.

And when so amended recommend the same do pass.

FRANKLIN PAGE, Chairman.

Senator Page moved that the report of the Committee on Insurance on Senate Bill No. 122 be adopted and be printed in the journal without reading, which motion prevailed.

Mr. President: 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.

FRANKLIN PAGE, Chairman.

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

The President resumed the chair.

Senator Kehoe moved that the report of the Committee on Judiciary on Senate Bill No. 156 as printed in the journal of the forty-seventh day without reading, be adopted, which motion prevailed.

Senator Page moved that the action of the Senate of Senate Bill No. 180 be reconsidered, (as printed in the journal on page 180) which motion prevailed.

Senator Page moved that Senate Bill No. 180 be re-referred to the Committee on Tax and Tax Laws, which motion prevailed.

FIRST READING OF SENATE BILLS

The Committee on Delayed Bills introduced:

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 Tax and Tax Laws.

The Committee on Delayed Bills introduced:

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 Tax and Tax Laws.

Senator Young moved that the Senate do now recess for ten minutes, which motion prevailed and the Senate stood recessed.

The Senate re-convened at the expiration of the ten minute recess, pursuant to the motion of Senator Young.

The President announced that the Senate would be on the 5th order of business for the reading of reports of Standing Committees.

REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on Tax and Tax Laws to whom was referred Senate Bill No. 210, have had the same under consideration and recommend that the same be placed on the calendar without recommendation.

E. H. BRANT, Chairman.

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

Mr. President: Your Committee on Tax and Tax Laws to whom was referred Senate Bill No. 211, have had the same under consideration and recommend that the same be placed on the calendar without recommendation.

E. H. BRANT, Chairman.

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

Mr. President: Your Committee on 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 word "A Bill" and insert the following:

"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.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF NORTH DAKOTA:

- 1 Section 1. AMENDMENT.) Section 2346a18 of the
- 1a 1925
- 2 Supplement to the Compiled Laws of North Dakota, as
- 2a amended
- 3 by Section 4 of Chapter 283, Session Laws of 1931, as
- 3a further
- 4 amended by Section 2 of Chapter 241, Session Laws of
- 4a 1937, and
- 5 as further amended by Section 1 of Chapter 228, Ses-
- 5a sion Laws
- 6 of 1939, is hereby amended and re-enacted to read as
- 6a follows:
- 7 Section 2346a18. DEDUCTIONS ALLOWED.) In
- 7a computing net
- 8 income, there shall be allowed as deductions;
- 9 (1) All the ordinary and necessary expenses paid
- 9a during
- 10 the income year in the carrying on of any trade or
- 10a business
- 11 including a reasonable allowance for salaries or other
- 11a com-

12 pensation for personal services actually rendered, and
12a inclu-
13 ding rentals or other payments required to be made as
13a a con-
14 dition to the continued use or possession for the pur-
14a pose of
15 the trade or business, of property to which the tax-
15a payer has
16 not taken or is not taking title, or in which he has no
16a equity.

17 (2) Interest paid or accrued within the year on tax-
18 payer's indebtedness.

19 (3) Taxes paid or accrued within the income year
19a upon
20 property or business, but not including those assessed
20a against
21 local benefits of a kind tending to increase the value of
21a the
22 property assessed. Federal income taxes may be de-
22a ducted to the
23 extent such taxes represent a tax paid on income taxable
23a under
24 this act, but State income taxes are not deductible.

25 (4) a Losses sustained during the income year
25a that are
26 not compensated for by insurance or otherwise, if in-
26a curred
27 in connection with the business or transaction, the gains
28 from which, if any, would be includable in gross income;
28a or
29 if arising from fires not attributable to arson by the
29a taxpayer,
30 or from storms, wrecks or theft. Losses from wagering
30a or illegal
31 acts shall not be allowed.

32 (4) b Net Operating Loss Carry-over. If for any
32a taxable
33 year beginning after December 31, 1941, a taxpayer has
33a a net
34 operating loss from trade or business, such net operating
35 loss may be carried forward by the taxpayer as a credit
35a against
36 the net income, both taxable and nontaxable, received in
37 either of the two succeeding years, subject to the
37a following
38 limitations:

39 1. No carry-over loss shall accrue from any
40 taxpayer, except to the extent that the loss of such
41 year shall exceed any income not taxable under this
42 Act received in the same year;

43 2 The carry-over loss from any prior year or
44 years may be deducted from the taxable income of any
45 tax year only to the extent that such carry-over loss
46 shall exceed any nontaxable income received in such
47 tax year.

48 3 That the carry-over in the case of the second
49 succeeding taxable year shall be the excess, if any, of
50 the amount of such net operating loss over the net in-
51 come (both taxable and nontaxable) for the intervening
52 taxable year.

53 c Taxpayers entitled to net loss carry-over privileges
54 are:
55 1 Corporation.
56 2 Partnerships
57 3 Individuals.
58 4 Estates and trusts if engaged in trade or
59 business.
60 (5) Debts ascertained to be worthless and charged
60a off
61 within the income year, except a worthless debt arising
61a from
62 unpaid wages, salaries, rent, or other similar items of
62a taxable
63 income is not an allowable deduction unless the income
63a which
64 such item represents has been included as income by the
64a tax payer
65 in a return previously rendered under 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
71a deposits
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,
74a 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 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
 100a part of
 101 their net income inures to the benefit of any private
 101a share-
 102 holder or individual; provided, that such contributions
 102a 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 drugs
 109 and medical supplies and for funeral expenses of the
 109a taxpayer
 110 or his dependents.
 111 Sec. 2. EMERGENCY.) This Act is hereby declared
 111a 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 be placed on the calendar without recommendation.

E. H. BRANT, Chairman.

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

Senator Young moved that the Senate be on the tenth order of business, which motion prevailed.

SECOND READING OF SENATE BILLS

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.

Which had been read.

Senator Watt moved that Senate Bill No. 171 be amended as follows:

In line 238, page 10 of the printed bill, change the words and figures "Two Thousand (\$2,000.00)" to "One Thousand (\$1,000.00)", which motion prevailed.

Senator Watt moved that the rules be suspended and that Senate Bill No. 171 be considered properly re-engrossed and placed on Second Reading and Final Passage, as amended, which motion prevailed.

ROLL CALL

The question being on the final passage of the bill, as

amended, the roll was called and there were ayes, 41; nays, 7; absent and not voting, 1.

Those voting in the affirmative were:

Adam	Kamrath	Page
Beaton	Kehoe	Porter
Blank	Lavik	Raschko
Brant	Lofthus	Rue
Bridston	Lynch	Schrock
Braun	Morgan, Walsh	Semerad
Brunsdale	Morgan, Richland	Solberg
Day	Nelson, Dickey	Streibel
Drew	Nelson, Griggs-	Stucke
Feton	Steele	Thatcher
Flatt	Nordhougen	Troxel
Foss	O'Brien	Watt
Ginter	Oksendahl	Wog
Hoenck	Olson, Barnes	Young
Those voting in the negative were:		
Bilden	Nelson, McKenzie	Olson, McHenry
Bond	Nelson, Renville	Olson, Mountrail
Greiser		

Absent and not voting:

Guenther

So the bill passed and the title was agreed to.

Senator Porter 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.

Senator Young moved that the Senate do now adjourn, which motion prevailed and the Senate stood adjourned.

W. J. TROUT, Secretary.

FIFTIETH DAY

Bismarck, February 23, 1943

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

Prayer by the chaplain, Rev. Albert Keombeis.

Roll call: All Senators present except Senator Guenther.

MESSAGES TO THE HOUSE

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.

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.

MESSAGES FROM THE HOUSE

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.

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 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. 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 Bismarek, 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 Acts 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 respectfully requested.

W. M. SMART, Chief Clerk.

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

Mr. President: Your Committee on Revision and Correction of the Journal have carefully examined the Journal of the Continuation of the Forty-seventh Day and Forty-ninth Day and find the same correct.

ORRIS G. NORDHOUGEN, Chairman.

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

REPORTS OF STANDING COMMITTEES

The Committee on Enrollment and Engrossment made the following report:

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that:

Senate Bill No. 52.

Was delivered to the Governor for his approval at the hour of 3:35 o'clock February 22, 1943.

W. R. BOND, Chairman.

The Committee on Enrollment and Engrossment made the following report:

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

Senate Bill No. 181.

Senate Bill No. 182.

Senate Bill No. 121.

Senate Bill No. 203.

Senate Bill No. 161.

Senate Bill No. 178.

Senate Bill No. 156.

And find the same correctly Engrossed.

W. R. BOND, Chairman.

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

The Committee on Enrollment and Engrossment made the following report:

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

Senate Bill No. 4.

Senate Bill No. 6.

Senate Bill No. 7.

Senate Bill No. 10.

Senate Bill No. 77.

Senate Bill No. 126.

Senate Bill No. 12.

Senate Concurrent Resolution "1-F."

And find the same correctly Engrossed.

W. R. BOND, Chairman.

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

Senator Nelson of Dickey moved that the absent Senator be excused, which motion prevailed.

Senator Schrock moved that the vote by which Senate Bill No. 143 was indefinitely postponed be reconsidered, which motion prevailed.

Senator Young moved that Senate Bill No. 143 be placed on the calendar, which motion prevailed.

Senator Young moved that the vote by which Senate Bill No. 166 was indefinitely postponed be reconsidered, which motion prevailed.

Senator Young moved that Senate Bill No. 166 be placed at the head of the calendar, which motion prevailed.

SECOND READING OF SENATE BILLS

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.

Which had been read.

Senator Day moved that Senate Bill No. 166 be amended as follows:

Strike out all of Section "D" lines 32 to 47, inclusive, which motion prevailed.

Senator Day moved that the rules be suspended and that Senate Bill No. 166 be considered properly re-engrossed and placed on Second Reading and Final Passage, as amended, which motion prevailed.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 25; nays, 23; absent and not voting, 1.

Those voting in the affirmative were:

Bond	Hoенck	Oksendahl
Brant	Kehoe	Page
Braun	Lavik	Raschko
Bridston	Lofthus	Rue
Brunsdale	Morgan, Walsh	Troxel
Day	Morgan, Richland	Watt
Feton	Nelson, Griggs-	Wog
Flatt	Steele	Young
Foss	O'Brien	

Those voting in the negative were:

Adam	Lynch	Porter
Beaton	Nelson, Dickey	Schrock
Bilden	Nelson, McKenzie	Semerad
Blank	Nelson, Renville	Solberg
Drew	Nordhougen	Streibel
Ginter	Olson, Barnes	Stucke
Greiser	Olson, McHenry	Thatcher
Kamrath	Olson, Mountrail	

Absent and not voting:

Guenther

So the bill passed and the title was agreed to.

Senator Young moved that the vote by which Senate Bill No. 166 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 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.

Which had been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 37; nays, 10; absent and not voting, 2.

Those voting in the affirmative were:

Blank	Kehoe	Porter
Bond	Lavik	Raschko
Brant	Lofthus	Rue
Braun	Lynch	Schrock
Bridston	Morgan, Walsh	Semerad
Brunsdale	Morgan, Richland	Streibel
Day	Nelson, Griggs-	Stucke
Drew	Steele	Thatcher
Feton	Nordhougen	Troxel
Flatt	O'Brien	Watt
Foss	Oksendahl	Wog
Hoenck	Olson, Barnes	Young
Kamrath	Page	

Those voting in the negative were:

Adam	Greiser	Nelson, Renville
Beaton	Nelson, Dickey	Olson, McHenry
Bilden	Nelson, McKenzie	Olson, Mountrail
Ginter		

Absent and not voting:

Guenther	Solberg
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So the bill passed and the title was agreed to.

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.

Which had been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 44; nays, 0; absent and not voting, 5.

Those voting in the affirmative were:

Adam	Hoenck	Olson, Barnes
Beaton	Kamrath	Olson, McHenry
Bilden	Kehoe	Olson, Mountrail
Bond	Lavik	Page
Brant	Lofthus	Porter
Braun	Lynch	Raschko
Bridston	Morgan, Walsh	Rue
Brunsdale	Morgan, Richland	Schrock
Day	Nelson, Dickey	Semerad
Drew	Nelson, Griggs-	Streibel
Feton	Steele	Thatcher
Flatt	Nelson, McKenzie	Troxel
Foss	Nelson, Renville	Watt
Ginter	O'Brien	Wog
Greiser	Oksendahl	Young

Absent and not voting:

Blank	Nordhougen	Stucke
Guenther	Solberg	

So the bill passed and the title was agreed to.

Senator Rue moved that Senate Bill No. 187 be placed at the foot of the calendar, which motion lost.

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 had been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 39; nays, 8; absent and not voting, 2.

Those voting in the affirmative were:

Bilden	Kehoe	Page
Blank	Lavik	Porter
Bond	Lofthus	Raschko
Brant	Lynch	Rue
Braun	Morgan, Walsh	Schrock
Bridston	Morgan, Richland	Semerad
Day	Nelson, Griggs-	Solberg
Drew	Steele	Stucke
Feton	Nelson, McKenzie	Thatcher
Flatt	Nelson, Renville	Troxel
Foss	Nordhougen	Watt
Ginter	O'Brien	Wog
Hoencck	Olson, Barnes	Young
Kamrath		

Those voting in the negative were:

Adam	Nelson, Dickey	Olson, Mountrail
Beaton	Oksendahl	Streibel
Greiser	Olson, McHenry	

Absent and not voting:

Brunsdale	Guenther
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So the bill passed and the title was agreed to.

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.

Which had been read.

Senator Braun moved that Senate Bill No. 121 be amended as follows:

In line 20 of the engrossed bill, strike the word "to" and insert the words "which may", which motion prevailed.

Senator Braun moved that the rules be suspended and that Senate Bill No. 121 be considered properly re-engrossed and placed on second reading and final passage, as amended, which motion prevailed.

ROLL CALL

The question being on the final passage of the bill, as

amended, the roll was called and there were ayes, 45; nays, 1; absent and not voting, 3.

Those voting in the affirmative were:

Adam	Kehoe	Olson, Mountrail
Beaton	Lavik	Page
Bilden	Lofthus	Porter
Blank	Morgan, Walsh	Raschko
Bond	Morgan, Richland	Rue
Brant	Nelson, Dickey	Schrock
Bridston	Nelson, Griggs-	Semerad
Braun	Steele	Solberg
Day	Nelson, McKenzie	Streibel
Drew	Nelson, Renville	Stucke
Feton	Nordhougen	Thatcher
Flatt	O'Brien	Troxel
Foss	Oksendahl	Watt
Ginter	Olson, Barnes	Wog
Hoenck	Olson, McHenry	Young
Kamrath		

Those voting in the negative were:

Greiser

Absent and not voting:

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

Senator Porter 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. 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 had been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 30; nays, 18; absent and not voting, 1.

Those voting in the affirmative were:

Adam	Lofthus	Olson, McHenry
Beaton	Lynch	Olson, Mountrail
Bilden	Nelson, Dickey	Porter
Bond	Nelson, Griggs-	Schrock
Braun	Steele	Semerad
Feton	Nelson, McKenzie	Solberg
Ginter	Nelson, Renville	Streibel
Greiser	Nordhougen	Stucke
Kamrath	Oksendahl	Troxel
Kehoe	Olson, Barnes	Wog
Lavik		

Those voting in the negative were:

Blank	Flatt	Page
Brant	Foss	Raschko
Bridston	Hoenck	Rue
Brunsdale	Morgan, Walsh	Thatcher
Day	Morgan, Richland	Watt
Drew	O'Brien	Young

Absent and not voting:

Guenther

So the bill passed and the title was agreed to.

Senator Nordhougen moved that the vote by which Senate Bill No. 174 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senate Bill No. 200. A Bill for an Act 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 had been read.

ROLL CALL

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

Those voting in the affirmative were:

Adam	Hoenck	Olson, McHenry
Beaton	Kamrath	Olson, Mountrail
Bilden	Kehoe	Page
Blank	Lavik	Porter
Bond	Lofthus	Raschko
Brant	Lynch	Rue
Braun	Morgan, Walsh	Schrock
Bridston	Morgan, Richland	Semerad
Brunsdale	Nelson, Diekey	Solberg
Day	Nelson, Griggs-	Streibel
Drew	Steele	Stucke
Feton	Nelson, McKenzie	Thatcher
Flatt	Nelson, Renville	Troxel
Foss	O'Brien	Watt
Ginter	Oksendahl	Wog
Greiser	Olson, Barnes	Young

Absent and not voting:

Guenther Nordhougen

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

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

The Senate re-convened at the expiration of the fifteen minutes recess, with the President presiding. The President announced that the Senate would be on the 10th order of business.

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.

Which had been read.

ROLL CALL

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

Those voting in the affirmative were:

Adam	Kehoe	Olson, McHenry
Bond	Lavik	Olson, Mountrail
Braun	Lofthus	Page
Bridston	Lynch	Porter
Brunsdale	Morgan, Walsh	Rue
Day	Morgan, Richland	Schrock
Drew	Nelson, Dickey	Streibel
Feton	Nelson, McKenzie	Stucke
Flatt	Nelson, Renville	Thatcher
Ginter	Nordhousen	Troxel
Greiser	O'Brien	Watt
Hoenck	Oksendahl	Wog
Kamrath	Olson, Barnes	Young
Absent and not voting:		
Beaton	Foss	Raschko
Bilden	Guenther	Semerad
Blank	Nelson, Griggs-	Solberg
Brant	Steele	

So the bill passed and the title was agreed to.

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.

Which had been read.

Senator Brunsdale moved that Senate Bill No. 203 be amended as follows:

In line 135 of the engrossed bill, strike out the word "provision" and insert the word "provisions", which motion prevailed.

Senator Brunsdale moved that the rules be suspended and that Senate Bill No. 203 be considered properly re-engrossed and placed on second reading and final passage, as amended.

Senator Olson of Mountrail objected to the suspension of rules, which was sustained on a rising vote.

Senator Brunsdale moved that as soon as Senate Bill No. 203 had been properly re-engrossed and returned to the Senate, that it be placed on second reading and final passage, as amended, which motion prevailed.

The Secretary announced that Senate Bill No. 203 had been returned, properly re-engrossed.

Senator Young demanded a call of the Senate, which was sustained.

Senator Bond moved that Senator Guenther be excused from the call of the Senate, which motion prevailed.

Senator Young moved that the call of the Senate be dispensed with, all Senators being present except Senator Guenther (who had been excused because of illness), and Senator Nelson of Griggs-Steele, which motion prevailed.

ROLL CALL

The question being on the final passage of the bill, as

amended, the roll was called and there were ayes, 32; nays, 15; absent and not voting, 2.

Those voting in the affirmative were:

Bilden	Foss	Page
Blank	Hoencck	Porter
Bond	Kehoe	Raschko
Brant	Lavik	Rue
Braun	Lofthus	Stucke
Bridston	Morgan, Walsh	Thatcher
Brunsdale	Morgan, Richland	Troxel
Day	Nordhougen	Watt
Drew	O'Brien	Wog
Feton	Oksendahl	Young
Flatt	Olson, Barnes	

Those voting in the negative were:

Adam	Lynch	Olson, Mountrail
Beaton	Nelson, Dickey	Schrock
Ginter	Nelson, McKenzie	Semerad
Greiser	Nelson, Renville	Solberg
Kamrath	Olson, McHenry	Streibel
Absent and not voting:		
Guenther	Nelson, Griggs-	
	Steele	

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

Senator Young moved that the vote by which Senate Bill No. 203 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senator Olson of Mountrail: "Mr. President: I want to explain my vote. Section 9 is very vicious. It gives petty and irresponsible officials the right to commit any act resulting in personal injury or in the destruction of property with immunity or without any liability whatsoever. In fact, they are, in every sense of the word, above the law. Just another \$40,000 of taxpayers money gone down a rat hole under the 'cloak of patriotism.' I vote 'No'."

Senator Nelson of Dickey: "Mr. President, I want to explain my vote. In Section 9 of this bill there is practically laid open the opportunity for some subordinate and often thoughtless individual, acting under the shield of authority, to become a tyrant in his home community in strict opposition to our American way of life. I vote 'No'."

SECOND READING OF SENATE CONCURRENT RESOLUTIONS

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 had been read.

Senator Kehoe moved that Senate Concurrent Resolution "1-E" be amended as follows:

In line 17, page 2, strike out the word "five" and insert the word "six", which motion prevailed.

Senator Kehoe moved that the rules be suspended and that Senate Concurrent Resolution "1-E" be considered properly re-engrossed and placed on second reading and final passage, as amended, which motion prevailed.

ROLL CALL

The question being on the final passage of the Resolution, as amended, the roll was called and there were ayes, 47; nays, 0; absent and not voting, 2.

Those voting in the affirmative were:

Adam	Hoenck	Olson, Mountrail
Beaton	Kamrath	Page
Bilden	Kehoe	Porter
Blank	Lavik	Raschko
Bond	Lofthus	Rue
Brant	Lynch	Schrock
Braun	Morgan, Walsh	Semerad
Bridston	Morgan, Richland	Solberg
Brunsdale	Nelson, Dickey	Streibel
Day	Nelson, McKenzie	Stucke
Drew	Nelson, Renville	Thatcher
Feton	Nordhougen	Troxel
Flatt	O'Brien	Watt
Foss	Oksendahl	Wog
Ginter	Olson, Barnes	Young
Greiser	Olson, McHenry	

Absent and not voting:

Guenther	Nelson, Griggs- Steele
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So the concurrent resolution passed and the title was agreed to.

Senator Kehoe moved that the vote by which Senate Concurrent Resolution "1-E" was passed be reconsidered and the motion to reconsider be laid on the table, 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.

Which had been read.

ROLL CALL

The question being on the final passage of the Resolution, as amended, the roll was called and there were ayes, 47; nays, 0; absent and not voting, 2.

Those voting in the affirmative were:

Adam	Hoenck	Olson, Mountrail
Beaton	Kamrath	Page
Bilden	Kehoe	Porter
Blank	Lavik	Raschko
Bond	Lofthus	Rue
Brant	Lynch	Schrock
Braun	Morgan, Walsh	Semerad
Bridston	Morgan, Richland	Solberg
Brunsdale	Nelson, Dickey	Streibel
Day	Nelson, McKenzie	Stucke
Drew	Nelson, Renville	Thatcher
Feton	Nordhougen	Troxel

Flatt	O'Brien	Watt
Foss	Oksendahl	Wog
Ginter	Olson, Barnes	Young
Greiser	Olson, McHenry	
Absent and not voting:		
Guenther	Nelson, Griggs-	
	Steele	

So the concurrent resolution passed and the title was agreed to.

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 had been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 18; nays, 28; absent and not voting, 3.

Those voting in the affirmative were:

Blank	Hoenck	O'Brien
Brant	Lavik	Page
Braun	Morgan, Walsh	Raschko
Day	Nelson, McKenzie	Solberg
Flatt	Nelson, Renville	Troxel
Ginter	Nordhogen	Wog

Those voting in the negative were:

Adam	Kamrath	Porter
Beaton	Lofthus	Rue
Bilden	Lynch	Schrock
Bond	Morgan, Richland	Semerad
Bridston	Nelson, Dickey	Streibel
Brunsdale	Oksendahl	Stucke
Drew	Olson, Barnes	Thatcher
Feton	Olson, McHenry	Watt
Foss	Olson, Mountrail	Young

Absent and not voting:

Guenther	Kehoe	Nelson, Griggs-
		Steele

So the bill was declared lost.

Senate Bill No. 194. A Bill for an Act to Amend and Re-enact Section 1 of Chapter 186 of the Session Laws of 1939, Authorizing the Investment of All Trust Funds by the Legal Custodian of Such Funds.

Which had been read.

Senator Morgan of Richland moved that Senate Bill No. 194 be amended as follows:

In line 13, strike the comma after the word "municipality" and insert the word "or"; strike the word "instrumentality" and all of lines 14 and 15; insert in lieu thereof the following language: "thereof which constitute the general obligations of the issuing taxing authority; and also Water Conservation bonds and Water Conservation Improvement warrants", which motion was lost.

Senator Page moved that Senate Bill No. 194 be indefinitely postponed, which motion prevailed.

Senate Bill No. 126. A Bill for an Act Defining Auctioneers and Providing for the Compulsory Licensing and Bonding of Auctioneers and Persons Making Auction Sales Within This State, Fixing License Fees and Amount of Bond and Providing for the Manner of Paying of Fees and Filing Bond and Issuing of Licenses, Regulating the Business of Auctioneers, Repealing Chapter 89 of the Session Laws of 1927 and All Acts in Conflict With the Provisions of This Act, and Declaring an Emergency.

Which had been read.

Senator Thatcher moved that Senate Bill No. 126 be amended as follows:

In line 19 of the engrossed bill, after the word "License", change the period to a comma and add the following: "excepting charity sales such as box socials and where goods are donated for some charitable cause", which motion prevailed.

Senator Troxel moved a further amendment to Senate Bill No. 126 as follows:

In section 2, page 2, line 36 of the engrossed bill, after the word "thereto" strike out the semi-colon and add a comma and the following, "or when the value of such auction sales does not exceed One Thousand (\$1,000.00) Dollars;" which motion prevailed.

Senator Greiser moved that the motion offered by Senator Troxel be laid on the table, and it was laid on the table.

Senator O'Brien moved that the action by which Senate Bill No. 126 was laid on the table be reconsidered, which motion was declared lost on a standing vote as it did not receive a two-thirds vote.

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 had been read.

Senator Morgan of Walsh moved that Senate Bill No. 199 be laid over until Wednesday morning, which motion prevailed.

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 Dis-

ability How Contracted; and Repealing All Acts or Parts of Acts in Conflict Therewith.

Which had been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 39; nays, 7; absent and not voting, 3.

Those voting in the affirmative were:

Adam	Ginter	Olson, Barnes
Beaton	Hoencck	Olson, McHenry
Bilden	Kamrath	Raschko,
Blank	Kehoe	Rue
Bond	Lavik	Schrock
Brant	Lofthus	Semerad
Braun	Lynch	Solberg
Bridston	Morgan, Walsh	Streibel
Brunsdale	Nelson, Dickey	Stucke
Day	Nelson, McKenzie	Thatcher
Drew	Nelson, Renville	Troxel
Feton	Nordhougen	Wog
Foss	O'Brien	Young

Those voting in the negative were:

Flatt	Oksendahl	Porter
Morgan, Richland	Olson, Mountrail	Watt
Nelson, Griggs- Steele		

Absent and not voting:

Greiser	Guenther	Page
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So the bill passed and the title was agreed to.

Senator Day moved that the vote by which Senate Bill No. 143 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senator Watt: "Mr. President, I want to explain my vote. I am voting 'No' on this measure because I always disapprove of somebody starting out a pension fund and after they have it started they begin to recede from what they were going to give them. I can't understand the people up there at Grand Forks. They didn't start it right or they started it in such a manner that it is not sound. I vote 'No'."

The President called Senator Flatt to the chair.

Senator Braun moved that the vote by which Senate Bill No. 167 was lost be reconsidered, which motion was lost on a rising vote.

Senator Porter moved the clincher motion on the vote by which the motion of Senator Braun to reconsider Senate Bill No. 167 was lost, which motion was withdrawn.

Senator Young moved that Senate Bills Nos. 122 and 127 be laid over until tomorrow, which motion prevailed.

The President resumed the chair.

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, 48; nays, 0; absent and not voting, 1.

Those voting in the affirmative were:

Adam	Kamrath	Olson, McHenry
Beaton	Kehoe	Olson, Mountrail
Bilden	Lavik	Page
Blank	Lofthus	Porter
Bond	Lynch	Raschko
Brant	Morgan, Walsh	Rue
Braun	Morgan, Richland	Schrock
Bridston	Nelson, Dickey	Semerad
Brunsdale	Nelson, Griggs-	Solberg
Day	Steele	Streibel
Drew	Nelson, McKenzie	Stucke
Feton	Nelson, Renville	Thatcher
Flatt	Nordhougen	Troxel
Foss	O'Brien	Watt
Ginter	Oksendahl	Wog
Greiser	Olson, Barnes	Young
Hoenck		

Absent and not voting:

Guenther

So the bill passed and the title was agreed to.

Senator Young moved that the vote by which Senate Bill No. 204 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senator Young moved that the Senate be on the 10th order of business for the reading of the remaining Senate bills, and that at the conclusion of the reading of these bills that the Senate do recess until 9:30 a. m., February 24th, which motion prevailed and the Senate stood recessed.

W. J. TROUT, Secretary.

FIFTIETH DAY AFTER RECESS AND
FIFTY-FIRST DAY

Bismarck, February 24, 1943

The Senate re-convened at 9:30 a. m., pursuant to motion made.

Senator Young moved that the Senate be on the tenth order of business beginning with Senate Bill No. 205 and right on down the calendar, which motion prevailed.

MESSAGE TO THE HOUSE

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.

SECOND READING OF SENATE BILLS

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 had been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 37; nays, 1; absent and not voting, 11.

Those voting in the affirmative were:

Adam	Kehoe	Olson, Mountrail
Bilden	Lavik	Page
Bond	Lofthus	Porter
Brant	Lynch	Raschko
Bridston	Morgan, Richland	Rue
Brunsdale	Nelson, Griggs-	Schrock
Day	Steele	Solberg
Drew	Nelson, McKenzie	Thatcher
Feton	Nordhougen	Troxel
Flatt	O'Brien	Watt
Foss	Oksendahl	Wog
Ginter	Olson, Barnes	Young
Hoenck	Olson, McHenry	

Those voting in the negative were:

Beaton

Absent and not voting:

Blank	Kamrath	Semerad
Braun	Morgan, Walsh	Streibel
Greiser	Nelson, Dickey	Stucke
Guenther	Nelson, Renville	

So the bill passed and the title was agreed to.

Senator Watt moved that the vote by which Senate Bill No. 205 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senator Young moved that Senate Bills Nos. 208 and 209 be placed at the head of the calendar, which motion prevailed.

Senator Young moved that Senate Bill No. 208 be placed at the foot of the calendar, 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.

Which had been read.

Senator Day moved that Senate Bill No. 209 be amended as follows:

On page 3, line 62, after the word "free", insert the words "to the members of the 28th legislative assembly and", which motion prevailed.

Senator Day moved that the rules be suspended and that Senate Bill No. 209 be considered properly re-engrossed and placed on second reading and final passage, as amended, which motion prevailed.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 40; nays, 2; absent and not voting, 7.

Those voting in the affirmative were:

Adam	Hoencck	Olson, Mountrail
Beaton	Kehoe	Page
Bilden	Lavik	Porter
Bond	Lofthus	Raschko
Brant	Lynch	Schrock
Bridston	Morgan, Walsh	Solberg
Brunsdale	Nelson, Griggs-	Streibel
Day	Steele	Stucke
Drew	Nelson, McKenzie	Thatcher
Feton	Nordhougen	Troxel
Flatt	O'Brien	Watt
Foss	Oksendahl	Wog
Ginter	Olson, Barnes	Young
Greiser	Olson, McHenry	

Those voting in the negative were:

Morgan, Richland Rue

Absent and not voting:

Blank	Kamrath	Nelson, Renville
Braun	Nelson, Dickey	Semerad
Guenther		

So the bill passed and the title was agreed to.

Senator Kehoe moved that the vote by which Senate Bill No. 209 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senator Day moved that the vote by which Senate Bill No. 209 was passed be reconsidered, which motion prevailed.

Senator Day moved that Senate Bill No. 209 be amended as follows:

Strike out the period after the word "publication" in the title and insert a comma in lieu thereof and immediately following the comma, insert the following language "and declaring an emergency."

Insert after the words "Legislative Assembly" in line 70 of the printed bill, the following language:

Section 6. EMERGENCY.) This act is hereby declared to be an emergency and shall be in full force and effect from and after its passage and approval.

Which motion prevailed.

Senator Day moved that the rules be suspended and that Senate Bill No. 209 be considered properly re-engrossed and placed on second reading and final passage, as amended, which motion prevailed.

Senator Day moved that Senate Bill No. 209 be placed at the head of the calendar, 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.

Which had been read.

ROLL CALL

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

Those voting in the affirmative were:

Adam	Kamrath	Olson, Mountrail
Beaton	Kehoe	Page
Bilden	Lavik	Porter
Bond	Lofthus	Raschko
Brant	Lynch	Rue
Bridston	Morgan, Walsh	Schrock
Brunsdale	Morgan, Richland	Solberg
Day	Nelson, Griggs-	Streibel
Drew	Steele	Stucke
Feton	Nelson, McKenzie	Thatcher
Flatt	Nordhougen	Troxel
Foss	O'Brien	Watt
Ginter	Oksendahl	Wog
Greiser	Olson, Barnes	Young
Hoenck	Olson, McHenry	

Absent and not voting:

Blank	Guenther	Nelson, Renville
Braun	Nelson, Dickey	Semerad

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

Senator Day moved that the vote by which Senate Bill No. 209 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

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 had been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 45; nays, 0; absent and not voting, 4.

Those voting in the affirmative were:

Adam	Kamrath	Olson, Mountrail
Beaton	Kehoe	Page
Bilden	Lavik	Porter
Bond	Lofthus	Raschko
Brant	Lynch	Rue

Braun	Morgan, Walsh	Schrock
Bridston	Morgan, Richland	Semerad
Brunsdale	Nelson, Griggs-	Solberg
Day	Steele	Streibel
Drew	Nelson, McKenzie	Stucke
Feton	Nordhougen	Thatcher
Flatt	O'Brien	Troxel
Foss	Oksendahl	Watt
Ginter	Olson, Barnes	Wog
Greiser	Olson, McHenry	Young
Hoencck		

Absent and not voting:

Blank	Nelson, Dickey	Nelson, Renville
Guenther		

So the bill passed and the title was agreed to.

Senator Porter 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. 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 had been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 45; nays, 0; absent and not voting, 4.

Those voting in the affirmative were:

Adam	Kamrath	Olson, Mountrail
Beaton	Kehoe	Page
Bilden	Lavik	Porter
Bond	Lofthus	Raschko
Brant	Lynch	Rue
Braun	Morgan, Walsh	Schrock
Bridston	Morgan, Richland	Semerad
Brunsdale	Nelson, Griggs-	Solberg
Day	Steele	Streibel
Drew	Nelson, McKenzie	Stucke
Feton	Nordhougen	Thatcher
Flatt	O'Brien	Troxel
Foss	Oksendahl	Watt
Ginter	Olson, Barnes	Wog
Greiser	Olson, McHenry	Young
Hoencck		

Absent and not voting:

Blank	Nelson, Dickey	Nelson, Renville
Guenther		

So the bill passed and the title was agreed to.

Senator Kehoe moved that the vote by which Senate Bill No. 211 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

SECOND READING OF SENATE CONCURRENT RESOLUTIONS

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.

Was read the second time.

ROLL CALL

The question being on the final passage of the Resolution, the roll was called and there were ayes, 45; nays, 0; absent and not voting, 4.

Those voting in the affirmative were:

Adam	Kamrath	Olson, Mountrail
Beaton	Kehoe	Page
Bilden	Lavik	Porter
Bond	Lofthus	Raschko
Brant	Lynch	Rue
Braun	Morgan, Walsh	Schrock
Bridston	Morgan, Richland	Semerad
Brunsdale	Nelson, Griggs-	Solberg
Day	Steele	Streibel
Drew	Nelson, McKenzie	Stucke
Feton	Nordhousen	Thatcher
Flatt	O'Brien	Troxel
Foss	Oksendahl	Watt
Ginter	Olson, Barnes	Wog
Greiser	Olson, McHenry	Young
Hoeneck		

Absent and not voting:

Blank	Nelson, Dickey	Nelson, Renville
Guenther		

So the concurrent resolution passed and the title was agreed to.

Senator Young moved that the vote by which Senate Concurrent Resolution "1-D" was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senator Watt moved that the vote by which Senate Bill No. 172 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senator Watt moved that the vote by which Senate Bill No. 186 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senator Watt 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.

Senator Watt 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.

Senator Watt moved that the vote by which Senate Bill No. 202 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senator Watt moved that the vote by which Senate Concurrent Resolution "1-F" was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senator Morgan of Richland moved that the vote by which

Senate Bill No. 192 was indefinitely postponed be reconsidered, which motion prevailed.

Senator Morgan of Richland moved that Senate Bill No. 192 be placed at the head of the calendar, which motion prevailed.

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.

Which had been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 27; nays, 20; absent and not voting, 2.

Those voting in the affirmative were:

Blank	Morgan, Walsh	Olson, Barnes
Brant	Morgan, Richland	Olson, McHenry
Braun	Nelson, Griggs-	Page
Bridston	Steele	Raschko
Day	Nelson, McKenzie	Schrock
Flatt	Nelson, Renville	Solberg
Hoenck	Nordhougen	Watt
Kehoe	O'Brien	Wog
Lavik	Oksendahl	Young
Lofthus		

Those voting in the negative were:

Adam	Foss	Rue
Beaton	Ginter	Semerad
Bilden	Greiser	Streibel
Bond	Kamrath	Stucke
Brunsdale	Lynch	Thatcher
Drew	Olson, Mountrail	Troxel
Feton	Porter	

Absent and not voting:

Guenther	Nelson, Dickey
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So the bill passed and the title was agreed to.

Senator Day 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.

MESSAGE FROM THE HOUSE

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 Appro-

priation 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 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 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.

Senator Morgan of Richland moved that Senate Concurrent Resolution "1-G" be placed at the foot of the calendar, which motion prevailed.

Senator Young moved that the Senate start at the head of the calendar with Senate Bill No. 156, which motion prevailed.

SECOND READING OF SENATE BILLS

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.

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, 45; nays, 0; absent and not voting, 4.

ROLL CALL

Those voting in the affirmative were:

Adam	Greiser	Olson, Mountrail
Beaton	Kamrath	Page
Bilden	Kehoe	Porter
Blank	Lavik	Raschko
Bond	Lofthus	Rue
Brant	Lynch	Schrock
Braun	Morgan, Walsh	Semerad
Bridston	Morgan, Richland	Solberg
Brunsdale	Nelson, McKenzie	Streibel
Day	Nelson, Renville	Stucke
Drew	Nordhougen	Thatcher
Feton	O'Brien	Troxel
Flatt	Oksendahl	Watt
Foss	Olson, Barnes	Wog
Ginter	Olson, McHenry	Young
Absent and not voting:		
Guenther	Nelson, Dickey	Nelson, Griggs-
Hoenck		Steele

So the bill passed and the title was agreed to.

Senator Kehoe 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.

Senator Nordhougen moved that the Senate return to the eighth order of business, which motion prevailed.

Senator Nordhougen moved that the vote by which Senate Bill No. 175 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

MESSAGE TO THE HOUSE

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 Monneys 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 SENATE BILLS

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 223, 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.

Which had been read.

Senator Brant moved that Senate Bill No. 180 be amended as follows:

On page 521 of the Journal, line 18, strike out the period after "indebtedness", insert a semi-colon, and the words "except that in case of income subject to allocation, the interest on indebtedness incurred in connection with income not subject to allocation shall not be deductible", which motion prevailed.

Senator Brant moved that the rules be suspended and that Senate Bill No. 180 be considered properly re-engrossed and placed on Second Reading and Final Passage, as amended, which motion prevailed.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 41; nays, 6; absent and not voting, 2.

Those voting in the affirmative were:

Adam	Ginter	O'Brien
Beaton	Hoenck	Oksendahl
Bilden	Kamrath	Olson, Barnes
Blank	Kehoe	Page
Bond	Lavik	Porter
Brant	Lofthus	Raschko
Braun	Lynch	Rue
Bridston	Morgan, Walsh	Schrock
Brunsdale	Morgan, Richland	Semerad
Day	Nelson, Griggs-	Stucke
Drew	Steele	Troxel
Feton	Nelson, McKenzie	Watt
Flatt	Nelson, Renville	Wog
Foss	Nordhogen	Young

Those voting in the negative were:

Greiser	Olson, Mountrail	Streibel
Olson, McHenry	Solberg	Thatcher

Absent and not voting:

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

Senator Brant moved taht 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.

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 had been read.

ROLL CALL

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

Those voting in the affirmative were:

Adam	Kamrath	Olson, McHenry
Beaton	Kehoe	Olson, Mountrail
Bilden	Lavik	Page
Blank	Lofthus	Porter
Bond	Lynch	Raschko

Brant	Morgan, Walsh	Rue
Braun	Morgan, Richland	Schrock
Bridston	Nelson, Dickey	Semerad
Brunsdale	Nelson, Griggs-	Solberg
Day	Steele	Streibel
Drew	Nelson, McKenzie	Stucke
Feton	Nelson, Renville	Thatcher
Flatt	Nordhousen	Troxel
Foss	O'Brien	Watt
Ginter	Oksendahl	Wog
Greiser	Olson, Barnes	Young
Hoencck		

Absent and not voting:

Guenther

So the bill passed and the title was agreed to.

Senator Flatt moved that the vote by which Senate Bill No. 199 was passed be reconsidered and the motion to reconsider be laid on the table, 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, 31; nays, 17; absent and not voting, 1.

Those voting in the affirmative were:

Bilden	Hoencck	Page
Blank	Kehoe	Porter
Brant	Lavik	Raschko
Braun	Lofthus	Rue
Bridston	Lynch	Streibel
Brunsdale	Morgan, Walsh	Stucke
Day	Morgan, Richland	Thatcher
Drew	Nelson, Griggs-	Watt
Feton	Steele	Wog
Flatt	O'Brien	Young
Foss	Olson, Barnes	

Those voting in the negative were:

Adam	Nelson, Dickey	Olson, Mountrail
Beaton	Nelson, McKenzie	Schrock
Bond	Nelson, Renville	Semerad
Ginter	Nordhousen	Solberg
Greiser	Oksendahl	Troxel
Kamrath	Olson, McHenry	

Absent and not voting:

Guenther

So the bill passed and the title was agreed to.

Senator Flatt moved that the vote by which Senate Bill No. 206 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senator Morgan of Richland was called to the chair, by the President.

MESSAGE FROM THE HOUSE

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 SENATE BILLS

Senate Bill No. 207. 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 Mortgage 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.

Which had been read.

Senator Kehoe moved that Senate Bill No. 207 be amended as follows:

Section 2 be changed to Section 3. A new Section 2 be inserted as follows:

Section 2. All of those parts and provisions of said 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, Chapter 159 of the Session Laws of North Dakota for 1937 in conflict herewith are hereby repealed.

And all lines be renumbered accordingly.

Which motion prevailed.

Senator Brunsdale moved a further amendment to Senate Bill No. 207 as follows:

In line 2, change the word "or" to the words "and hereafter".

Which motion prevailed.

Senator Kehoe moved that the rules be suspended and that Senate Bill No. 207 be considered properly re-engrossed and placed on Second Reading and Final Passage, as amended.

Senator Streibel objected to the suspension of rules.

Senator Kehoe withdrew his motion that the rules be suspended.

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

Senator Young moved that the Senate return House Bill No. 203 to the House, which motion prevailed.

Senator Young moved that the Senate be on the tenth order of business, which motion prevailed.

The President resumed the chair.

MESSAGE TO THE HOUSE

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.

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. Which had been read.

Senator Day moved that Senate Bill No. 208 be amended as follows:

In line 13 of the printed bill, strike out the comma after the word "land" and the words "in its discretion, may" and insert the word "shall", which motion prevailed.

Senator Day moved that Senate Bill No. 208 be placed at the foot of the calendar, 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, 36; nays, 12; absent and not voting, 1.

Those voting in the affirmative were:

Beaton	Hoenck	Olson, Barnes
Blank	Kehoe	Page
Bond	Lavik	Porter
Brant	Lofthus	Raschko
Braun	Morgan, Walsh	Schrock
Bridston	Morgan, Richland	Semerad
Brunsdale	Nelson, Dickey	Solberg
Day	Nelson, Griggs-	Stucke
Drew	Steele	Troxel
Feton	Nordhougen	Watt
Flatt	O'Brien	Wog
Foss	Oksendahl	Young
Ginter		

Those voting in the negative were:

Adam	Lynch	Olson, Mountrail
Bilden	Nelson, McKenzie	Rue
Greiser	Nelson, Renville	Streibel
Kamrath	Olson, McHenry	Thatcher

Absent and not voting:

Guenther

So the bill passed and the title was agreed to.

Senator Lavik 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.

MESSAGE FROM THE HOUSE

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.

Senator Brunsdale moved that Senate Bill No. 207 be placed on second reading and final passage, as amended, which motion prevailed.

Senator Flatt requested that the Senate be on the 7th order of business, which request was granted.

FIRST READING OF SENATE MEMORIAL
RESOLUTIONS

SENATE JOINT MEMORIAL RESOLUTION "A"

Introduced by Committee on Joint Memorial Resolutions

WHEREAS, the following Senators have gone to their eternal reward

WHEREAS, The late Senator McArthur represented the 28th legislative district in the North Dakota Senate; and

WHEREAS, The late Senator C. W. McGray represented the 46th legislative district in the North Dakota Senate; and

WHEREAS, The late Senator J. E. Eastgate represented the 5th legislative district in the North Dakota Senate; and

WHEREAS, The late Senator John Crandall represented

the 14th legislative district in the North Dakota Senate; and
WHEREAS, The late George A. Matthews represented the Territorial Council; and

WHEREAS, The late Senator P. J. Murphy represented the 4th legislative district in the North Dakota Senate; and

WHEREAS, The late Senator W. P. Porterfield represented the 9th legislative district in the North Dakota Senate; and

WHEREAS, The late Senator Clarence Belden Little represented the 27th legislative district in the North Dakota Senate; and

WHEREAS, The late Senator Paul T. Kretchmar represented the 36th legislative district in the North Dakota Senate; and

WHEREAS, The late Senator C. I. Morkrid represented the 17th legislative district in the North Dakota Senate; and

WHEREAS, The late Senator Robert J. Gardiner represented the 17th legislative district in the North Dakota Senate; and

WHEREAS, The late Senator Fingar Thorson Gronvold represented the 42nd legislative district in the North Dakota Senate; and

WHEREAS, the late Senator Arthur W. Fowler represented the 9th legislative district in the North Dakota Senate; and

WHEREAS, These men represented their respective districts and constituencies with eminent ability; and

WHEREAS, Since the Twenty-seventh Legislative Assembly the Supreme Ruler of the Universe has seen fit to remove from our midst these well known and esteemed citizens;

THEREFORE, BE IT RESOLVED, By the North Dakota Senate, the House of Representatives concurring, that we deeply regret the passing of these men from our midst, because of their contribution to the welfare and upbuilding of the communities in which they lived and the high level, unselfish service with which they discharged their duties in their respective legislative bodies. Let it be said of each and all of them, they gave to their state an ever abiding faith, loyalty and love.

BE IT THEREFORE RESOLVED, That we offer their families and friends of these, our departed members, our most profound and heartfelt sympathy; and that copies of these resolutions be spread upon the minutes of the Senate in which they so ably and faithfully served.

Senator Flatt moved that the rules be suspended and that Senate Joint Memorial Resolution "A" be considered read, and be adopted, which motion prevailed and Senate Joint Memorial Resolution "A" was declared adopted.

Senator Young moved that the Senate do now recess for twenty minutes, which motion prevailed.

The Senate re-convened at the expiration of the twenty minute period, pursuant to the motion of Senator Young.

The President announced that in accordance with Senate Concurrent Resolutions "1-F", he would appoint as the committee for the completion of the Codes: Senators Kehoe, Brunsdale, Day, Streibel.

The President announced that the Senate would be on the 10th order of business for the second reading of Senate bills.

SECOND READING OF SENATE BILLS

Senate Bill No. 207. 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 Mortgage 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 second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 21; nays, 27; absent and not voting, 1.

Those voting in the affirmative were:

Bond	Hoenic	Oksendahl
Brant	Kehoe	Olson, Barnes
Braun	Lofthus	Porter
Bridston	Morgan, Walsh	Raschko
Brunsdale	Nelson, Griggs-	Rue
Day	Steele	Watt
Drew	O'Brien	Wog
Flatt		

Those voting in the negative were:

Adam	Lavik	Page
Beaton	Lynch	Schrock
Bilden	Morgan, Richland	Semerad
Blank	Nelson, Dickey	Solberg
Feton	Nelson, McKenzie	Streibel
Foss	Nelson, Renville	Stucke
Ginter	Nordhougen	Thatcher
Greiser	Olson, McHenry	Troxel
Kamrath	Olson, Mountrail	Young

Absent and not voting:

Guenther

So the bill was declared lost.

Senator Solberg moved that the vote by which Senate Bill No. 207 was lost be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senator Nelson of Dickey: "Mr. President: I want to explain my vote. I don't believe this bill is in the best interest of the farmers of North Dakota. I vote 'No'."

Senator Braun: "Mr. President: I want to explain my vote. In 1939 and in 1941 I voted 'No' on this same bill, but today I have a resolution passed by the Farmers Union of Richland County asking me to vote on any legislation that would again permit the Federal Land Bank to come into the State of North Dakota. I vote 'Aye'."

Senator Day moved that the rules be suspended and that Senate Bill No. 208 be considered properly re-engrossed and placed on second reading and final passage, as amended, which motion prevailed.

Senate Bill No. 208. A Bill for an Act to Amend and Re-enact Section 15-0710 North Dakota Revised Code for 1943.

Which had been read.

ROLL CALL

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

Those voting in the affirmative were:

Adam	Kamrath	Olson, McHenry
Beaton	Kehoe	Olson, Mountrail
Bilden	Lavik	Page
Blank	Lofthus	Porter
Bond	Lynch	Raschko
Brant	Morgan, Walsh	Rue
Braun	Morgan, Richland	Schrock
Bridston	Nelson, Dickey	Semerad
Brunsdale	Nelson, Griggs-	• Solberg
Day	Steele	Streibel
Drew	Nelson, McKenzie	Stucke
Feton	Nelson, Renville	Thatcher
Flatt	Nordhogen	Troxel
Foss	O'Brien	Watt
Ginter	Oksendahl	Wog
Greiser	Olson, Barnes	Young
Hoencck		

Absent and not voting:

Guenther

So the bill passed and the title was agreed to.

Senator Streibel 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. 127. A Bill for an Act to Require the Commissioner of Insurance to Procure Catastrophe Insurance, and to Regulate the Type and Extent Thereof.

Which had been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 44; nays, 4; absent and not voting, 1.

Those voting in the affirmative were:

Beaton	Kamrath	Olson, Barnes
Bilden	Kehoe	Olson, McHenry
Blank	Lavik	Page
Bond	Lofthus	Porter
Brant	Lynch	Raschko
Braun	Morgan, Walsh	Rue
Bridston	Morgan, Richland	Schrock
Brunsdale	Nelson, Dickey	Semerad
Day	Nelson, Griggs-	Solberg
Drew	Steele	Stucke
Feton	Nelson, McKenzie	Thatcher
Flatt	Nelson, Renville	Troxel
Foss	Nordhogen	Watt
Ginter	O'Brien	Wog
Hoencck	Oksendahl	Young

Those voting in the negative were:

Adam	Olson, Mountrail	Streibel
Greiser		

Absent and not voting:

Guenther

So the bill passed and the title was agreed to.

Senator Page 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.

SECOND READING OF SENATE CONCURRENT
RESOLUTIONS

Senate Concurrent Resolution "1-G." Relating to Re-Insurance in the State Bonding Fund.

Senator Morgan of Walsh moved the adoption of Senate Concurrent Resolution "1-G," which motion prevailed and Senate Concurrent Resolution "1-G" was declared adopted.

The President announced that the Senate would be on the 5th order of business for the reading of committee reports.

REPORTS OF STANDING COMMITTEES

The Committee on Enrollment and Engrossment made the following report:

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

Senate Bill No. 95.

Senate Bill No. 175.

And find the same correctly Engrossed.

W. R. BOND, Chairman.

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

The Committee on Enrollment and Engrossment made the following report:

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

Senate Bill No. 180.

Senate Bill No. 209.

Senate Bill No. 207.

Senate Bill No. 208.

And find the same correctly Engrossed.

W. R. BOND, Chairman.

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

The Committee on Enrollment and Engrossment made the following report:

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

Senate Bill No. 122.

Senate Bill No. 127.

Senate Bill No. 166.

Senate Bill No. 171.

Senate Concurrent Resolution "1-E."

And find the same correctly Engrossed.

W. R. BOND, Chairman.

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

MESSAGES TO THE HOUSE

Senate Chamber

Bismarck, 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.
Senate Chamber

Bismarck, February 24, 1943

Mr. Speaker: I have the honor to inform you that the Senate has cleared its calendar of Senate Bills.

W. J. TROUT, Secretary.

MESSAGE FROM THE HOUSE

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 respectfully requested.

W. M. SMART, Chief Clerk.

FIRST 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 first time and referred to the Committee on Appropriations.

House Bill No. 43. A Bill for an Act Providing for a Trans-

fer 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 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.

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

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.

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.

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 Ways and Means.

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 Education.

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.

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 Public Health.

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.

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 and Livestock.

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 first time and referred to the Committee on Judiciary.

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 Judiciary.

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.

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.

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.

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 Irrigation and Drainage.

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

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 Tax and Tax Laws.

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 first time and referred to the Committee on Corporations.

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 Limita-

tions 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.

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.

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 first time and referred to the Committee on State Affairs.

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 Minerals.

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 Highways.

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.

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.

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.

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 Corporations.

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 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.

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

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.

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.

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 Ways and Means.

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.

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.

MESSAGES FROM THE HOUSE

Hon. Henry Holt
President of the Senate

All House bills have been messaged over to the Senate.

RALPH BEEDE, Speaker
W. M. SMART, Chief Clerk.

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.

Senator Young moved that the Senate do now adjourn, which motion prevailed, and the Senate stood adjourned.

W. J. TROUT, Secretary.

FIFTH-FIRST DAY

Bismarck, February 24, 1943

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

Prayer by the chaplain, Rev. Albert Keombeis.

Roll call: All Senators present except Senator Guenther.

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

Mr. President: Your Committee on Revision and Correction of the Journal have carefully examined the Journal of the continuation of the forty-ninth and the fiftieth day and find the same correct.

ORRIS G. NORDHOUGEN, Chairman.

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

Senator Nelson of Dickey moved that the absent Senator be excused, which motion prevailed.

FIRST 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 first time and referred to the 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.

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

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

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 Agriculture and Livestock.

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 Corporations.

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.

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.

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.

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 first time and referred to the Committee on Highways.

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.

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

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

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.

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.

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 and Indian 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.

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

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.

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.

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 Judiciary.

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.

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

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.

Senator Kehoe moved that House Bill No. 42 be amended as follows:

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", which motion prevailed.

Senator Kehoe moved that the rules be suspended and that House Bill No. 42 be considered properly re-engrossed and placed on second reading and final passage, as amended, which motion prevailed.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 46; nays, 0; absent and not voting, 3.

Those voting in the affirmative were:

Adam	Kamrath	Olson, Mountrail
Beaton	Kehoe	Page
Bilden	Lavik	Porter
Blank	Lofthus	Raschko
Bond	Lynch	Rue
Brant	Morgan, Walsh	Schrock
Braun	Morgan, Richland	Semerad
Brunsdale	Nelson, Dickey	Solberg
Day	Nelson, McKenzie	Streibel
Drew	Nelson, Renville	Stucke
Feton	Nordhougen	Thatcher
Flatt	Oksendahl	Troxel
Foss	O'Brien	Watt
Ginter	Olson, Barnes	Wog
Greiser	Olson, McHenry	Young

Absent and not voting:

Bridston	Guenther	Nelson, Griggs- Steele
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So the bill passed and the title was agreed to, and the emergency clause was declared carried.

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, the roll was called and there were ayes, 47; nays, 0; absent and not voting, 2.

Those voting in the affirmative were:

Adam	Kamrath	Olson, McHenry
Beaton	Kehoe	Olson, Mountrail
Bilden	Lavik	Page
Blank	Lofthus	Porter
Bond	Lynch	Raschko
Brant	Morgan, Walsh	Rue
Braun	Morgan, Richland	Schrock
Brunsdale	Nelson, Dickey	Semerad
Day	Nelson, Griggs- Steele	Solberg
Drew	Nelson, McKenzie	Streibel
Feton	Nelson, Renville	Stucke
Flatt	Nordhougen	Thatcher
Foss	O'Brien	Troxel
Ginter	Oksendahl	Watt
Greiser	Olson, Barnes	Wog
Hoenck		Young

Absent and not voting:

Bridston	Guenther
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So the bill passed and the title was agreed to.

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, 47; nays, 0; absent and not voting, 2.

Those voting in the affirmative were:

Adam	Kamrath	Olson, McHenry
Beaton	Kehoe	Olson, Mountrail
Bilden	Lavik	Page
Blank	Lofthus	Porter
Bond	Lynch	Raschko
Brant	Morgan, Walsh	Rue
Braun	Morgan, Richland	Schrock
Bridston	Nelson, Dickey	Semerad
Brunsdale	Nelson, Griggs-	Solberg
Day	Steele	Streibel
Drew	Nelson, McKenzie	Stucke
Feton	Nelson, Renville	Thatcher
Flatt	Nordhougen	Troxel
Foss	O'Brien	Wog
Ginter	Oksendahl	Watt
Hoенck	Olson, Barnes	Young

Absent and not voting:

Greiser Guenther

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

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, the roll was called and there were ayes, 47; nays, 0; absent and not voting, 2.

Those voting in the affirmative were:

Adam	Kamrath	Olson, McHenry
Beaton	Kehoe	Olson, Mountrail
Bilden	Lavik	Page
Blank	Lofthus	Porter
Bond	Lynch	Raschko
Brant	Morgan, Walsh	Rue
Braun	Morgan, Richland	Schrock
Bridston	Nelson, Dickey	Semerad
Brunsdale	Nelson, Griggs-	Solberg
Day	Steele	Streibel
Drew	Nelson, McKenzie	Stucke
Feton	Nelson, Renville	Thatcher
Flatt	Nordhougen	Troxel
Foss	O'Brien	Watt
Ginter	Oksendahl	Wog
Hoенck	Olson, Barnes	Young

Absent and not voting:

Greiser Guenther

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

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, 45; nays, 0; absent and not voting, 4.

Those voting in the affirmative were:

Adam	Kehoe	Olson, McHenry
Beaton	Lavik	Olson, Mountrail
Bilden	Lofthus	Page
Blank	Lynch	Porter
Bond	Morgan, Walsh	Raschko
Brant	Morgan, Richland	Rue
Braun	Nelson, Dickey	Schrock
Bridston	Nelson, Griggs-	Semerad
Brunsdale	Steele	Streibel
Drew	Nelson, McKenzie	Stucke
Feton	Nelson, Renville	Thatcher
Flatt	Nordhougen	Troxel
Foss	O'Brien	Watt
Ginter	Oksendahl	Wog
Hoencck	Olson, Barnes	Young
Kamrath		

Absent and not voting:

Day	Guenther	Solberg
Greiser		

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

Senator Bond moved that the vote by which House Bill No. 150 was passed be reconsidered and the motion to reconsider be laid on the table, which motion was lost.

SECOND READING OF HOUSE CONCURRENT

RESOLUTIONS

House Concurrent Resolution "N." Memorializing Congress to Take Action for the Enactment Into Law of Senate Bill 574 Now Pending in United States Congress.

Senator Lavik moved the adoption of House Concurrent Resolution "N," which motion prevailed and House Concurrent Resolution "N" was declared adopted.

SIGNING OF BILLS

The Secretary announced that the President was about to sign:

House Bill No. 5.
House Bill No. 82.
House Bill No. 83.

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

Senator Flatt moved that the Senate do now recess until 1:20, February 25th for the purpose of attending the Joint Memorial session in the House chambers, which motion prevailed and the Senate stood recessed.

W. J. TROUT, Secretary.

FIFTY-FIRST DAY AFTER RECESS AND
FIFTY-SECOND DAY

Bismarck, February 25, 1943

The Senate convened at 1:20 pursuant to motion made on February 24th.

The President announced that the Senate would be on the 8th order of business.

Senator Thatcher moved that the Senate approve the appointment of a Committee composed of Senators Kehoe, Brunsdale, Day and Streibel to approve the code as provided in Senate Concurrent Resolution "1-E," which motion prevailed.

Senator Flatt moved that the Senate do now adjourn, which motion prevailed and the Senate stood adjourned.

W. J. TROUT, Secretary.

FIFTY-SECOND DAY

Bismarck, February 25, 1943

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

The Senate members immediately convened in the House chamber for a Joint Memorial Session with the President of the Senate presiding as follows:

Senator Young moved that a Committee of Two be named to escort Governor Moses to the chamber, which motion prevailed.

The President of the Senate, who was the presiding officer of the Joint Session, appointed as such committee, Senators Young and Graham.

TWENTY-EIGHTH LEGISLATIVE ASSEMBLY
MEMORIAL SERVICE

Prayer for the deceased members by Rev. Laten E. Teare, Church of Nazarene, Bismarck, North Dakota.

Star Spangled Banner played by the Bismarck High School Band.

The Bismarck Quartet sang two numbers.

Senator Flatt moved the adoption of the Joint Memorial Resolution in memory of the following former Senators: Late Senator Albert Garnett; Late Senator McArthur; Late Senator C. W. McGray, Late Senator J. E. Eastgate, Late Senator John Crandall, Late Senator P. J. Murphy, Late Senator W. P. Porterfield, Late Senator C. B. Little, Late Senator Paul T. Kretchmar, Late Senator C. I. Morkrid, Late Senator Robert J. Gardiner, Late Senator F. T. Gronvold,

Late Senator Arthur W. Fowler, and the late George A. Matthews who represented the territorial Council, which motion prevailed.

Representative Aker moved the adoption of a Joint Memorial Resolution in memory of the deceased House members, which motion prevailed.

Governor Moses was then introduced by Lieutenant Governor Holt, and called upon for a few remarks.

Governor Moses: "Mr. President, Mr. Speaker, Members of the 28th legislative assembly of the State of North Dakota: Frankly, Mr. President, I did not expect to be called upon when coming in here today. I have no particular message to give except that I feel that we today who are meeting to do honor to the memories of the men who have served the State of North Dakota in the legislative forum, the men who have given in years gone by so freely of their time to serve the state that it is a most fitting and a most proper thing that the members of this legislature, busy as you are during these closing days of the session, that you meet here as citizens of the state to offer a prayer in the memory of men who have served in the past, many of whom were your close friends and comrades. I am very happy, Mr. President, to be afforded an opportunity to be with you during this memorable service. I thank you."

The memorial address was given by Rev. Stewart of Mandan.

Rev. Stewart: "Governor Moses, Mr. President, Mr. Speaker, Members of the Senate and the House, Ladies and Gentlemen: Over the entrance of one of our great educational institutions in Washington, D. C., you will find inscribed these words: 'What we have done for ourselves alone, dies with us—what we have done for others and the world remains, and is immortal'—and so this afternoon as we pause for a brief period to honor the memory of those who have gone before, it is well for us to consider those who have made their contributions for their nation, their state, their communities and for others who have left their footprints on the sands of time.

National holidays, such as the two that we observe in the month of February, are commemorating the anniversary of the birthday of George Washington, the 'Father of our country', and Abraham Lincoln, the Great Emancipator. These national holidays, as I say, remind us of the marvelous story of the inauguration of our great America—the marvelous story of the preservation of our country during the dangerous days since America was given to us.

One hundred and sixty-six years after our great country was given to us, the world was plunged into a terrific war and we are today striving to maintain the ideals and the principles laid down by these great men: Washington, Jefferson; and their compatriots in the days that have gone.

Some one has said that George Washington and those who were associated with him, in giving to us what we have today, were the most selfish, the most greedy men that we can find in any record in the annals of history. They wanted the best of everything for themselves.—They wanted liberty

and freedom and justice, not only for themselves but for posterity.

These men who founded our great country, believed that there existed both right and wrong, but that righteousness was supreme. These men who founded our nation believed that some things were true and some things were not true. They believed not in the material things alone. As we sing—it is true that they loved the 'rocks and the rills' of our great country, still they believed in the intangible things that would preserve and perpetuate our country. They believed that mankind was greater than institutions. They believed that the ideals and the principles as laid down by the Master of men when he said 'All things whatsoever Ye would that men should do to you, do Ye even so to them'. These were the principles and the ideals upon which our great nation was founded.

John Adams, I think it was, who said as he spoke to the generations that were yet to come, 'You do not know the suffering and the sorrows that we have endured in giving to you and to posterity the freedom that we have'. And he said: 'I will repent before High Heaven if you do not make good use of these immortal services upon which America was founded'.

Our forefathers not only believed in the great principles and ideals but they believed in great achievements. They crossed rivers, they went over mountains and plains, they organized immigration and with their faces toward the setting sun, the Star of Empire rolled on until it reached the Pacific Ocean. These men, and these women, who pioneered our great country had many hardships to overcome. Many obstacles were in their way—savages and savage beasts and many other things were on their trail but they went on with these same principles in their heart. And as they came westward, one by one, they planted another star in the red, white and blue, and one day in the year 1889, (over fifty years ago) North Dakota took her place in the great commonwealth and the brotherhood of the states and we joined with the other states of the Union in a great and glorious conquest of liberty and of justice and of truth.

These men who came into our state and made it possible for us to enjoy what we have today, were men just like the forefathers, just like George Washington and Abraham Lincoln, they wanted to establish a state 'of the people, for the people, and by the people' so that every man regardless of his station in life, whether rich or poor, high or low—regardless of his material possessions could enjoy the blessings of America and of North Dakota and it is to the memory of these men, who founded our great state, who came across these prairies, who upturned the virgin soil, who blazed the trails, who built churches and schoolhouses and who gave to us the heritage that we have—these are the men whose memory we honor. They gave freely of their time and of their talents for the best interests of our state. They found within this state, some of the most fertile soil in the whole United States. They developed the resources of our coal and of our clay. They established institutions of learning for our children and churches for the moral and spiritual upbringing of the citizens. We, in North Dakota, have all

these blessing and these privileges because these men who have gone before us, who have endured the hardships, have given to us these great legacies of freedom and of justice and of liberty. As I said, just a little while ago, we would always honor the memory of those who today are on the battlefronts of the world and some of our boys, some of our husbands and sons and brothers have made the supreme sacrifice. How gallant they are in the battle. How devoted they are to the principles that our forefathers laid down and they stand before us today as the supreme example of patriotism. May we honor their memories today as we pause in the midst of our lawmaking and as we think of what others have done for us and may this brief hour that we have spent here together be an hour that we will long remember because we have paid to these who have gone before and who are fighting for the principles that we love so well. May we continue to accept the challenge of those who would take away from us all that we have fought for and all that we have espoused and may we carry on the work and the burdens of today. I thank you."

Upon adjournment of the Joint Memorial Session, the Senate returned to the Senate chamber, and were called to order by the President.

Prayer by the chaplain: Rev. Albert Keombeis.

Roll call: All Senators present except Senator Guenther.

The President called Senator Stucke to the chair.

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

Mr. President: Your Committee on Revision and Correction of the Journal have carefully examined the Journal of the Fiftieth Day After Recess and Fifty-first Day and find the same correct.

ORRIS G. NORDHOUGEN, Chairman.

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

REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 7, have had the same under consideration and recommend that the same be indefinitely postponed.

WM. WATT, Chairman.

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

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 16, have had the same under consideration and recommend that the same be amended as follows:

Under Section 1 in line 3, strike out the figures \$225,808.00 and insert the figures \$228,608.00 in lieu thereof.

Under Section 1 in line 12, strike out the figures \$7,200.00 and insert the figures \$10,000.00 in lieu thereof.

Under Section 1 in line 21 for the total, strike out the figures \$134,520.00 and insert the figures \$137,320.00 in lieu thereof.

Under Section 1 in line 38 for the grand total, strike out

the figures \$225,808.00 and insert the figures \$228,608.00 in lieu thereof.

And when so amended recommend the same do pass.

WM. WATT, Chairman.

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

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 18, have had the same under consideration and recommend that the same be indefinitely postponed.

WM. WATT, Chairman.

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

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 19, have had the same under consideration and recommend that the same be indefinitely postponed.

WM. WATT, Chairman.

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

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 20, have had the same under consideration and recommend that the same be indefinitely postponed.

WM. WATT, Chairman.

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

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 21, have had the same under consideration and recommend that the same be indefinitely postponed.

WM. WATT, Chairman.

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

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 22, have had the same under consideration and recommend that the same be indefinitely postponed.

WM. WATT, Chairman.

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

Mr. President: Your Committee on State Affairs to whom was referred House Mill No. 80, have had the same under consideration and recommend that the same be indefinitely postponed.

J. B. BRIDSTON, Chairman.

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

Mr. President: Your Committee on State Affairs to whom was referred House Bill No. 106, have had the same under consideration and recommend that the same be amended as follows:

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".

And when so amended recommend the same do pass.

J. B. BRIDSTON, Chairman.

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

Mr. President: Your Committee on Game and Fish to whom was referred House Bill No. 154, have had the same under consideration and recommend that the same be indefinitely postponed.

H. R. MORGAN, Chairman.

Senator Morgan of Richland moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 251, have had the same under consideration and recommend that the same do pass.

WM. WATT, Chairman.

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

Mr. President: Your Committee on State Affairs to whom was referred House Concurrent Resolution "R," have had the same under consideration and recommend that the same do pass.

J. B. BRIDSTON, Chairman.

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

Mr. President: Your Committee on State Affairs to whom was referred House Concurrent Resolution "X," have had the same under consideration and recommend that the same do pass.

J. B. BRIDSTON, Chairman.

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

Senator Nelson of Dickey moved that the absent Senator be excused, which motion prevailed.

Senator Flatt moved that the Joint Memorial Resolution adopted at the Joint Memorial Session be amended to include the name of the late former Senator Albert Garnett of Pembina county who served in the Senate in 1903 and 1905, and that an engrossed copy of this Joint Memorial Resolution be mailed to his nearest relative, which motion prevailed.

Senator Young moved that the remarks of Governor Moses and Rev. Stewart at the Joint Memorial Session be printed in the Journal, which motion prevailed.

Senator Kehoe requested that the Senate return to the fifth order of business for the reading of a standing committee report, which request was granted.

Mr. President: Your Committee on Judiciary to whom was referred House Joint Resolution "Z," have had the same under consideration and recommend that the same do pass.

J. J. KEHOE, Chairman.

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

Senator Kehoe moved that House Joint Resolution "Z" be placed upon the calendar today, which motion prevailed.

SECOND READING OF HOUSE JOINT RESOLUTION "Z"

House Joint Resolution "Z." Requesting the Legislature to Authorize Payment of Certain Employees in the Code Revision Commission.

Was read the second time.

Senator Brunsdale moved that House Joint Resolution "Z" be adopted, which motion prevailed and House Joint Resolution "Z" was declared adopted.

MESSAGES TO THE HOUSE

Senate Chamber

Bismarck, February 25, 1943

Mr. President: 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.

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.

Senator Young moved that the Senate do now adjourn, which motion prevailed and the Senate stood adjourned.

W. J. TROUT, Secretary.

FIFTY-THIRD DAY

Bismarck, February 26, 1943

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

Prayer by the chaplain: Rev. Reuben R. Strutz.

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

MESSAGES TO THE HOUSE

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.

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.

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

Mr. President: Your Committee on Revision and Correction of the Journal have carefully examined the Journal of the fifty-first day after recess and fifty-second day and find the same correct.

ORRIS G. NORDHOUGEN, Chairman.

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

Senator Kehoe requested that the Senate be on the sixth order of business for the reading of a report from the Joint Legislative Committee.

REPORT OF SELECT COMMITTEE

REPORT OF JOINT LEGISLATIVE 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.

J. J. KEHOE, Chairman.

Senator Kehoe moved that the report be adopted.

ROLL CALL

The roll was called on the adoption of the report of the joint legislative committee and there were ayes, 46; nays, 0; absent and not voting, 3.

Those voting in the affirmative were:

Adam	Kehoe	Olson, Mountrail
Beaton	Lavik	Page
Bilden	Lofthus	Porter
Blank	Lynch	Raschko
Bond	Morgan, Walsh	Rue
Brant	Morgan, Richland	Schrock
Braun	Nelson, Dickey	Semerad
Day	Nelson, Griggs-	Solberg
Drew	Steele	Streibel
Feton	Nelson, McKenzie	Stucke
Flatt	Nelson, Renville	Thatcher
Foss	Nordhougen	Troxel

Ginter	O'Brien	Watt
Greiser	Oksendahl	Wog
Hoenck	Olson, Barnes	Young
Kamrath	Olson, McHenry	

Absent and not voting:

Bridston	Brunsdale	Guenther
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So the report of the joint legislative committee was declared adopted.

FIRST READING OF SENATE CONCURRENT RESOLUTION

Senators Kehoe and Streibel introduced:

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.

Senator Kehoe moved that Senate Concurrent Resolution "1-H" be printed in the Journal, which motion prevailed.

SENATE CONCURRENT RESOLUTION "1-H"

Introduced by Senators Kehoe and Streibel

Approving Contracts for the paper and for printing and binding North Dakota Revised Code of 1943.

1. WHEREAS, pursuant to Senate Concurrent Resolution "1-E"

2 a joint committee was appointed to consider bids and the

3 Lieutenant Governor and the Speaker of the House of

3a Representa-

4 tives were authorized to execute contracts for the pur-

4a chase of

5 paper and the printing and binding of North Dakota

5a Revised Code

6 of 1943; and

7 WHEREAS, the joint committee has accepted the bid

7a of the

8 Carpenter Paper Company of Omaha for the purchase of

8a paper

9 and the bid of the Knight Printing Company for the

9a printing

10 and binding of said code and the Lieutenant Governor

10a and the

11 Speaker of the House of Representatives on behalf of

11a the State

12 have executed contracts with the Carpenter Paper Com-

12a pany and

13 the Knight Printing Company, pursuant to the recom-

13a mendations of

14 such joint committee; and

15 WHEREAS, said contracts of date February 26, 1943,

15a have been

16 duly reported to the Senate and the House of Represen-

16a tatives of

17 the Legislative Assembly of North Dakota, with the

17a recommenda-

18 tions of such joint committee that such contracts be

18a approved,

19 now therefore

20 BE IT RESOLVED that the contract made with the

20a Carpenter

- 21 Paper Company of Omaha, for the purchase of paper
 21a and the
 22 contract made with the Knight Printing Company for the
 22a printing
 23 and binding of North Dakota Revised Code of 1943, be
 23a and the
 24 same hereby are approved and confirmed.

REPORTS OF STANDING COMMITTEES

Mr. President: 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.

J. J. KEHOE, Chairman.

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

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 8, have had the same under consideration and recommend that the same do pass.

WM. WATT, Chairman.

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

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 13, have had the same under consideration and recommend that the same do pass.

WM. WATT, Chairman.

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

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

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 & 23b to read as follows:

23a Education & 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.

And when so amended recommend the same do pass.

WM. WATT, Chairman.

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

Mr. President: Your Committee on Game and Fish to whom was referred House Bill No. 43, have had the same under consideration and recommend that the same Be "Referred to Appropriation Committee."

H. R. MORGAN, Chairman.

Senator Morgan of Richland moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Agriculture and Live-stock to whom was referred House Bill No. 65, have had the

same under consideration and further recommend that House Bill No. 65 be re-referred to the Committee on Appropriations.

A. N. LAVIK, Chairman.

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

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 99, have had the same under consideration and recommend that the same do pass.

WM. WATT, Chairman.

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

Mr. President: Your Committee on Judiciary to whom was referred House Bill No. 105, have had the same under consideration and recommend that the same do pass.

J. J. KEHOE, Chairman.

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

Mr. President: Your Committee on Tax and Tax Laws to whom was referred House Bill No. 107, have had the same under consideration and recommend that the same be amended as follows:

In line 8 of the engrossed bill, strike out the word "October" and insert in lieu thereof, the word "November".

And when so amended recommend the same do pass.

E. H. BRANT, Chairman.

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

Mr. President: Your Committee on Tax and Tax Laws to whom was referred House Bill No. 118, have had the same under consideration and recommend that the same do pass.

E. H. BRANT, Chairman.

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

Mr. President: Your Committee on Military and Indian Affairs to whom was referred House Bill No. 123, have had the same under consideration and recommend that the same do pass.

J. L. FLATT, Chairman.

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

Mr. President: Your Committee on Military and Indian Affairs to whom was referred House Bill No. 124, have had the same under consideration and recommend that the same do pass.

J. L. FLATT, Chairman.

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

Mr. President: Your Committee on Judiciary to whom was referred House Bill No. 138, have had the same under consideration and recommend that the same be amended as follows:

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 not withstanding 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."

And when so amended recommend the same do pass.

J. J. KEHOE, Chairman.

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

Mr. President: Your Committee on Judiciary to whom was referred House Bill No. 140, have had the same under consideration and recommend that the same be amended as follows:

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".

And when so amended recommend the same do pass.

J. J. KEHOE, Chairman.

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

Mr. President: Your Committee on Military and Indian Affairs to whom was referred House Bill No. 148, have had the same under consideration and recommend that the same do pass.

J. L. FLATT, Chairman.

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

Mr. President: Your Committee on Judiciary to whom was referred House Bill No. 151, have had the same under consideration and recommend that the same do pass.

J. J. KEHOE, Chairman.

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

Mr. President: Your Committee on Judiciary to whom was referred House Bill No. 166, have had the same under consideration and recommend that the same be amended as follows:

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."

And when so amended recommend the same do pass.

J. J. KEHOE, Chairman.

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

Mr. President: Your Committee on Military and Indian Affairs to whom was referred House Bill No. 170, have had the same under consideration and recommend that the same do pass.

J. L. FLATT, Chairman.

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

Mr. President: Your Committee on Judiciary to whom was referred House Bill No. 197, have had the same under consideration and recommend that the same be indefinitely postponed.

J. J. KEHOE, Chairman.

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

Mr. President: Your Committee on 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.

E. H. BRANT, Chairman.

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

Mr. President: Your Committee on Judiciary to whom was referred House Bill No. 235, have had the same under consideration and recommend that the same do pass.

J. J. KEHOE, Chairman.

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

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 243, have had the same under consideration and recommend that the same be amended as follows:

Strike out all of lines 1 to 11 inclusive and renumber the following lines.

And when so amended recommend the same do pass.

WM. WATT, Chairman.

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

Mr. President: Your Committee on Military and Indian Affairs to whom was referred House Bill No. 248, have had the same under consideration and recommend that the same do pass.

J. L. FLATT, Chairman.

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

Mr. President: Your Committee on Agriculture and Live-stock to whom was referred House Bill No. 249, have had the same under consideration and recommend that the same be indefinitely postponed.

A. N. LAVIK, Chairman.

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

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 252, have had the same under consideration and recommend that the same do pass.

WM. WATT, Chairman.

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

Mr. President: Your Committee on Agriculture and Live-stock to whom was referred House Concurrent Resolution "L," have had the same under consideration and recommend that the same be indefinitely postponed.

A. N. LAVIK, Chairman.

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

Mr. President: Your Committee on Game and Fish to whom was referred House Concurrent Resolution "T," have had the same under consideration and recommend that the same be amended as follows:

In line 14 of the printed resolution, strike out the words "Game birds", and in line 38, strike out the words "game birds" and insert in lieu thereof "migratory water fowl".

And when so amended recommend the same do pass.

H. R. MORGAN, Chairman.

Senator Morgan of Richland moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Military and Indian Affairs to whom was referred House Concurrent Resolution "U," have had the same under consideration and recommend that the same be indefinitely postponed.

J. L. FLATT, Chairman.

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

Mr. President: Your Committee on Military and Indian Affairs to whom was referred House Concurrent Resolution "V," have had the same under consideration and recommend that the same do pass.

J. L. FLATT, Chairman.

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

Mr. President: Your Committee on Agriculture and Live-stock to whom was referred House Concurrent Resolution "1-A," have had the same under consideration and recommend that the same do pass.

A. N. LAVIK, Chairman.

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

Mr. President: Your Committee on Agriculture and Live-stock to whom was referred House Concurrent Resolution "1-B," have had the same under consideration and recommend that the same be indefinitely postponed.

A. N. LAVIK, Chairman.

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

MESSAGES FROM THE HOUSE

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 Conditions.

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.

Senator Nelson of Dickey moved that the absent Senators be excused, which motion prevailed.

SECOND READING OF SENATE CONCURRENT RESOLUTION

Senate Concurrent Resolution "I-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 final passage of the concurrent resolution, the roll was called and there were ayes, 45; nays, 0; absent and not voting, 4.

Those voting in the affirmative were:

Adam	Kehoe	Olson, Mountrail
Beaton	Lavik	Page
Bilden	Lofthus	Porter
Blank	Lynch	Raschko
Bond	Morgan, Walsh	Rue
Brant	Morgan, Richland	Schrock
Braun	Nelson, Dickey	Semerad

Brunsdale	Nelson, Griggs-	Solberg
Drew	Steele	Streibel
Feton	Nelson, McKenzie	Stucke
Flatt	Nelson, Renville	Thatcher
Foss	O'Brien	Troxel
Ginter	Oksendahl	Watt
Greiser	Olson, Barnes	Wog
Hoenck	Olson, McHenry	Young
Kamrath		
Absent and not voting:		
Bridston	Guenther	Nordhougen
Day		

So the concurrent resolution passed and the title was agreed to.

SECOND READING OF HOUSE BILLS AND CONCURRENT RESOLUTIONS

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, 46, nays, 0; absent and not voting, 3.

Those voting in the affirmative were:

Adam	Kamrath	Olson, Mountrail
Beaton	Kehoe	Page
Bilden	Lavik	Porter
Blank	Lofthus	Raschko
Bond	Lynch	Rue
Brant	Morgan, Walsh	Schrock
Braun	Morgan, Richland	Semerad
Brunsdale	Nelson, Dickey	Solberg
Day	Nelson, Griggs-	Streibel
Drew	Steele	Stucke
Feton	Nelson, McKenzie	Thatcher
Flatt	Nelson, Renville	Troxel
Foss	O'Brien	Watt
Ginter	Oksendahl	Wog
Greiser	Olson, Barnes	Young
Hoenck	Olson, McHenry	
Absent and not voting:		
Bridston	Guenther	Nordhougen

So the bill passed and the title was agreed to.

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, 44; nays, 0; absent and not voting, 5.

Those voting in the affirmative were:

Adam	Kehoe	Olson, Mountrail
Beaton	Lavik	Page
Bilden	Lofthus	Porter
Bond	Lynch	Raschko
Braun	Morgan, Walsh	Rue
Brunsdale	Morgan, Richland	Schrock
Day	Nelson, Dickey	Semerad
Drew	Nelson, Griggs-	Solberg
Feton	Steele	Streibel
Flatt	Nelson, McKenzie	Stucke
Foss	Nelson, Renville	Troxel
Ginter	O'Brien	Thatcher
Greiser	Oksendahl	Watt
Hoenck	Olson, Barnes	Wog
Kamrath	Olson, McHenry	Young
Absent and not voting:		
Blank	Bridston	Nordhougen
Brant	Guenther	

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

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.

Senator Flatt moved that House Bill No. 251 be amended as follows:

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.

Which motion prevailed.

Senator Flatt moved that the rules be suspended and that House Bill No. 251 be considered properly re-engrossed and placed on second reading and final passage, as amended, which motion prevailed.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 46; nays, 0; absent and not voting, 3.

Those voting in the affirmative were:

Adam	Kamrath	Olson, Mountrail
Beaton	Kehoe	Page
Bilden	Lavik	Porter
Blank	Lofthus	Raschko
Bond	Lynch	Rue
Brant	Morgan, Walsh	Schrock
Braun	Morgan, Richland	Semerad
Brunsdale	Nelson, Dickey	Solberg
Day	Nelson, Griggs-	Streibel
Drew	Steele	Stucke
Feton	Nelson, McKenzie	Thatcher
Flatt	Nelson, Renville	Troxel
Foss	O'Brien	Watt
Ginter	Oksendahl	Wog

Greiser	Olson, Barnes	Young
Hoenck	Olson, McHenry	
Absent and not voting:		
Bridston	Guenther	Nordhougen

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

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 second time.

Senator Raschko moved that House Concurrent Resolution "R" be amended as follows:

To direct the Secretary of State to send copies of House Concurrent Resolution "R" to the President and the members of Congress from North Dakota.

Senator Flatt made a substitute motion that the Secretary of State be directed to send a copy of House Concurrent Resolution "R" to Prentice Brown, head of the OPA in Washington, which motion prevailed.

Senator Raschko moved that the rules be suspended and that Senate Concurrent Resolution "R" be considered properly re-engrossed and placed on second reading and final passage, as amended, which motion prevailed.

Senator Flatt moved that House Concurrent Resolution "R" be adopted, which motion prevailed, and House Concurrent Resolution "R" was declared adopted.

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 the Resolution, the roll was called and there were ayes, 45; nays, 0; absent and not voting, 4.

Those voting in the affirmative were:

Adam	Kehoe	Olson, Mountrail
Beaton	Lavik	Page
Bilden	Lofthus	Porter
Blank	Lynch	Raschko
Bond	Morgan, Walsh	Rue
Brant	Morgan, Richland	Schrock
Braun	Nelson, Dickey	Semerad
Brunsdale	Nelson, Griggs-	Solberg
Day	Steele	Streibel
Drew	Nelson, McKenzie	Stucke
Feton	Nelson, Renville	Thatcher
Flatt	O'Brien	Troxel
Ginter	Oksendahl	Watt
Greiser	Olson, Barnes	Wog
Hoenck	Olson, McHenry	Young
Kamrath		

Absent and not voting:

Bridston	Guenther	Nordhougen
Foss		

So the Resolution was declared adopted.

Senator Morgan of Walsh moved that the Senate request the return of Senate Concurrent Resolution "W", which motion prevailed.

Senator Watt moved that the Senate reconsider their action on House Bills Nos. 7, 18, 19, 20, 21 and 22 and they be re-referred to the Committee on Appropriations, which motion prevailed.

MESSAGE FROM THE HOUSE

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.

MESSAGE TO THE HOUSE

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.

Senator Young moved that the Senate do now adjourn, which motion prevailed and the Senate stood adjourned.

W. J. TROUT, Secretary.

FIFTY-FOURTH DAY

Bismarck, February 27, 1943

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

Prayer by the chaplain, Rev. Dan J. Rueb.

Roll call: All Senators present except Senators Guenther, Solberg and Stucke.

MESSAGE TO THE HOUSE

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.

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

Mr. President: Your Committee on Revision and Correction of the Journal have carefully examined the Journal of the Fifty-third Day and find the same correct.

ORRIS G. NORDHOUGEN, Chairman.

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

PETITIONS AND COMMUNICATIONS

Senator Bond presented a petition from Hans Swenson and 800 others, all of Ward county, petitioning the Senate to pass House Bill No. 222, which was referred to the Committee on Tax and Tax Laws:

REPORTS OF STANDING COMMITTEES

The Committee on Enrollment and Engrossment made the following report:

Mr. President: Your Committee on Enrollment and En-

grossment respectfully report that they have examined the following bills:

Senate Bill No. 11.
 Senate Bill No. 13.
 Senate Bill No. 50.
 Senate Bill No. 79.
 Senate Bill No. 116.
 Senate Concurrent Resolution "N."

And find the same correctly Enrolled.

W. R. BOND, Chairman.

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

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 10, have had the same under consideration and recommend that the same be amended as follows:

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.

And when so amended recommend the same do pass.

WM. WATT, Chairman.

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

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 26, have had the same under consideration and recommend that the same do pass.

WM. WATT, Chairman.

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

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 30, have had the same under consideration and recommend that the same do pass.

WM. WATT, Chairman.

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

Mr. President: Your Committee on Judiciary to whom was referred House Bill No. 61, have had the same under consideration and recommend that the same be indefinitely postponed.

J. J. KEHOE, Chairman.

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

Mr. President: Your Committee on Highways to whom was referred House Bill No. 75, have had the same under consideration and recommend that the same do pass.

GUST WOG, Chairman.

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

Senator Day moved that the Senate reconsider its action in adopting the report of the Committee on Highways on House Bill No. 75, which motion was declared lost on a voice vote.

Mr. President: Your Committee on Education to whom was referred House Bill No. 98, have had the same under consideration and recommend that the same be amended as follows:

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".

And when so amended recommend the same do pass.

RILIE R. MORGAN, Chairman.

Senator Morgan of Walsh moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 100, have had the same under consideration and recommend that the same be amended as follows:

Under Section 3 in line 11, strike out the figures \$750,000.00 and insert the figures \$500,000.00 in lieu thereof.

And when so amended recommend the same do pass.

WM. WATT, Chairman.

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

Mr. President: Your Committee on Education to whom was referred House Bill No. 102, have had the same under consideration and recommend that the same be amended as follows:

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".

And when so amended recommend the same do pass.

RILIE R. MORGAN, Chairman.

Senator Morgan of Walsh moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on State Affairs to whom was referred House Bill No. 109, have had the same under consideration and recommend that the same do pass.

J. B. BRIDSTON, Chairman.

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

Mr. President: Your Committee on State Affairs 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, strike out the figure "\$5,000.00" and insert in lieu thereof the figure "\$7,500.00".

And when so amended recommend the same do pass.

J. B. BRIDSTON, Chairman.

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

Mr. President: Your Committee on Judiciary to whom was referred House Bill No. 122, have had the same under consideration and recommend that the same be indefinitely postponed.

J. J. KEHOE, Chairman.

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

Mr. President: Your Committee on Tax and Tax Laws to whom was referred House Bill No. 126, have had the same under consideration and recommend that the same do pass.

E. H. BRANT, Chairman.

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

Mr. President: Your Committee on 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:

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 lines 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 lines 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.

And when so amended recommend the same do pass.

E. H. BRANT, Chairman.

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

Mr. President: Your Committee on Agriculture and Live-stock to whom was referred House Bill No. 135, have had the same under consideration and recommend that the same be indefinitely postponed.

A. N. LAVIK, Chairman.

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

Mr. President: Your Committee on State Affairs to whom was referred House Bill No. 139, have had the same under consideration and recommend that the same do pass.

J. B. BRIDSTON, Chairman.

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

Mr. President: Your Committee on State Affairs to whom was referred House Bill No. 144, have had the same under consideration and recommend that the same do pass.

J. B. BRIDSTON, Chairman.

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

Mr. President: Your Committee on Corporations to whom was referred House Bill No. 145, have had the same under consideration and recommend that the same do pass.

P. L. FOSS, Chairman.

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

Mr. President: Your Committee on 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 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.

And when so amended recommend the same do pass.

J. J. KEHOE, Chairman.

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

Mr. President: Your Committee on Agriculture and Live-stock to whom was referred House Bill No. 157, have had the same under consideration and recommend that the same be indefinitely postponed.

A. N. LAVIK, Chairman.

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

Mr. President: Your Committee on Military and Indian Affairs to whom was referred House Bill No. 162, have had the same under consideration and recommend that the same be re-referred to Committee on Judiciary.

J. L. FLATT, Chairman.

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

Mr. President: Your Committee on Agriculture and Livestock to whom was referred House Bill No. 167, have had the same under consideration and recommend that the same do pass.

A. N. LAVIK, Chairman.

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

Mr. President: Your Committee on Agriculture and Livestock to whom was referred House Bill No. 168, have had the same under consideration and recommend that the same do pass.

A. N. LAVIK, Chairman.

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

Mr. President: Your Committee on Education to whom was referred House Bill No. 171, have had the same under consideration and recommend that the same be amended as follows:

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 word "a", insert the words "self supporting and".

And when so amended recommend the same do pass.

RILIE R. MORGAN, Chairman.

Senator Morgan of Walsh moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Corporations to whom was referred House Bill No. 173, have had the same under consideration and recommend that the same do pass.

P. L. FOSS, Chairman.

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

Mr. President: Your Committee on Corporations to whom was referred House Bill No. 174, have had the same under consideration and recommend that the same do pass.

P. L. FOSS, Chairman.

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

Mr. President: Your Committee on Education to whom was referred House Bill No. 175, have had the same under consideration and recommend that the same be amended as follows:

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 2. REPEAL.) All Acts or parts of Acts in conflict herewith are hereby repealed."

And when so amended recommend the same do pass.

RILIE R. MORGAN, Chairman.

Senator Morgan of Walsh moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Education to whom was referred House Bill No. 182, have had the same under consideration and recommend that the same do pass.

RILIE R. MORGAN, Chairman.

Senator Morgan of Walsh moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on State Affairs to whom was referred House Bill No. 188, have had the same under consideration and recommend that the same do pass.

J. B. BRIDSTON, Chairman.

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

Mr. President: Your Committee on Education to whom was referred House Bill No. 189, have had the same under consideration and recommend that the same do pass.

RILIE R. MORGAN, Chairman.

Senator Morgan of Walsh moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Corporations to whom was referred House Bill No. 192, have had the same under consideration and recommend that the same do pass.

P. L. FOSS, Chairman.

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

Mr. President: Your Committee on Agriculture and Livestock to whom was referred House Bill No. 196, have had the same under consideration and recommend that the same do pass.

A. N. LAVIK, Chairman.

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

Mr. President: Your Committee on Highways to whom was referred House Bill No. 208, have had the same under consideration and recommend that the same be indefinitely postponed.

GUST WOG, Chairman.

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

Mr. President: Your Committee on Judiciary to whom was referred House Bill No. 212, have had the same under consideration and recommend that the same be indefinitely postponed.

J. J. KEHOE, Chairman.

Senator Kehoe moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Judiciary to whom was referred House Bill No. 213, have had the same under consideration and recommend that the same be amended as follows:

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 other indebtedness issued thereunder remain outstanding."

And when so amended recommend the same do pass.

J. J. KEHOE, Chairman.

Senator Kehoe moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Elections to whom was referred House Bill No. 214, have had the same under consideration and recommend that the same do pass.

G. I. FETON, Chairman.

Senator Feton moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on State Affairs to whom was referred House Bill No. 244, 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 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 and 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.

J. B. BRIDSTON, Chairman.

Senator Bridston moved that the report of the Committee on State Affairs on House Bill No. 244 be printed in the Journal without reading and action delayed one legislative day, which motion prevailed.

Mr. President: Your Committee on Corporations to whom was referred House Bill No. 250, have had the same under consideration and recommend that the same do pass.

P. L. FOSS, Chairman.

Senator Foss moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on State Affairs to whom was referred House Concurrent Resolution "S," have had the same under consideration and recommend that the same do pass.

J. B. BRIDSTON, Chairman.

Senator Bridston moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on State Affairs to whom was referred House Concurrent Resolution "1-C," have had the same under consideration and recommend that the same do pass.

J. B. BRIDSTON, Chairman.

Senator Bridston moved that the report be adopted, which motion prevailed and the report was adopted.

MESSAGE FROM THE HOUSE

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.

W. M. SMART, Chief Clerk.

Senator Nelson of Dickey moved that the absent Senators be excused, which motion prevailed.

Senator Morgan of Walsh moved that the action of the Senate in adopting the report of the Committee on Judiciary to indefinitely postpone House Bill No. 212, be reconsidered, which motion prevailed.

Senator Morgan of Walsh moved that House Bill No. 212 be placed on the calendar, which motion prevailed.

SECOND READING OF HOUSE BILLS

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, the roll was called and there were ayes, 45; nays, 0; absent and not voting, 4.

Those voting in the affirmative were:

Adam	Hoenck	Oksendahl
Beaton	Kamrath	Olson, Barnes
Bilden	Kehoe	Olson, McHenry
Blank	Lavik	Olson, Mountrail
Bond	Lofthus	Page
Brant	Lynch	Porter
Braun	Morgan, Walsh	Raschko
Bridston	Morgan, Richland	Rue
Brunsdale	Nelson, Dickey	Schrock
Day	Nelson, Griggs-	Semerad
Drew	Steele	Streibel
Feton	Nelson, McKenzie	Thatcher
Flatt	Nelson, Renville	Troxel
Foss	Nordhougen	Watt
Ginter	O'Brien	Wog
Greiser		

Absent and not voting:

Guenther	Stucke	Young
Solberg		

So the bill passed and the title was agreed to.

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, the roll was called and there were ayes, 46; nays, 0; absent and not voting, 3.

Those voting in the affirmative were:

Adam	Hoenck	Olson, Barnes
Beaton	Kamrath	Olson, Mountrail
Bilden	Kehoe	Olson, McHenry
Blank	Lavik	Page
Bond	Lofthus	Porter
Brant	Lynch	Rue
Braun	Morgan, Walsh	Raschko
Bridston	Morgan, Richland	Schrock
Brunsdale	Nelson, Dickey	Semerad
Day	Nelson, Griggs-	Streibel
Drew	Steele	Thatcher
Feton	Nelson, McKenzie	Troxel
Flatt	Nelson, Renville	Watt
Foss	Nordhougen	Wog
Ginter	O'Brien	Young
Greiser	Oksendahl	

Absent and not voting:

Guenther	Solberg	Stucke
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So the bill passed and the title was agreed to.

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, 42; nays, 0; absent and not voting, 7.

Those voting in the affirmative were:

Adam	Kamrath	Olson, McHenry
Beaton	Lavik	Olson, Mountrail
Bilden	Lofthus	Page
Blank	Lynch	Porter
Bond	Morgan, Walsh	Raschko
Braun	Morgan, Richland	Rue
Bridston	Nelson, Dickey	Schrock
Brunsdale	Nelson, Griggs-	Semerad
Drew	Steele	Streibel
Feton	Nelson, McKenzie	Thatcher
Flatt	Nelson, Renville	Troxel
Foss	O'Brien	Watt
Ginter	Oksendahl	Wog
Greiser	Olson, Barnes	Young

Absent and not voting:

Brant	Kehoe	Solberg
Day	Nordhougen	Stucke

Guenther

So the bill passed and the title was agreed to.

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, 41; nays, 0; absent and not voting, 8.

Those voting in the affirmative were:

Adam	Hoenck	Olson, Mountrail
Beaton	Kamrath	Page
Bilden	Lavik	Porter
Blank	Lofthus	Raschko
Bond	Lynch	Rue
Braun	Morgan, Walsh	Schrock
Bridston	Morgan, Richland	Semerad
Brunsdale	Nelson, Dickey	Streibel
Drew	Nelson, McKenzie	Thatcher
Feton	Nelson, Renville	Troxel
Flatt	O'Brien	Watt
Foss	Oksendahl	Wog
Ginter	Olson, Barnes	Young
Greiser	Olson, McHenry	

Absent and not voting:

Brant	Kehoe	Nordhogen
Day	Nelson, Griggs-	Solberg
Guenther	Steele	Stucke

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

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, 29; nays, 15; absent and not voting, 5.

Those voting in the affirmative were:

Beaton	Hoenck	Porter
Bond	Kehoe	Raschko
Brant	Lavik	Rue
Braun	Lynch	Schrock
Bridston	Morgan, Walsh	Semerad
Brunsdale	Morgan, Richland	Streibel
Drew	O'Brien	Troxel
Feton	Oksendahl	Wog
Flatt	Olson, Barnes	Young
Foss	Page	

Those voting in the negative were:

Adam	Kamrath	Nordhogen
Bilden	Lofthus	Olson, McHenry
Blank	Nelson, Dickey	Olson, Mountrail
Ginter	Nelson, McKenzie	Solberg
Greiser	Nelson, Renville	Thatcher

Absent and not voting:

Day	Nelson, Griggs-	Stucke
Guenther	Steele	Watt

So the bill passed and the title was agreed to, and the emergency clause was declared lost.

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, 45; nays, 0; absent and not voting, 4.

Those voting in the affirmative were:

Adam	Kamrath	Olson, McHenry
Beaton	Kehoe	Olson, Mountrail
Bilden	Lavik	Page
Blank	Lofthus	Porter
Bond	Lynch	Raschko
Brant	Morgan, Richland	Rue
Braun	Nelson, Dickey	Schrock
Bridston	Nelson, Griggs-	Semerad
Brunsdale	Steele	Solberg
Drew	Nelson, McKenzie	Streibel
Feton	Nelson, Renville	Thatcher
Flatt	Nordhogen	Troxel
Foss	O'Brien	Watt
Ginter	Oksendahl	Wog
Greiser	Olson, Barnes	Young
Hoenck		
Absent and not voting:		
Day	Morgan, Walsh	Stucke
Guenther		

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

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, 45; nays, 0; absent and not voting, 4.

Those voting in the affirmative were:

Adam	Hoenck	Olson, Barnes
Beaton	Kamrath	Olson, Mountrail
Bilden	Kehoe	Olson, McHenry
Blank	Lavik	Page
Bond	Lofthus	Porter
Brant	Lynch	Raschko
Braun	Morgan, Richland	Rue
Bridston	Nelson, Dickey	Schrock
Brunsdale	Nelson, Griggs-	Semerad
Day	Steele	Solberg
Drew	Nelson, McKenzie	Streibel

Feton	Nelson, Renville	Troxel
Flatt	Nordhougen	Watt
Foss	O'Brien	Wog
Ginter	Oksendahl	Young
Greiser		
Absent and not voting:		
Guenther	Stucke	Thatcher
Morgan, Walsh		

So the bill passed and the title was agreed to.

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, 44; nays, 0; absent and not voting, 5.

Those voting in the affirmative were:

Adam	Greiser	Oksendahl
Beaton	Hoencck	Olson, Barnes
Bilden	Kamrath	Olson, McHenry
Blank	Kehoe	Olson, Mountrail
Bond	Lavik	Porter
Brant	Lofthus	Raschko
Braun	Lynch	Rue
Bridston	Morgan, Walsh	Schrock
Brunsdale	Morgan, Richland	Semerad
Day	Nelson, Dickey	Solberg
Drew	Nelson, Griggs-	Streibel
Feton	Steele	Troxel
Flatt	Nelson, McKenzie	Watt
Foss	Nelson, Renville	Wog
Ginter	O'Brien	Young
Absent and not voting:		
Guenther	Page	Thatcher
Nordhougen	Stucke	

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, 45; nays, 0; absent and not voting, 4.

Those voting in the affirmative were:

Adam	Hoencck	Olson, Barnes
Beaton	Kamrath	Olson, McHenry
Bilden	Kehoe	Olson, Mountrail
Blank	Lavik	Page
Bond	Lofthus	Porter
Brant	Lynch	Raschko

Braun	Morgan, Walsh	Rue
Bridston	Morgan, Richland	Schrock
Brunsdale	Nelson, Dickey	Semerad
Day	Nelson, Griggs-	Solberg
Drew	Steele	Streibel
Feton	Nelson, McKenzie	Troxel
Flatt	Nelson, Renville	Watt
Foss	O'Brien	Wog
Ginter	Oksendahl	Young
Greiser		
Absent and not voting:		
Guenther	Stucke	Thatcher
Nordhousen		

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

MESSAGE FROM THE HOUSE

House of Representatives
Bismarck, February 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. 42 and the Speaker has appointed as a Conference Committee, Reps. Morland, Olson of Bowman, Hogo-boom and Myers.

W. M. SMART, Chief Clerk.

Senator Watt requested that the Senate be on the 8th order of business, which request was granted.

Senator Watt moved that the President appoint a Conference Committee to meet with a like Committee from the House on House Bill No. 95, which motion prevailed.

And the President appointed as such committee, Senators Watt, Blank and Morgan of Walsh.

Senator Brant moved that the President appoint a Conference Committee to meet with a like Committee from the House on House Bill No. 42, which motion prevailed.

And the President appointed as such committee, Senators Brant, Morgan of Richland and Lynch.

Senator Young moved that House Bill No. 76, which is now in the Committee on Ways and Means, be re-referred to the Committee on State Affairs, 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, 44; nays, 1; absent and not voting, 4.

Those voting in the affirmative were:

Adam	Hoenck	Olson, McHenry
Beaton	Kamrath	Olson, Mountrail
Bilden	Kehoe	Oksendahl
Blank	Lavik	Page
Bond	Lynch	Porter
Brant	Morgan, Walsh	Raschko
Braun	Morgan, Richland	Rue
Brunsdale	Nelson, Dickey	Schrock
Day	Nelson, Griggs-	Semerad
Drew	Steele	Solberg
Feton	Nelson, McKenzie	Streibel
Flatt	Nelson, Renville	Troxel
Foss	Nordhousen	Watt
Ginter	O'Brien	Wog
Greiser	Olson, Barnes	Young

Those voting in the negative were:

Lofthus

Absent and not voting:

Bridston	Stucke	Thatcher
Guenther		

So the bill passed and the title was agreed to.

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, 45; nays, 0; absent and not voting, 4.

Those voting in the affirmative were:

Adam	Hoenck	Oksendahl
Beaton	Kamrath	Olson, Barnes
Bilden	Kehoe	Olson, McHenry
Blank	Lavik	Olson, Mountrail
Bond	Lofthus	Page
Brant	Lynch	Porter
Braun	Morgan, Walsh	Rue
Bridston	Morgan, Richland	Schrock
Brunsdale	Nelson, Dickey	Semerad
Day	Nelson, Griggs-	Solberg
Drew	Steele	Streibel
Feton	Nelson, McKenzie	Troxel
Flatt	Nelson, Renville	Watt
Foss	Nordhousen	Wog
Ginter	O'Brien	Young

Absent and not voting:

Guenther	Stucke	Thatcher
Raschko		

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

The President Pro Tem called Senator Bond to the chair.

MESSAGES TO THE HOUSE

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.

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. 95, Senators Watt, Blank and Morgan of Walsh.

W. J. TROUT, Secretary.

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.

Senator Schrock moved that House Bill No. 148 be amended as follows:

A new section 2 as follows:

"No educational institution receiving aid or support from the State of North Dakota shall require, directly or indirectly, any student to enroll in courses in military training and tactics as a condition or pre-requisite to taking any other course in said institution or enjoying any other privileges offered by said institution to its students." And renumber the following section.

Which motion was declared lost on a voice vote.

Senator Schrock requested a division, which was granted.

There being 16 for and 22 against, the motion was declared lost.

Senator Streibel moved that House Bill No. 148 be laid over until Monday because of its controversial nature, which motion prevailed.

The President Pro Tem returned to the chair.

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.

Senator Solberg moved that House Bill No. 151 be indefinitely postponed, which motion prevailed, and House Bill No. 151 was declared indefinitely postponed.

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.

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 34; nays, 5; absent and not voting, 10.

ROLL CALL

Those voting in the affirmative were:

Beaton	Kehoe	Page
Blank	Lavik	Porter
Braun	Lynch	Rue
Brunsdale	Morgan, Richland	Schrock
Day	Nelson, Dickey	Semerad
Drew	Nelson, Renville	Streibel
Feton	Nordhousen	Thatcher
Flatt	O'Brien	Troxel
Ginter	Oksendahl	Watt
Greiser	Olson, McHenry	Wog
Hoenck	Olson, Mountrail	Young
Kamrath		

Those voting in the negative were:

Adam	Foss	Olson, Barnes
Bond	Lofthus	

Absent and not voting:

Bilden	Morgan, Walsh	Raschko
Brant	Nelson, Griggs-	Solberg
Bridston	Steele	Stucke
Guenther	Nelson, McKenzie	

So the bill passed and the title was agreed to.

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, 38; nays, 0; absent and not voting, 11.

Those voting in the affirmative were:

Adam	Greiser	Oksendahl
Beaton	Kamrath	Olson, Barnes
Bilden	Hoenck	Olson, McHenry
Blank	Kehoe	Olson, Mountrail
Bond	Lavik	Page

Braun	Lofthus	Porter
Brunsdale	Lynch	Rue
Day	Morgan, Walsh	Streibel
Drew	Morgan, Richland	Thatcher
Feton	Nelson, Dickey	Troxel
Flatt	Nelson, McKenzie	Wog
Foss	Nelson, Renville	Young
Ginter	O'Brien	
Absent and not voting:		
Brant	Nordhougen	Solberg
Bridston	Raschko	Stucke
Guenther	Schrock	Watt
Nelson, Griggs-	Semerad	
Steele		

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

Senator Young moved that the Senate do now recess until 1:30 p. m. Monday, which motion prevailed and the Senate stood recessed.

W. J. TROUT, Secretary.

FIFTY-FOURTH DAY AFTER RECESS AND
FIFTY-SIXTH DAY

Bismarck, March 1, 1943

The Senate re-convened at 1:30 p. m., with the President presiding.

The President announced that the Senate would be on the 14th order of business, for the signing of bills.

SIGNING OF BILLS*

The Secretary announced that the President was about to sign

Senate Bill No. 11.
Senate Bill No. 13.
Senate Bill No. 50.
Senate Bill No. 79.
Senate Bill No. 116.
Senate Concurrent Resolution "N".
House Bill No. 49.
House Bill No. 59.

and the President signed the same in the presence of the Senate.

The President announced that the Senate would return to the 12th order of business for the Second Reading of House Bills.

SECOND READING OF HOUSE BILLS

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.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 38; nays, none; absent and not voting, 11✓

Those voting in the affirmative were:

Adam	Kamrath	Page
Beaton	Lofthus	Porter
Bilden	Lynch	Raschko
Blank	Morgan, Richland	Rue
Brant	Nelson, Dickey	Schrock
Braun	Nelson, Griggs-	Semerad
Brunsdale	Steele	Solberg
Day	Nelson, McKenzie	Streibel
Feton	O'Brien	Stucke
Flatt	Oksendahl	Thatcher

Foss	Olson, Barnes	Watt
Ginter	Olson, McHenry	Wog
Hoenck	Olson, Mountrail	Young

Absent and not voting:

Bond	Guenther	Nelson, Renville
Bridston	Kehoe	Nordhougen
Drew	Lavik	Troxel
Greiser	Morgan, Walsh	

So the bill passed and the title was agreed to and the emergency clause was declared carried.

Senator Flatt moved that the vote by which House Bill No. 201 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

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, 39, nays, 2, absent and not voting, 8.

Those voting in the affirmative were:

Adam	Kehoe	Olson, McHenry
Beaton	Lavik	Page
Bilden	Lofthus	Porter
Blank	Lynch	Raschko
Brant	Morgan, Richland	Rue
Braun	Nelson, Dickey	Schrock
Brunsdale	Nelson, Griggs-	Semerad
Day	Steele	Solberg
Feton	Nelson, McKenzie	Stucke
Flatt	Nelson, Renville	Thatcher
Foss	O'Brien	Watt
Ginter	Oksendahl	Wog
Hoenck	Olson, Barnes	Young
Kamrath		

Those voting in the negative were:

Olson, Mountrail	Streibel
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Absent and not voting:

Bond	Greiser	Nordhougen
Bridston	Guenther	Troxel
Drew	Morgan, Walsh	

So the bill passed and the title was agreed to and the emergency clause was declared carried.

Senator Olson of Barnes moved that the vote by which House Bill No. 235 was passed be reconsidered and the motion to reconsider be laid on the table, 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 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, 45, nays, 0, absent and not voting, 4.

Those voting in the affirmative were:

Adam	Kamrath	Olson, Mountrail
Beaton	Kehoe	Page
Bilden	Lavik	Porter
Blank	Lofthus	Raschko
Bond	Lynch	Rue
Brant	Morgan, Richland	Schrock
Braun	Nelson, Dickey	Semerad
Bridston	Nelson, Griggs-	Solberg
Brunsdale	Steele	Streibel
Day	Nelson, McKenzie	Stucke
Drew	Nelson, Renville	Thatcher
Feton	O'Brien	Troxel
Flatt	Oksendahl	Watt
Foss	Olson, Barnes	Wog
Ginter	Olson, McHenry	Young
Hoenck		

Absent and not voting:

Greiser	Morgan, Walsh	Nordhougen
Guenther		

So the bill passed and the title was agreed to.

Senator Brant 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.

Senator Bridston requested that the Senate be on the 8th order of business, which request was granted.

Senator Bridston moved that the action by which House Bill No. 151 was indefinitely postponed, be reconsidered, which motion was declared lost on a voice vote.

Senator Bridston requested a division, which request was granted and the motion was again declared lost.

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, 46, nays, 0, absent and not voting, 3.

Those voting in the affirmative were:

Adam	Kamrath	Olson, McHenry
Beaton	Kehoe	Olson, Mountrail
Bilden	Lavik	Page
Blank	Lofthus	Porter
Bond	Lynch	Raschko
Brant	Morgan, Walsh	Rue
Braun	Morgan, Richland	Schrock
Bridston	Nelson, Dickey	Semerad
Brunsdale	Nelson, Griggs-	Streibel
Day	Steele	Stucke
Drew	Nelson, McKenzie	Thatcher
Feton	Nelson, Renville	Troxel
Flatt	Nordhougen	Watt

Foss	O'Brien	Wog
Ginter	Oksendahl	Young
Hoeneck	Olson, Barnes	

Absent and not voting:

Greiser	Guenther	Solberg
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So the bill passed and the title was agreed to and the emergency clause was declared carried.

Senator Braun moved that the vote by which House Bill No. 248 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 252. A Bill for an Act Making an Appropriation for Expenses of the 28th Legislative Assembly.

Was read the second time.

Senator Flatt moved that House Bill No. 252 be amended as follows:

In the title, 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", which motion prevailed.

Senator Flatt moved that the rules be suspended and that House Bill No. 252 be considered properly re-engrossed and placed on second reading and final passage, as amended, which motion prevailed.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 46, nays, 0, absent and not voting, 3.

Those voting in the affirmative were:

Adam	Kamrath	Olson, McHenry
Beaton	Kehoe	Olson, Mountrail
Bilden	Lavik	Page
Blank	Lofthus	Porter
Bond	Lynch	Raschko
Brant	Morgan, Walsh	Rue
Braun	Morgan, Richland	Schrock
Bridston	Nelson, Dickey	Semerad
Brunsdale	Nelson, Griggs-	Streibel
Day	Steele	Stucke
Drew	Nelson, McKenzie	Thatcher
Feton	Nelson, Renville	Troxel
Flatt	Nordhougen	Watt
Foss	O'Brien	Wog
Ginter	Oksendahl	Young
Hoeneck	Olson, Barnes	

Absent and not voting:

Greiser	Guenther	Solberg
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So the bill passed and the title was agreed to and the emergency clause was declared carried.

Senator Bond moved that the vote by which House Bill No. 252 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senator Brunsdale 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.

Senator Brunsdale moved that the vote by which House Bill No. 13 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senator Brunsdale moved that the vote by which House Bill No. 28 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senator Brunsdale moved that the vote by which House Bill No. 99 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senator Brunsdale 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.

Senator Brunsdale moved that the vote by which House Bill No. 118 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senator Brunsdale moved that the vote by which House Bill No. 123 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senator Brunsdale moved that the vote by which House Bill No. 124 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senator Brunsdale 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.

Senator Brunsdale moved that the vote by which House Bill No. 140 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senator Brunsdale moved that the vote by which House Bill No. 166 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senator Brunsdale 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.

Senator Kehoe moved that the vote by which House Bill No. 105 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

SECOND READING OF HOUSE CONCURRENT RESOLUTIONS

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.

Senator Morgan of Richland moved that House Concurrent Resolution "T" be amended as follows:

In line 14 of the printed bill, after the word "of", insert the following language "migratory water fowl", which motion prevailed.

Senator Morgan of Richland moved that the rules be suspended and that House Concurrent Resolution "T" be considered properly re-engrossed and placed on second reading and final passage, as amended, which motion prevailed.

Senator Morgan of Richland moved that House Concurrent Resolution "T," as amended, be adopted, which motion prevailed.

Senator Young moved that the Senate do now adjourn, which motion prevailed and the Senate stood adjourned.

W. J. TROUT, Secretary.

FIFTY-SIXTH DAY

Bismarck, March 1, 1943

The Senate convened at 2:00 p. m., with the President presiding.

Prayer by the chaplain, Rev. Dan J. Rueb.

Roll call: All Senators present except Senator Guenther.

The Committee on Revision and Correction of the Journal made the following report:

Mr. President: Your Committee on Revision and Correction of the Journal have carefully examined the Journal of the fifty-fourth day and find the same correct.

ORRIS G. NORDHOUGEN, Chairman.

Senator Nordhougen moved that the report be adopted, which motion prevailed and the report was adopted.

MESSAGES TO THE HOUSE

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.
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 Provisions and Declaring an Emergency.

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 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 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 Appro-

priation 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 Appropriation 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 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 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 Session Laws of 1931, Providing for an Open Season on Mink, Weasel, Raccoon and Fox.

Which the President has signed.

W. J. TROUT, Secretary.

PETITIONS AND COMMUNICATIONS

The Secretary read a letter from Mr. E. A. Willson, Executive Director of the Public Welfare Board, inviting the members of the Senate to visit their disbursing office of their department today and tomorrow to witness the procedure used in preparing vouchers, writing and mailing public assistance checks.

A letter from Burkett W. Huey of Bismarck, President of the Junior Chamber of Commerce, informing the Senate that their organization had no connection with the "Bundles for the Legislature" campaign, was read by the Secretary.

Senator Bond moved that the communication from the Bismarck Junior Chamber of Commerce be printed in the journal, which motion prevailed.

BISMARCK JUNIOR CHAMBER OF COMMERCE
Copy to Mr. Henry Holt

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.

A card from Iver K. Wilken of Sheyenne asking that the state be put on Mountain Time was read and referred to the Committee on Ways and Means.

REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on Insurance to whom was referred House Bill No. 64, have had the same under consideration and recommend that the same do pass.

FRANKLIN PAGE, Chairman.

Senator Page moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Highways to whom was referred House Bill No. 68, have had the same under consideration and recommend that the same do pass.

GUST WOG, Chairman.

Senator Wog moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Education to whom was referred House Bill No. 78, have had the same under consideration and recommend that the same be amended as follows:

Strike out everything after the words "A BILL" and insert in lieu thereof the following:

"For an Act requiring 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."

And when so amended recommend the same do pass.

RILIE R. MORGAN, Chairman.

Senator Morgan of Walsh moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Education to whom was referred House Bill No. 85, have had the same under consideration and recommend that the same be amended as follows:

In line 31 of the engrossed bill, after the word "and" insert the word "there".

And when so amended recommend the same do pass.

RILIE R. MORGAN, Chairman.

Senator Morgan of Walsh moved that the report be adopted, which motion prevailed and the report was adopted.

Senator Morgan of Walsh moved that the Senate reconsider the action by which the report of the Committee on Education on House Bill No. 85 was adopted, which motion prevailed.

Senator Morgan of Walsh moved that House Bill No. 85 be re-referred to the Committee on Appropriations, which motion prevailed.

Mr. President: Your Committee on Elections to whom was referred House Bill No. 117, have had the same under con-

sideration and recommend that the same be indefinitely postponed.

G. I. FETON, Chairman.

Senator Fetton moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Mines and Minerals to whom was referred House Bill No. 204, have had the same under consideration and recommend that the same be indefinitely postponed.

AXEL OLSON, Chairman.

Senator Olson of Mountrail moved that the report be adopted.

Senator Braun moved, as a substitute motion, that House Bill No. 204 be re-referred to the Committee on Appropriations, which motion prevailed on a standing vote.

Mr. President: 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.

J. B. BRIDSTON, Chairman.

Senator Bridston moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Corporations to whom was referred House Bill No. 228, have had the same under consideration and recommend that the same do pass.

P. L. FOSS, Chairman.

Senator Foss moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Education to whom was referred House Bill No. 236, have had the same under consideration and recommend that the same do pass.

RILIE R. MORGAN, Chairman.

Senator Morgan of Walsh moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Ways and Means to whom was referred House Bill No. 239, have had the same under consideration and recommend that the same be amended as follows:

On page four of the printed bill, strike out lines 53 to 60 inclusive.

Correct section numbers and lines in the entire bill.

And when so amended recommend the same do pass.

M. R. YOUNG, Chairman.

Senator Young moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Ways and Means to whom was referred House Concurrent Resolution "G," have had the same under consideration and recommend that the same be amended as follows:

In line 4 strike out the word "objection" and insert in lieu thereof the word "rejection".

And when so amended recommend the same be placed upon the calendar without recommendation.

M. R. YOUNG, Chairman.

Senator Young moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Education to whom

was referred House Concurrent Resolution "P," have had the same under consideration and recommend that the same be placed on the calendar without recommendation.

RILIE R. MORGAN, Chairman.

Senator Morgan of Walsh moved that the report be adopted, which motion prevailed and the report was adopted.

Senator Bridston moved that the report of the Committee on State Affairs on House Bill No. 244, as printed in the Journal of the fifty-fourth day without reading, be adopted, 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 recommendations 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

Senator Young 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, be printed in the journal without reading and action delayed one legislative day, which motion prevailed.

Senator Nelson of Dickey moved that the absent Senators be excused, which motion prevailed.

SECOND READING OF HOUSE CONCURRENT RESOLUTIONS

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 second time.

Senator Nordhogen moved the adoption of House Concurrent Resolution "V," which motion prevailed and House Concurrent Resolution "V" was declared adopted.

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.

Was read the second time.

Senator Watt moved that House Concurrent Resolution "1-A" be amended as follows:

In line 20, after the word "States", strike the comma, insert a period and strike the balance of the paragraph, which motion prevailed.

Senator Watt moved that the rules be suspended and that House Concurrent Resolution "1-A" be considered properly re-engrossed and placed on second reading and final passage, as amended, which motion prevailed.

Senator Lavik moved the adoption of House Concurrent Resolution "1-A" as amended, which motion prevailed and House Concurrent Resolution "1-A" was declared adopted.

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, 47; nays, 0; absent and not voting, 2.

Those voting in the affirmative were:

Adam	Hoenck	Olson, McHenry
Beaton	Kamrath	Olson, Mountrail
Bilden	Kehoe	Page
Blank	Lavik	Porter
Bond	Lofthus	Raschko
Brant	Lynch	Rue
Braun	Morgan, Walsh	Schrock
Bridston	Morgan, Richland	Semerad
Brunsdale	Nelson, Dickey	Solberg
Day	Nelson, Griggs-	Streibel
Drew	Steele	Stucke
Feton	Nelson, McKenzie	Thatcher
Flatt	Nelson, Renville	Troxel
Foss	O'Brien	Watt
Ginter	Oksendahl	Wog
Greiser	Olson, Barnes	Young

Absent and not voting:

Guenther Nordhougen

So the bill passed and the title was agreed to.

Senator Watt moved that the vote by which House Bill No. 10 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 26. A Bill for an Act Making an Appropriation for the Purpose of Defraying the Expenses of the Maintenance and Operation of the State Highway Department.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 43; nays, 0; absent and not voting, 6.

Those voting in the affirmative were:

Adam	Greiser	Oksendahl
Beaton	Hoenck	Olson, Barnes
Bilden	Kamrath	Olson, McHenry
Blank	Kehoe	Olson, Mountrail
Bond	Lavik	Porter
Brant	Lofthus	Raschko
Braun	Lynch	Rue
Bridston	Morgan, Walsh	Schrock
Brunsdale	Morgan, Richland	Semerad
Day	Nelson, Dickey	Solberg
Drew	Nelson, Griggs-	Streibel
Feton	Steele	Troxel
Flatt	Nelson, McKenzie	Wog

Foss	Nelson, Renville	Young
Ginter	O'Brien	
Absent and not voting:		
Guenther	Page	Thatcher
Nordhougen	Stucke	Watt

So the bill passed and the title was agreed to.

Senator Morgan of Walsh 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.

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, the roll was called and there were ayes, 44; nays, 0; absent and not voting, 5.

Those voting in the affirmative were:

Adam	Greiser	Oksendahl
Beaton	Hoenck	Olson, Barnes
Bilden	Kamrath	Olson, McHenry
Blank	Kehoe	Olson, Mountrail
Bond	Lavik	Porter
Brant	Lofthus	Raschko
Braun	Lynch	Rue
Bridston	Morgan, Walsh	Schrock
Brunsdale	Morgan, Richland	Semerad
Day	Nelson, Dickey	Solberg
Drew	Nelson, Griggs-	Streibel
Feton	Steele	Stucke
Flatt	Nelson, McKenzie	Troxel
Foss	Nelson, Renville	Wog
Ginter	O'Brien	Young

Absent and not voting:

Guenther	Page	Watt
Nordhougen	Thatcher	

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

Senator Bond moved that the vote by which House Bill No. 30 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 75. A Bill for an Act 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, 45; nays, 0; absent and not voting, 4.

Those voting in the affirmative were:

Adam	Hoenck	Olson, Barnes
Beaton	Kamrath	Olson, McHenry

Bilden	Kehoe	Olson, Mountrail
Blank	Lavik	Porter
Bond	Lofthus	Raschko
Brant	Lynch	Rue
Braun	Morgan, Walsh	Schrock
Bridston	Morgan, Richland	Semerad
Brunsdale	Nelson, Dickey	Solberg
Day	Nelson, Griggs-	Streibel
Drew	Steele	Stucke
Feton	Nelson, McKenzie	Thatcher
Flatt	Nelson, Renville	Troxel
Foss	O'Brien	Wog
Ginter	Oksendahl	Young
Greiser		

Absent and not voting:

Guenther	Page	Watt
Nordhougen		

So the bill passed and the title was agreed to.

Senator Nelson of McKenzie moved that the vote by which House Bill No. 75 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

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, 43; nays, 0; absent and not voting, 6.

Those voting in the affirmative were:

Adam	Hoenck	Olson, McHenry
Beaton	Kamrath	Olson, Mountrail
Bilden	Kehoe	Porter
Blank	Lavik	Raschko
Bond	Lofthus	Rue
Brant	Lynch	Schrock
Braun	Morgan, Walsh	Semerad
Bridston	Morgan, Richland	Solberg
Brunsdale	Nelson, Dickey	Streibel
Day	Nelson, Griggs-	Stucke
Drew	Steele	Thatcher
Feton	Nelson, Renville	Troxel
Flatt	O'Brien	Wog
Ginter	Oksendahl	Young
Greiser	Olson, Barnes	

Absent and not voting:

Foss	Nelson, McKenzie	Page
Guenther	Nordhougen	Watt

So the bill passed and the title was agreed to.

Senator Rue moved that the vote by which House Bill No. 98 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 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, 43; nays, 0; absent and not voting, 6.

Those voting in the affirmative were:

Adam	Kamrath	Olson, McHenry
Beaton	Kehoe	Olson, Mountrail
Bilden	Lavik	Porter
Blank	Lofthus	Raschko
Bond	Lynch	Rue
Brant	Morgan, Walsh	Schrock
Braun	Morgan, Richland	Semerad
Bridston	Nelson, Dickey	Solberg
Brunsdale	Nelson, Griggs-	Streibel
Drew	Steele	Stucke
Feton	Nelson, McKenzie	Thatcher
Flatt	Nelson, Renville	Troxel
Ginter	O'Brien	Wog
Greiser	Oksendahl	Young
Hoencck	Olson, Barnes	

Absent and not voting:

Day	Guenther	Page
Foss	Nordhougen	Watt

So the bill passed and the title was agreed to.

Senator Bond moved that the vote by which House Bill No. 100 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

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.

Senator Morgan of Walsh moved that House Bill No. 102 be amended as follows:

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, which motion prevailed.

Senator Morgan of Walsh moved that the rules be suspended and that House Bill No. 102 be considered properly re-engrossed and placed on second reading and final passage, as amended, which motion prevailed.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 46; nays, 0; absent and not voting, 3.

Those voting in the affirmative were:

Adam	Hoencck	Olson, Barnes
Beaton	Kamrath	Olson, McHenry
Bilden	Kehoe	Olson, Mountrail
Blank	Lavik	Porter
Bond	Lofthus	Raschko

Brant	Lynch	Rue
Braun	Morgan, Walsh	Schrock
Bridston	Morgan, Richland	Semerad
Brunsdale	Nelson, Dickey	Solberg
Day	Nelson, Griggs-	Streibel
Drew	Steele	Stucke
Feton	Nelson, McKenzie	Thatcher
Flatt	Nelson, Renville	Troxel
Foss	Nordhougen	Wog
Ginter	O'Brien	Young
Greiser	Oksendahl	

Absent and not voting:

Guenther	Pace	Watt
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So the bill passed and the title was agreed to.

Senator Morgan of Walsh 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.

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, 34; nays, 13; absent and not voting, 2.

Those voting in the affirmative were:

Beaton	Foss	Nordhougen
Bilden	Ginter	O'Brien
Blank	Hoencck	Oksendahl
Bond	Kamrath	Olson, Barnes
Brant	Kehoe	Page
Braun	Lavik	Porter
Bridston	Lofthus	Rue
Brunsdale	Lynch	Schrock
Day	Nelson, Dickey	Troxel
Drew	Nelson, Griggs-	Wog
Feton	Steele	Young
Flatt	Nelson, McKenzie	

Those voting in the negative were:

Adam	Olson, McHenry	Solberg
Greiser	Olson, Mountrail	Streibel
Morgan, Walsh	Raschko	Stucke
Morgan, Richland	Semerad	Thatcher
Nelson, Renville		

Absent and not voting:

Guenther	Watt
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So the bill passed and the title was agreed to.

Senator Braun moved that the vote by which House Bill No. 109 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 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.

Senator Morgan of Walsh moved that House Bill No. 110 be amended as follows:

In line 8 of the printed bill, strike the figure, "3600.00" and insert the figure "4500.00", which motion prevailed.

Senator Braun moved a further amendment to House Bill No. 110, as follows:

In line 12 of the printed bill, strike the figure "3,000.00" and insert the figure "3,600.00", and in line 14, the figure "3,000.00" and insert the figure "3,600.00", which motion was declared lost on a standing vote.

Senator Morgan of Walsh moved a further amendment to House Bill No. 110 as follows:

"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", which motion prevailed.

Senator Morgan of Walsh moved that the rules be suspended and that House Bill No. 110 be considered properly re-engrossed and placed on second reading and final passage, as amended, which motion prevailed.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 40; nays, 8; absent and not voting, 1.

Those voting in the affirmative were:

Adam	Greiser	Olson, Barnes
Beaton	Hoenck	Olson, McHenry
Bilden	Kamrath	Olson, Mountrail
Blank	Kehoe	Page
Bond	Lavik	Porter
Brant	Lynch	Raschko
Braun	Morgan, Walsh	Rue
Bridston	Morgan, Richland	Streibel
Brunsdale	Nelson, Dickey	Stucke
Day	Nelson, McKenzie	Thatcher
Feton	Nelson, Renville	Watt
Flatt	O'Brien	Wog
Foss	Oksendahl	Young
Ginter		
Those voting in the negative were:		
Drew	Nordhougen	Solberg
Lofthus	Schrock	Troxel
Nelson, Griggs- Steele	Semerad	

Absent and not voting:

Guenther

So the bill passed and the title was agreed to.

The President announced that an Initiated act had there-upon been amended.

Senator Morgan of Walsh 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. 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, the roll was called and there were ayes, 46; nays, 0; absent and not voting, 3.

Those voting in the affirmative were:

Adam	Kamrath	Olson, McHenry
Beaton	Kehoe	Olson, Mountrail
Bilden	Lavik	Page
Blank	Lofthus	Porter
Bond	Lynch	Raschko
Brant	Morgan, Walsh	Rue
Braun	Morgan, Richland	Schrock
Bridston	Nelson, Dickey	Solberg
Brunsdale	Nelson, Griggs-	Streibel
Day	Steele	Stucke
Drew	Nelson, McKenzie	Thatcher
Feton	Nelson, Renville	Troxel
Flatt	Nordhough	Watt
Foss	O'Brien	Wog
Ginter	Oksendahl	Young
Greiser	Olson, Barnes	

Absent and not voting:

Guenther

Hoenck

Semerad

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

Senator Raschko moved that the vote by which House Bill No. 126 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

The President called Senator Drew to the Chair.

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, 45; nays, 0; absent and not voting, 4.

Those voting in the affirmative were:

Adam	Kamrath	Olson, McHenry
Beaton	Kehoe	Olson, Mountrail
Blank	Lavik	Page
Bond	Lofthus	Porter
Brant	Lynch	Raschko
Braun	Morgan, Walsh	Rue
Bridston	Morgan, Richland	Schrock
Brunsdale	Nelson, Dickey	Semerad
Day	Nelson, Griggs-	Streibel
Drew	Steele	Stucke
Feton	Nelson, McKenzie	Thatcher
Flatt	Nelson, Renville	Troxel
Foss	Nordhougen	Watt
Ginter	Oksendahl	Wog
Greiser	Olson, Barnes	Young
Hoencck		

Absent and not voting:

Bilden	O'Brien	Solberg
Guenther		

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

Senator Young moved that the vote by which House Bill No. 127 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

MESSAGES FROM THE HOUSE

House of Representatives

Bismarck, March 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. 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. 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.

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.

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. 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 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, as follows:

In line 14 after the word "case" insert the word "of".

W. M. SMART, Chief Clerk.

The presiding officer announced that the Senate would be on the 5th order of business for the reading of Reports of Standing Committees.

REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on State Affairs to whom was referred House Bill No. 245 have had the same under consideration and recommend that the same be amended as follows:

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 subsection 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 subsection 4b of section 3 of Chapter 286 of the Session Laws of North Dakota for the year 1935 is likewise removed" and number accordingly.

And when so amended recommend the same do pass.

J. B. BRIDSTON, Chairman.

Senator Bridston moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 87 have had the same under consideration and recommend that the same be placed on the calendar without recommendations.

WM. WATT, Chairman.

Senator Watt moved that the report be adopted, which motion prevailed and the report was adopted.

Senator Flatt moved that the Senate be on the 12th order of business for the reading of House Bills Nos. 139, 144 and 173; and that on the conclusion of the reading of these bills, the Senate be recessed for fifteen minutes, which motion prevailed.

The Secretary continued with reading House Bills Nos. 139, 144 and 173, after which the Senate was declared recessed.

The Senate re-convened at the end of the fifteen minute recess in accordance with the motion of Senator Flatt.

The President resumed the Chair.

SECOND READING OF HOUSE BILLS

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 had been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 18; nays, 13; absent and not voting, 18.

Those voting in the affirmative were:

Beaton	Hoenck	O'Brien
Blank	Kehoe	Porter
Braun	Lofthus	Raschko
Drew	Morgan, Walsh	Rue
Feton	Nelson, Griggs-	Schrock
Flatt	Steele	Watt
Greiser		

Those voting in the negative were:

Adam	Nelson, Renville	Solberg
Bilden	Nordhogen	Streibel
Bond	Olson, Mountrail	Troxel
Nelson, Dickey	Semerad	Young
Nelson, McKenzie		

Absent and not voting:

Brant	Guenther	Olson, Barnes
Bridston	Kamrath	Olson, McHenry
Brunsdale	Lavik	Page
Day	Lynch	Stucke
Foss	Morgan, Richland	Thatcher
Ginter	Oksendahl	Wog

So the bill was declared lost for lack of constitutional majority.

Senator Young: "Mr. President; I vote 'No' for the purpose of reconsideration."

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 had been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 42; nays, 0; absent and not voting, 7.

Those voting in the affirmative were:

Adam	Kamrath	Olson, McHenry
Beaton	Kehoe	Olson, Mountrail
Bilden	Lavik	Porter
Blank	Lofthus	Raschko
Bond	Morgan, Walsh	Rue
Braun	Nelson, Dickey	Schrock
Bridston	Nelson, Griggs-	Semerad
Brunsdale	Steele	Solberg
Drew	Nelson, McKenzie	Streibel
Feton	Nelson, Renville	Stucke
Flatt	Nordhougen	Thatcher
Foss	O'Brien	Troxel
Ginter	Oksendahl	Watt
Greiser	Olson, Barnes	Young
Hoenck		

Absent and not voting:

Brant	Lynch	Page
Day	Morgan, Richland	Wog
Guenther		

So the bill passed and the title was agreed to.

Senator Semerad 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.

Senator Young requested that the Senate be on the 8th order of business, which request was granted.

Senator Young moved that the vote by which House Bill No. 139 was lost be re-considered, which motion prevailed.

Senator Young moved that House Bill No. 139 be placed at the head of the calendar, which motion prevailed.

SECOND READING OF HOUSE BILLS

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 had been read.

ROLL CALL

The question being on the final passage of the bill, the roll

was called and there were ayes, 31; nays, 13; absent and not voting, 5.

Those voting in the affirmative were:

Adam	Ginter	Page
Beaton	HoencK	Porter
Blank	Kehoe	Raschko
Braun	Lavik	Rue
Bridston	Lofthus	Schrock
Brunsdale	Morgan, Walsh	Stucke
Day	Nelson, Griggs-	Thatcher
Drew	Steele	Troxel
Feton	O'Brien	Watt
Flatt	Oksendahl	Young
Foss	Olson, Barnes	

Those voting in the negative were:

Bilden	Nelson, McKenzie	Olson, Mountrail
Bond	Nelson, Renville	Semerad
Greiser	Nordhogen	Solberg
Kamrath	Olson, McHenry	Streibel
Nelson, Dickey		

Absent and not voting:

Brant	Lynch	Wog
Guenther	Morgan, Richland	

So the bill passed and the title was agreed to.

Senator Rue 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. 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, the roll was called and there were ayes, 43; nays, 0; absent and not voting, 6.

Those voting in the affirmative were:

Adam	HoencK	Olson, Mountrail
Beaton	Kamrath	Page
Bilden	Kehoe	Porter
Blank	Lavik	Raschko
Bond	Lofthus	Rue
Braun	Morgan, Walsh	Schrock
Bridston	Nelson, Griggs-	Semerad
Brunsdale	Steele	Solberg
Day	Nelson, McKenzie	Streibel
Drew	Nelson, Renville	Stucke
Feton	Nordhogen	Thatcher
Flatt	O'Brien	Troxel
Foss	Oksendahl	Watt
Ginter	Olson, Barnes	Young
Greiser	Olson, McHenry	

Absent and not voting:

Brant	Lynch	Nelson, Dickey
Guenther	Morgan, Richland	Wog

So the bill passed and the title was agreed to.

Senator Young moved that the vote by which House Bill

No. 145 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senator Young requested that the Senate be on the 8th order of business, which request was granted.

Senator Young moved that House Bills Nos. 153 and 167 be placed at the head of the calendar, 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, 42; nays, 0; absent and not voting, 7.

Those voting in the affirmative were:

Adam	Kamrath	Olson, McHenry
Beaton	Kehoe	Page
Blank	Lavik	Porter
Bond	Lofthus	Raschko
Braun	Morgan, Walsh	Rue
Bridston	Nelson, Griggs-	Schrock
Brunsdale	Steele	Semerad
Day	Nelson, McKenzie	Solberg
Drew	Nelson, Renville	Streibel
Feton	Nordhougen	Stucke
Flatt	O'Brien	Thatcher
Foss	Oksendahl	Troxel
Ginter	Olson, Barnes	Watt
Greiser	Olson, Mountrail	Young
Hoenck		

Absent and not voting:

Bilden	Lynch	Nelson, Dickey
Brant	Morgan, Richland	Wog
Guenther		

So the bill passed and the title was agreed to.

Senator Oksendahl 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.

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, 40; nays, 3; absent and not voting, 6.

Those voting in the affirmative were:

Adam	Kamrath	Olson, McHenry
Beaton	Kehoe	Olson, Mountrail
Bond	Lavik	Porter
Braun	Lofthus	Raschko
Bridston	Lynch	Rue
Brunsdale	Morgan, Walsh	Schrock
Day	Morgan, Richland	Semerad
Drew	Nelson, Griggs-	Streibel
Feton	Steele	Stucke
Flatt	Nelson, McKenzie	Thatcher
Foss	Nelson, Renville	Troxel
Ginter	O'Brien	Watt
Greiser	Oksendahl	Young
Hoенck	Olson, Barnes	

Those voting in the negative were:

Nordhougen	Page	Solberg
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Absent and not voting:

Bilden	Brant	Nelson, Dickey
Blank	Guenther	Wog

So the bill passed and the title was agreed to.

Senator Nelson of Griggs-Steele 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 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.

Senator Olson of Mountrail moved that House Bill No. 168 be indefinitely postponed, which motion was declared lost on a division vote.

Senator Day moved that House Bill No. 168 be amended as follows:

Strike out everything after the words "A Bill" and insert the provisions of the original House Bill No. 168, which motion was withdrawn.

Senator Day moved that House Bill No. 168 be re-referred to the Committee on Agriculture and Livestock, which motion was declared lost.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 18; nays, 27; absent and not voting, 4.

Those voting in the affirmative were:

Braun	Kehoe	Page
Bridston	Lavik	Porter
Brunsdale	Lofthus	Raschko
Drew	Nelson, Griggs-	Troxel
Feton	Steele	Watt

Flatt Nelson, McKenzie Young .

Hoenck

Those voting in the negative were:

Adam	Kamrath	Olson, McHenry
Beaton	Lynch	Olson, Mountrail
Blank	Morgan, Walsh	Rue
Bond	Morgan, Richland	Schrock
Brant	Nelson, Renville	Semerad
Day	Nordhougen	Solberg
Foss	O'Brien	Streibel
Ginter	Oksendahl	Stucke
Greiser	Olson, Barnes	Thatcher

Absent and not voting:

Bilden	Nelson, Dickey	Wog
Guenther		

So the bill was declared lost.

Senator Adam moved that the vote by which House Bill No. 168 was lost be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senator Young moved that the Secretary read the remaining House bills on the calendar, and on the conclusion of the reading of these bills, the Senate recess until 1:30 p. m., Tuesday, which motion prevailed, and the Senate stood recessed.

W. J. TROUT, Secretary.

FIFTY-SIXTH DAY AFTER RECESS AND
FIFTY-SEVENTH DAY

Bismarck, March 2, 1943

The Senate re-convened at 1:30 p. m., with the President presiding.

The President announced that the Senate would be on the fifth order of business for the reading of a standing committee report.

REPORT OF STANDING COMMITTEE

Mr. President: Your Committee on Judiciary to whom was referred House Bill No. 162, have had the same under consideration and recommend that the same be indefinitely postponed.

J. J. KEHOE, Chairman.

Senator Kehoe moved that the report be adopted, which motion prevailed and the report was adopted.

SIGNING OF BILLS

The Secretary announced that the President was about to sign:

Senate Bill No. 14.
Senate Bill No. 34.
Senate Bill No. 39.
Senate Bill No. 46.
Senate Bill No. 54.
Senate Bill No. 62.
Senate Bill No. 69.
Senate Bill No. 80.
Senate Bill No. 85.
Senate Bill No. 86.
Senate Bill No. 87.
Senate Bill No. 89.
Senate Bill No. 90.
Senate Bill No. 88.
Senate Bill No. 132.
Senate Bill No. 137.
Senate Bill No. 147.
Senate Bill No. 157.
Senate Concurrent Resolution "T."
Senate Concurrent Resolution "I-F."
House Bill No. 25.
House Bill No. 84.
House Bill No. 136.
House Bill No. 150.
House Concurrent Resolution "N."
Joint Resolution "Z."

(And the President signed the same in the presence of the Senate.

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.

Which had been read.

Senator Schrock moved that House Bill No. 148 be amended as follows:

At the end of section 1, strike out the period and insert a comma and the following language: "provided, however that military training shall not be required of anyone making application for enrollment in, or any student enrolled in said institution, who may may because of religious convictions or other good and sufficient reasons object thereto", which motion was declared lost.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 29; nays, 15; absent and not voting, 5.

Those voting in the affirmative were:

Blank	Ginter	O'Brien
Bond	Greiser	Olson, Barnes
Brant	Hoencck	Page
Braun	Kehoe	Porter
Bridston	Lavik	Raschko
Brunsdale	Morgan, Walsh	Rue
Day	Morgan, Richland	Stucke
Drew	Nelson, Dickey	Thatcher
Feton	Nelson, Griggs-	Young
Flatt	Steele	
Foss		

Those voting in the negative were:

Adam	Nelson, Renville	Schrock
Beaton	Nordhougen	Semerad
Kamrath	Oksendahl	Solberg
Lynch	Olson, McHenry	Streibel
Nelson, McKenzie	Olson, Mountrail	Troxel

Absent and not voting:

Bilden	Lofthus	Wog
Guenther	Watt	

So the bill passed and the title was agreed to.

Senator Braun 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.

Senator Adam: "Mr. President, I want to explain my vote. Since the amendment has been turned down, I am going to vote 'No'."

Senator Olson of Mountrail: "Mr. President, I want to explain my vote. This bill has been turned down time and again by the legislature. Now it is going to be shoved down the people's throat under the guise of patriotism. I vote 'No'."

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.

Which had been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 40; nays, 5; absent and not voting, 4.

Those voting in the affirmative were:

Adam	Lavik	Page
Beaton	Lofthus	Porter
Bond	Lynch	Raschko
Brant	Morgan, Walsh	Rue
Bridston	Nelson, Dickey	Schrock
Brunsdale	Nelson, Griggs-	Semerad
Day	Steele	Solberg
Drew	Nelson, McKenzie	Streibel
Feton	Nordhougen	Stucke
Flatt	O'Brien	Thatcher
Foss	Oksendahl	Troxel
Ginter	Olson, Barnes	Wog
Greiser	Olson, McHenry	Young
Kamrath	Olson, Mountrail	

Those voting in the negative were:

Blank	Kehoe	Nelson, Renville
Braun	Morgan, Richland	

Absent and not voting:

Bilden	Hoenck	Watt
Guenther		

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

Senator Streibel moved that the vote by which House Bill No. 171 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, and Making Certain Exceptions Thereto.

Which had been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 42; nays, 3; absent and not voting, 4.

Those voting in the affirmative were:

Adam	Hoenck	Oksendahl
Beaton	Kamrath	Olson, Barnes
Blank	Kehoe	Olson, McHenry
Bond	Lavik	Page
Brant	Lofthus	Porter
Braun	Lynch	Raschko
Bridston	Morgan, Richland	Rue
Brunsdale	Nelson, Dickey	Schrock
Day	Nelson, Griggs-	Semerad
Drew	Steele	Thatcher
Feton	Nelson, McKenzie	Troxel

Flatt	Nelson, Renville	Watt
Foss	Nordhougen	Wog
Ginter	O'Brien	Young
Greiser		

Those voting in the negative were:

Olson, Mountrail	Solberg	Streibel
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Absent and not voting:

Bilden	Morgan, Walsh	Stucke
Guenther		

So the bill passed and the title was agreed to.

Senator Thatcher 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. 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 had been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 46; nays, 0; absent and not voting, 3.

Those voting in the affirmative were:

Adam	Kehoe	Olson, Mountrail
Beaton	Lavik	Page
Blank	Lofthus	Porter
Bond	Lynch	Raschko
Brant	Morgan, Walsh	Rue
Braun	Morgan, Richland	Schrock
Brunsdale	Nelson, Dickey	Semerad
Day	Nelson, Griggs-	Solberg
Drew	Steele	Streibel
Feton	Nelson, McKenzie	Stucke
Flatt	Nelson, Renville	Thatcher
Foss	Nordhougen	Troxel
Ginter	O'Brien	Watt
Greiser	Oksendahl	Wog
Hoeneck	Olson, Barnes	Young
Kamrath	Olson, McHenry	

Absent and not voting:

Bilden	Bridston	Guenther
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So the bill passed and the title was agreed to, and the emergency clause was declared carried.

Senator Wog moved that the vote by which House Bill No. 174 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

The President announced that the Senate would return to the fifth order of business for the reading of standing committee reports.

REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on Tax and Tax Laws to whom was referred House Bill No. 130, have had the same under consideration and recommend that the same be amended as follows:

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."

And when so amended recommend the same do pass.

E. H. BRANT, Chairman.

Senator Brant moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on 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.

E. H. BRANT, Chairman.

Senator Brant moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on 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.

E. H. BRANT, Chairman.

Senator Brant moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on 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.

E. H. BRANT, Chairman.

Senator Brant moved that the report be adopted.

Senator Nordhougen made a substitute motion that House Bill No. 222 be placed on the calendar, which motion was declared lost on a voice vote.

The question being on the motion of Senator Brant that the report of the Committee on Tax and Tax Laws on House Bill No. 222 be adopted the question was put and declared carried, so the report was adopted.

Senator Young moved that the Senate do now adjourn, which motion prevailed and the Senate stood adjourned.

W. J. TROUT, Secretary.

FIFTY-SEVENTH DAY

Bismarck, March 2, 1943

The Senate convened at 2:00 p. m., with the President presiding.

Prayer by the chaplain, Rev. Dan J. Rueb.

Roll call: All Senators present except Senator Guenther.

MESSAGES TO THE HOUSE

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 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. 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 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 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. 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 Sus-

pending 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.

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 Ac-

knowledgments 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, 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.

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.

The Committee on Revision and Correction of the Journal made the following report:

Mr. President: Your Committee on Revision and Correction of the Journal have carefully examined the Journal of the fifty-fourth day after recess and fifty-sixth day and find the same correct.

ORRIS G. NORDHOUGEN, Chairman.

Senator Nordhogen moved that the report be adopted, which motion prevailed and the report was adopted.

REPORTS OF STANDING COMMITTEES

The Committee on Enrollment and Engrossment made the following report:

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

Senate Bill No. 14.
 Senate Bill No. 34.
 Senate Bill No. 39.
 Senate Bill No. 46.
 Senate Bill No. 54.
 Senate Bill No. 62.
 Senate Bill No. 69.
 Senate Bill No. 80.
 Senate Bill No. 85.
 Senate Bill No. 86.
 Senate Bill No. 87.
 Senate Bill No. 88.
 Senate Bill No. 89.
 Senate Bill No. 90.
 Senate Bill No. 132.
 Senate Bill No. 137.
 Senate Bill No. 147.
 Senate Bill No. 157.
 Senate Concurrent Resolution "1-F."
 Senate Concurrent Resolution "T."

And find the same correctly Enrolled.

W. R. BOND, Chairman.

Senator Bond moved that the report be adopted, which motion prevailed, and the report was adopted.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 9, have had the same under consideration and recommend that the same be amended as follows:

In the engrossed bill,

In the title 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.

And when so amended recommend the same do pass.

WM. WATT, Chairman.

Senator Watt moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 33, have had the same under consideration and recommend that the same be amended as follows:

In 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.

And when so amended recommend the same do pass.

WM. WATT, Chairman.

Senator Watt moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Game and Fish to whom was referred House Bill No. 44, have had the same under consideration and recommend that the same be placed on calendar without recommendation.

H. R. MORGAN, Chairman.

Senator Morgan of Richland moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Public Health to whom was referred House Bill No. 48, have had the same under consideration and recommend that the same do pass.

E. C. STUCKE, Chairman.

Senator Stucke moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on 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.

M. R. YOUNG, Chairman.

Senator Young moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Game and Fish to whom was referred House Bill No. 55, have had the same under consideration and recommend that the same be indefinitely postponed.

H. R. MORGAN, Chairman.

Senator Morgan of Richland moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Public Health to whom was referred House Bill No. 90, have had the same under consideration and recommend that the same do pass.

E. C. STUCKE, Chairman.

Senator Stucke moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 94, have had the same

under consideration and recommend that the same be amended as follows:

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.

And when so amended recommend the same do pass.

WM. WATT, Chairman.

Senator Watt moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Agriculture and Live-stock to whom was referred House Bill No. 137, have had the same under consideration and recommend that the same be indefinitely postponed.

A. N. LAVIK, Chairman.

Senator Lavik moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on State Affairs to whom was referred House Bill No. 147, have had the same under consideration and recommend that the same do pass.

J. B. BRIDSTON, Chairman.

Senator Bridston moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Public Health to whom was referred House Bill No. 159, have had the same under consideration and recommend that the same do pass.

E. C. STUCKE, Chairman.

Senator Stucke moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Irrigation and Drainage to whom was referred House Bill No. 165, have had the same under consideration and recommend that the same do pass.

W. J. BRAUN, Chairman.

Senator Braun moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on State Affairs to whom was referred House Bill No. 202, have had the same under consideration and recommend that the same do pass.

J. B. BRIDSTON, Chairman.

Senator Bridston moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on State Affairs to whom was referred House Concurrent Resolution "O," have had the same under consideration and recommend that the same do pass.

J. B. BRIDSTON, Chairman.

Senator Bridston moved that the report be adopted, which motion prevailed and the report was adopted.

REPORTS OF SELECT COMMITTEES

The Conference Committee on House Bill No. 42 made the following report:

Mr. President: 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,".

Renumber the lines accordingly.

For the Senate:

SEN. BRANT
SEN. MORGAN of Richland
SEN. LYNCH

For the House:

REP. MORLAND
REP. MYERS
REP. OLSON of Bowman
REP. HOGOBOOM

Senator Brant moved that the report be adopted, which motion prevailed and the report was adopted.

The Conference Committee on House Bill No. 95 made the following report:

Mr. President: 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 Senate:

SEN. WATT
SEN. BLANK
SEN. MORGAN of Walsh

For the House:

REP. JOHNSON of Cass
REP. SAUMUR
REP. WOLF of McIntosh

Senator Watt moved that the report be adopted, which motion prevailed and the report was adopted.

MESSAGES FROM THE HOUSE

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 Extraction, in the Advantages of Higher Education.

Which the House has passed unchanged.

W. M. SMART, Chief Clerk.
House of Representatives

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." 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, as follows:

Amendment to 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, the Chief Clerk of the House

Amendment to 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, the Chief Clerk of the House
Amendment to 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, the Chief Clerk of the House
W. M. SMART, Chief Clerk.

Senator Nelson of Dickey moved that the absent Senator be excused, which motion prevailed.

Senator Rue moved that the Senate do concur in the House amendments to Senate Bill No. 123, which motion prevailed.

Senator Flatt moved that the rules be suspended and that Senate Bill No. 123 be considered properly re-engrossed as amended by the House, and placed on second reading and final passage, as amended, which motion prevailed.

SECOND READING OF SENATE BILLS

Senate Bill No. 123. A Bill for an Act 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, 48; nays, 0; absent and not voting, 1.

Those voting in the affirmative were:

Adam	Kamrath	Olson, McHenry
Beaton	Kehoe	Olson, Mountrail
Bilden	Lavik	Page
Blank	Lofthus	Porter
Bond	Lynch	Raschko
Brant	Morgan, Walsh	Rue
Braun	Morgan, Richland	Schrock
Bridston	Nelson, Dickey	Semerad
Brunsdale	Nelson, Griggs-	Solberg
Day	Steele	Streibel
Drew	Nelson, McKenzie	Stucke
Feton	Nelson, Renville	Thatcher
Flatt	Nordhougen	Troxel
Foss	O'Brien	Watt
Ginter	Oksendahl	Wog
Greiser	Olson, Barnes	Young
Hoenck		

Absent and not voting:

Guenther

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

Senator Nelson of Griggs-Steele 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.

Senator Young requested that the Senate be on the sixth order of business, which request was granted.

Senator Young 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 on pages, 633, 634, 635, 636, 637 and 638 of the Senate journal be adopted.

Senator Young requested a roll call on his motion, which request was granted.

ROLL CALL

The question being on the motion of Senator Young on the adoption of the committee report, the roll was called and there were ayes, 48; nays, 0; absent and not voting, 1.

Those voting in the affirmative were:

Adam	Kamrath	Olson, McHenry
Beaton	Kehoe	Olson, Mountrail
Bilden	Lavik	Page
Blank	Lofthus	Porter
Bond	Lynch	Raschko
Brant	Morgan, Walsh	Rue
Braun	Morgan, Richland	Schrock
Bridston	Nelson, Dickey	Semerad
Brunsdale	Nelson, Griggs-	Solberg
Day	Steele	Streibel
Drew	Nelson, McKenzie	Stucke
Feton	Nelson, Renville	Thatcher
Flatt	Nordhougen	Troxel
Foss	O'Brien	Watt
Ginter	Oksendahl	Wog
Greiser	Olson, Barnes	Young
Hoenck		

Absent and not voting:

Guenther

So the report was declared adopted.

SECOND READING OF HOUSE BILLS

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, 47; nays, 0; absent and not voting, 2.

Those voting in the affirmative were:

Adam	Hoenck	Olson, Barnes
Beaton	Kamrath	Olson, McHenry
Bilden	Kehoe	Olson, Mountrail
Blank	Lavik	Porter
Bond	Lofthus	Raschko
Brant	Lynch	Rue

Braun	Morgan, Walsh	Schrock
Bridston	Morgan, Richland	Semerad
Brunsdale	Nelson, Dickey	Solberg
Day	Nelson, Griggs-	Streibel
Drew	Steele	Stucke
Feton	Nelson, McKenzie	Thatcher
Flatt	Nelson, Renville	Troxel
Foss	Nordhousen	Watt
Ginter	O'Brien	Wog
Greiser	Oksendahl	Young
Absent and not voting:		
Guenther	Page	

So the bill passed and the title was agreed to.

Senator Morgan of Walsh moved that the vote by which House Bill No. 175 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

MESSAGES FROM THE HOUSE

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, Chairman.

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, Chairman.

Senator Wog requested that the Senate be on the fifth order of business, for the reading of a report of a standing committee, which request was granted.

REPORT OF STANDING COMMITTEE

Mr. President: The majority of Your Committee on Highways to whom was referred House Bill No. 163, have had the same under consideration and recommend that the same be indefinitely postponed.

HARRY O'BRIEN
H. C. GUENTHER
MELVIN OLSON
R. M. STREIBEL
O. E. BILDEN
KNUT OKSENDAHL

Mr. President: The minority of Your Committee on Highways to whom was referred House Bill No. 163, have had the same under consideration and recommend that the same do pass.

WM. A. THATCHER
FRANK H. BEATON
HJALMER NELSON
IVER SOLBERG

GUST WOG, Chairman.

Senator O'Brien moved that the majority report be adopted. Senator Wog moved that the minority report be substituted for the majority report.

Senator Bridston moved that the report of the minority of the Committee on Highways on House Bill No. 163 be amended as follows:

In Section 4, line 114 of the engrossed bill, after the word "approval" add the following:

"This Act shall be in full force and effect until so acted upon by the first legislative assembly following the cessation of hostilities."

"Section 5. Definition. The term cessation of hostilities as used in this act shall be construed to mean, the date (1)

when the President of the United States shall, by proclamation, declare that hostilities have ceased, or (2) The Congress of the United States shall declare that hostilities have ceased, or (3) The Legislative Assembly of the State of North Dakota shall by resolution or legislative enactment declare that hostilities have ceased, whichever of said dates shall occur first and hostilities shall mean the warring between the United States of America with Germany, Italy and Japan."

Senator Greiser moved that House Bill No. 163 be laid on the table.

A roll call was requested, which request was granted.

ROLL CALL

The question being on Senator Greiser's motion to lay House Bill No. 163 on the table, the roll was called and there were ayes, 19; nays, 29; absent and not voting, 1.

Those voting in the affirmative were:

Adam	Morgan, Walsh	Olson, Barnes
Drew	Morgan, Richland	Page
Feton	Nelson, Dickey	Porter
Flatt	Nordhougen	Schrock
Greiser	O'Brien	Streibel
Kamrath	Oksendahl	Stucke
Kehoe		

Those voting in the negative were:

Beaton	Ginter	Olson, Mountrail
Bilden	Hoenck	Raschko
Blank	Lavik	Rue
Bond	Lofthus	Semerad
Brant	Lynch	Solberg
Braun	Nelson, Griggs-	Thatcher
Bridston	Steele	Troxel
Brunsdale	Nelson, McKenzie	Watt
Day	Nelson, Renville	Wog
Foss	Olson, McHenry	Young

Absent and not voting:

Guenther

So the motion to lay House Bill No. 163 on the table was declared lost.

The question now being on the motion of Senator Bridston to amend the report of the minority of the Committee on Highways on House Bill No. 163, the question was put and declared carried, as amended, and the report was adopted.

Senator Brunsdale moved that the name of Senator H. C. Guenther be stricken from the report of the majority of the Committee on Highways on House Bill No. 163, which motion prevailed.

The President called Senator Solberg to the chair.

SECOND READING OF HOUSE BILLS

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, 45; nays, 2; absent and not voting, 2.

Those voting in the affirmative were:

Adam	Kamrath	Olson, Barnes
Beaton	Kehoe	Olson, Mountrail
Bilden	Lavik	Page
Blank	Lofthus	Porter
Bond	Lynch	Raschko
Brant	Morgan, Walsh	Rue
Braun	Morgan, Richland	Schrock
Bridston	Nelson, Dickey	Semerad
Brunsdale	Nelson, Griggs-	Solberg
Day	Steele	Stucke
Drew	Nelson, Renville	Thatcher
Feton	Nelson, McKenzie	Troxel
Flatt	Nordbougen	Watt
Foss	O'Brien	Wog
Ginter	Oksendahl	Young
Hoenck		

Those voting in the negative were:

Greiser Streibel

Absent and not voting:

Guenther Olson, McHenry

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

Senator Brant 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.

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 second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 39; nays, 7; absent and not voting, 3.

Those voting in the affirmative were:

Adam	Ginter	Olson, Barnes
Beaton	Greiser	Page
Bilden	Hoenck	Porter
Blank	Kamrath	Raschko
Brant	Kehoe	Rue
Braun	Lavik	Schrock
Bridston	Lynch	Semerad
Brunsdale	Morgan, Walsh	Streibel
Day	Morgan, Richland	Stucke
Drew	Nelson, Dickey	Thatcher
Feton	Nelson, McKenzie	Watt
Flatt	O'Brien	Wog
Foss	Oksendahl	Young

Those voting in the negative were:

Bond	Nelson, Griggs-	Olson, Mountrail
Lofthus	Steele	Solberg
	Nelson, Renville	Troxel

Absent and not voting:

Guenther	Nordhougen	Olson, McHenry
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So the bill passed and the title was agreed to.

Senator Beaton 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.

Senator Morgan of Richland moved that a Committee of One be appointed to escort former Senator Skarvold to the rostrum for a few remarks, which motion prevailed.

The President appointed as such Committee of One, Senator Morgan of Richland.

Senator Morgan of Richland moved that the remarks of former Senator Skarvold be printed in the Journal, which motion prevailed.

Former Senator Skarvold: "Mr. President and Members of the Senate: Or is it a cemetery? You have heard the story about the little boy who was visiting his father over in the House who said, 'Let's go over to the cemetery.' He meant the Senate. But it is not that dead or quiet over here. At least today, I have been impressed with your activity.

We should try to cultivate a sweetness in life. It helps to take some of the sting out of our existence. We should try to see the cheery side more than the gloomy and one of my sweetest memories dates back to the time when I was a member of this body. I like to think of the friendships that I made here and the interesting incidents connected with the legislature. Some of us at times, were in a painful condition of a hopeless minority but it is a consolation to know that the minority is quite often right, while the majority is often wrong. Ibsen says that 'the majority is always wrong,' which I don't believe. But he says also that the strongest man is the one who is able to stand mostly by himself, which I believe. Emerson has also expressed the same sentiment when he says that 'it is the easiest thing in the world to live according to the opinion of the world and it is easy in solitude to live according to your own opinion but a great man is one who with perfect sweetness in the crowd, can keep the independence of solitude,' and I believe he is right. I find in world history, a great deal of the time that the majority has been wrong. That is why we have so many errors repeating themselves. We don't seem to learn from history and that is why history repeats itself. Now when I talk about Emerson, he always said that we should live according to our own opinion. This may not suit the politicians—but you are not politicians, you are statesmen, so of course I don't offend anybody here by referring to that statement of Emerson's.

We are today facing one of the most crucial periods in world history and it has cast a gloom over most of our American homes. We have some difficult problems ahead of us to solve. It is a question of democracy and if we are going to win this war, and there is no question but what we will win this war—and I hope we will win it soon, it means that every one must sacrifice and it means that we must

have less profiteering and less racketeering, and I wish to say that the racketeer—the profiteer, the scheming diplomat and the crafty politician has no place in our war program and he should have no place at the peace table after the war is over. There is more to winning the war than simply sending our boys to the front and fighting on a battlefield. We perhaps, have been overlooking the fact that it is just as necessary to do our share at home in the line of production of food. This is very essential in winning the war. If we are going to fight, we have got to eat and in order to eat, we have to produce, and in order to produce we must have the manpower and we must have the machinery and I think it is a good idea as has been started in Congress that we ought to try to get some of our boys back on the farm for a furlough so that they could help in our agricultural pursuits during the coming summer.

Now I did not come here to make a speech and I know you are busy and I am not going to take up much of your time. It has been said that we live in an age of hypnotism—that we are hypnotized by words—that we have a greater flood of words than any other period in the history of the world. We have a flood of words that come from the press and over the radio; and we are misled by these words. We have a great deal of false propoganda and it is no wonder there is a great deal of confusion, and I am not going to add to the flood of verbiage that we already have.

I am very pleased to have been with you—to meet the old members, though there are some faces missing that I used to see here and that I would like to meet again. I thank you.”

Senator Flatt moved that the Senate recess for fifteen minutes, which motion prevailed, and the Senate stood recessed.

The Senate re-convened at the expiration of the fifteen minute recess.

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.

Senator Flatt moved that House Bill No. 189 be amended as follows:

In line 3, strike the words “shall be required to” and in line 4, strike the words “prepare and”, and in lieu thereof insert the word “may”, which motion prevailed on a standing vote.

Senator Page moved a further amendment to House Bill No. 189 as follows:

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”,

Senator Rue made a substitute motion that House Bill No. 189 be laid on the table, which motion was lost on a standing vote.

The question now being on the motion of Senator Page

to amend House Bill No. 189, the question was put and declared carried on a standing vote.

Senator Flatt moved that the rules be suspended and that House Bill No. 189 be considered properly re-engrossed and placed on Second Reading and Final Passage as amended, which motion prevailed.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 32; nays, 14; absent and not voting, 3.

Those voting in the affirmative were:

Adam	Hoenck	Olson, Mountrail
Beaton	Kamrath	Page
Bilden	Lavik	Raschko
Blank	Lofthus	Schrock
Brant	Lynch	Solberg
Bridston	Morgan, Walsh	Stucke
Brunsdale	Nelson, Dickey	Thatcher
Day	Nelson, McKenzie	Watt
Drew	Nordhougen	Wog
Flatt	O'Brien	Young
Greiser	Oksendahl	

Those voting in the negative were:

Bond	Kehoe	Olson, Barnes
Braun	Morgan, Richland	Porter
Feton	Nelson, Griggs-	Rue
Foss	Steele	Streibel
Ginter	Nelson, Renville	Troxel

Absent and not voting:

Guenther	Olson, McHenry	Semerad
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So the bill passed and the title was agreed to.

Senator Hoenck 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.

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.

Which had been read.

Senator Morgan of Walsh moved that House Bill No. 212 be placed at the foot of the calendar, 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.

Which had been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 40; nays, 2; absent and not voting, 7.

Those voting in the affirmative were:

Adam	Greiser	Oksendahl
Beaton	Hoenck	Olson, Barnes

Bilden	Kamrath	Page
Blank	Kehoe	Porter
Bond	Lavik	Raschko
Brant	Lofthus	Rue
Braun	Lynch	Schrock
Brunsdale	Nelson, Dickey	Streibel
Day	Nelson, Griggs-	Stucke
Drew	Steele	Thatcher
Feton	Nelson, McKenzie	Troxel
Flatt	Nelson, Renville	Watt
Foss	Nordhogen	Wog
Ginter	O'Brien	
Those voting in the negative were:		
Olson, Mountrail	Solberg	
Absent and not voting:		
Bridston	Morgan, Richland	Semerad
Guenther	Olson, McHenry	Young
Morgan, Walsh		

So the bill passed and the title was agreed to.

Senator Schrock moved that the vote by which House Bill No. 192 was passed be reconsidered and the motion to reconsider be laid on the table, 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.

Which had been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 38; nays, 4; absent and not voting, 7.

Those voting in the affirmative were:

Adam	Greiser	Nordhogen
Beaton	Hoenck	O'Brien
Bilden	Kamrath	Oksendahl
Blank	Kehoe	Olson, Barnes
Bond	Lavik	Page
Brant	Lofthus	Raschko
Braun	Lynch	Schrock
Brunsdale	Morgan, Richland	Solberg
Drew	Nelson, Dickey	Stucke
Feton	Nelson, Griggs-	Thatcher
Flatt	Steele	Troxel
Foss	Nelson, McKenzie	Watt
Ginter	Nelson, Renville	Wog

Those voting in the negative were:

Day	Porter	Streibel
Olson, Mountrail		
Absent and not voting:		
Bridston	Olson, McHenry	Semerad
Guenther	Rue	Young
Morgan, Walsh		

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

Senator Blank moved that the vote by which House Bill

No. 196 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 213. A Bill for an Act Amending and Re-enacting Section 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.

Which had been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 36; nays, 6; absent and not voting, 7.

Those voting in the affirmative were:

Adam	Greiser	Nordhougen
Beaton	Hoenck	O'Brien
Blank	Kamrath	Oksendahl
Bond	Kehoe	Olson, Barnes
Brant	Lavik	Page
Braun	Lofthus	Porter
Brunsdale	Lynch	Raschko
Day	Morgan, Richland	Schrock
Drew	Nelson, Dickey	Stucke
Feton	Nelson, Griggs-	Troxel
Flatt	Steele	Watt
Foss	Nelson, McKenzie	Wog

Ginter

Those voting in the negative were:

Bilden	Olson, Mountrail	Streibel
Nelson, Renville	Solberg	Thatcher

Absent and not voting:

Bridston	Olson, McHenry	Semerad
Guenther	Rue	Young

Morgan, Walsh

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

Senator Raschko moved that the vote by which House Bill No. 213 was passed be reconsidered and the motion to reconsider be laid on the table, 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, the roll was called and there were ayes, 29; nays, 14; absent and not voting, 6.

Those voting in the affirmative were:

Adam	Feton	O'Brien
Beaton	Flatt	Oksendahl

Bilden	Foss	Olson, Barnes
Blank	Ginter	Page
Bond	Hoenck	Porter
Brant	Kamrath	Raschko
Braun	Kehoe	Rue
Brunsdale	Lavik	Schrock
Day	Nelson, Griggs-	Watt
Drew	Steele	Wog
Those voting in the negative were:		
Greiser	Nelson, McKenzie	Streibel
Lofthus	Nelson, Renville	Stucke
Lynch	Nordhougen	Thatcher
Morgan, Richland	Olson, Mountrail	Troxel
Nelson, Dickey	Solberg	
Absent and not voting:		
Bridston	Morgan, Walsh	Semerad
Guenther	Olson, McHenry	Young

So the bill passed and the title was agreed to.

Senator Lofthus moved that the vote by which House Bill No. 214 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 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 had been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 41; nays, 2; absent and not voting, 6.

Those voting in the affirmative were:

Adam	Hoenck	Oksendahl
Beaton	Kamrath	Olson, Barnes
Bilden	Kehoe	Olson, Mountrail
Blank	Lavik	Page
Bond	Lofthus	Porter
Brant	Lynch	Raschko
Braun	Morgan, Richland	Rue
Brunsdale	Nelson, Dickey	Schrock
Day	Nelson, Griggs-	Solberg
Drew	Steele	Stucke
Feton	Nelson, McKenzie	Thatcher
Flatt	Nelson, Renville	Troxel
Foss	Nordhougen	Watt
Ginter	O'Brien	Wog

Those voting in the negative were:

Greiser Streibel

Absent and not voting:

Bridston	Morgan, Walsh	Semerad
Guenther	Olson, McHenry	Young

So the bill passed and the title was agreed to.

Senator Blank moved that the vote by which House Bill No. 250 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

SECOND READING OF HOUSE CONCURRENT

RESOLUTIONS

House Concurrent Resolution "S." To the Honorable William H. Jeffers, United States Rubber Administrator, War Production Board, Washington, D. C., Urging the Estab-

lishment 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 second time.

Senator Rue moved the adoption of House Concurrent Resolution "S."

Senator Kehoe moved that House Concurrent Resolution "S" be amended as follows:

In line 3 of the engrossed bill, in the title, after the word "plant", strike out the words "at Bismarck, or Jamestown," and insert the word "Fargo" in lieu thereof. And in lines 36 and 37, strike the word "Bismarck, or Jamestown," and insert the word "Fargo", which motion was declared lost.

Senator Watt moved a further amendment to House Concurrent Resolution "S" as follows:

In line 3 of the engrossed bill, in the title, after the word "plant" strike the word "at Bismarck, or Jamestown," and insert the word "in" and in line 36, strike the word "the city of Bismarck or Jamestown" and insert the word "in", which motion was declared lost.

The question now being on the motion of Senator Rue that House Concurrent Resolution "S" be adopted, the motion was put and declared carried.

Senator Young moved that the Senate now go into executive session, which motion prevailed.

At the conclusion of the executive session, the President called Senator Foss to the Chair.

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.

Was read the second time.

Senator Flatt moved the adoption of House Concurrent Resolution "1-C," which motion prevailed and House Concurrent Resolution "1-C" was declared adopted.

MESSAGES FROM THE HOUSE

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.

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. 28 and the Speaker has appointed as a Conference Committee, Reps. Johnson of Cass, Lillehaugen and Blair.

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.

W. M. SMART, Chief Clerk.

SECOND READING OF HOUSE BILLS

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, the roll was called and there were ayes, 40; nays, 2; absent and not voting, 7.

Those voting in the affirmative were:

Adam	Greiser	Oksendahl
Beaton	Hoenck	Olson, Barnes
Bilden	Kamrath	Olson, Mountrail
Blank	Kehoe	Page
Bond	Lavik	Porter
Brant	Lofthus	Raschko
Bridston	Morgan, Walsh	Rue
Brunsdale	Morgan, Richland	Schrock
Day	Nelson, Dickey	Solberg
Drew	Nelson, Griggs-	Thatcher
Feton	Steele	Troxel
Flatt	Nelson, McKenzie	Wog
Foss	Nelson, Renville	Young
Ginter	O'Brien	

Those voting in the negative were:

Lynch	Streibel	
Absent and not voting:		
Braun	Olson, McHenry	Stucke
Guenther	Semerad	Watt
Nordhougen		

So the bill passed and the title was agreed to.

Senator Young moved that the vote by which House Bill No. 64 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 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, 27; nays, 17; absent and not voting, 5.

Those voting in the affirmative were:

Beaton	Flatt	Olson, Barnes
Blank	Foss	Porter
Brant	Hoenck	Raschko
Braun	Kehoe	Rue
Bridston	Lavik	Schrock
Brunsdale	Morgan, Walsh	Solberg
Day	Morgan, Richland	Thatcher
Drew	O'Brien	Wog
Feton	Oksendahl	Young

Those voting in the negative were:

Adam	Lofthus	Nelson, Renville
Bilden	Lynch	Olson, Mountrail
Bond	Nelson, Dickey	Page

Ginter	Nelson, Griggs-	Streibel
Greiser	Steele	Stucke
Kamrath	Nelson, McKenzie	Troxel

Absent and not voting:

Guenther	Olson, McHenry	Watt
Nordhougen	Semerad	

So the bill passed and the title was agreed to.

Senator Young 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.

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, 36; nays, 7; absent and not voting, 6.

Those voting in the affirmative were:

Adam	Hoenck	Olson, Barnes
Beaton	Kamrath	Olson, Mountrail
Bilden	Lavik	Page
Blank	Lofthus	Porter
Bridston	Lynch	Raschko
Brunsdale	Morgan, Walsh	Rue
Day	Nelson, Dickey	Solberg
Drew	Nelson, Griggs-	Stucke
Feton	Steele	Thatcher
Flatt	Nelson, McKenzie	Troxel
Foss	O'Brien	Wog
Greiser	Oksendahl	Young
Ginter		

Those voting in the negative were:

Bond	Morgan, Richland	Schrock
Braun	Nelson, Renville	Streibel
Kehoe		

Absent and not voting:

Brant	Nordhougen	Semerad
Guenther	Olson, McHenry	Watt

So the bill passed and the title was agreed to.

Senator Young moved that the vote by which House Bill No. 78 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

MESSAGE FROM THE HOUSE

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 Resolution "1-A" and the Speaker has appointed as a Conference Committee, Reps. Halvorson, Gackle and Haugland.

W. M. SMART, Chief Clerk.

The President resumed the Chair.

Senator Young moved that House Bill No. 244 be placed at the head of the calendar, 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, 40; nays, 0; absent and not voting, 9.

Those voting in the affirmative were:

Adam	Kamrath	Olson, Mountrail
Beaton	Kehoe	Page
Bilden	Lavik	Porter
Blank	Lofthus	Raschko
Bond	Lynch	Rue
Brant	Morgan, Walsh	Schrock
Braun	Morgan, Richland	Solberg
Bridston	Nelson, Dickey	Streibel
Brunsdale	Nelson, McKenzie	Stucke
Drew	Nelson, Renville	Thatcher
Feton	O'Brien	Troxel
Ginter	Oksendahl	Wog
Greiser	Olson, Barnes	Young
Hoenck		

Absent and not voting:

Day	Nelson, Griggs-	Olson, McHenry
Flatt	Steele	Semerad
Foss	Nordhougen	Watt
Guenther		

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

Senator Ginter 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.

MESSAGE FROM THE HOUSE

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.

W. M. SMART, Chief Clerk.

Senator Feton requested that the Senate be on the eighth order of business, which request was granted.

Senator Feton moved that the President appoint a Conference Committee to meet with a like Committee from the House on House Bill No. 102, which motion prevailed.

And the President appointed as such committee, Senators Morgan of Walsh, Feton and Solberg.

Senator Stucke moved that the President appoint a Conference Committee to meet with a like Committee from the House on House Bill No. 10, which motion prevailed.

And the President appointed as such committee, Senators Watt, Brant and Stucke.

Senator Young moved that the Senate be on the twelfth order of business for the second reading of House bills, and that the Secretary be instructed to read the remaining House bills on the calendar, and upon the conclusion of the reading of the bills, the Senate stand recessed until 1:30, Wednesday, which motion prevailed and the Senate stood recessed.

W. J. TROUT, Secretary.

**FIFTY-SEVENTH DAY AFTER RECESS AND
FIFTY-EIGHTH DAY**

Bismarck, March 3, 1943

The Senate re-convened at 1:30 p. m., with the President presiding.

The President announced that the Senate would be on the fifth order of business for the reading of standing committee reports.

REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 1, have had the same under consideration and recommend that the same be amended as follows:

In the engrossed bill:

Under Section 1 make the following changes:

In line 10, strike out the figures \$815,164.00 and insert the figures \$838,691.00 in lieu thereof.

In line 11, strike out the figures \$485,376.00 and insert the figures \$506,126.00 in lieu thereof.

In line 12, strike out the figures \$154,363.96 and insert the figures \$175,363.96 in lieu thereof.

In line 15, strike out the figures \$119,459.64 and insert the figures \$120,459.64 in lieu thereof.

In line 17, strike out the figures \$207,378.00 and insert the figures \$218,662.00 in lieu thereof.

In line 18, strike out the figures \$159,816.00 and insert the figures \$178,028.00 in lieu thereof.

In line 19, strike out the figures \$267,399.00 and insert the figures \$299,759.00 in lieu thereof.

In line 20, strike out the figures \$386,675.00 and insert the figures \$305,275.00 in lieu thereof.

In line 29, strike out the figures \$45,000.00 and insert the figures \$35,000.00 in lieu thereof.

In line 30, strike out the figures \$76,500.00 and insert the figures \$64,000.00 in lieu thereof.

In line 31, strike out the figures \$100,000.00 and insert the figures \$85,000.00 in lieu thereof.

In line 32, strike out the figures \$115,000.00 and insert the figures \$100,000.00 in lieu thereof.

Under Section 3 for appropriations make the following changes:

In line 51, strike out the figures \$96,838.00 and insert the figures \$103,711.00 in lieu thereof.

In line 52, strike out the figures \$13,227.00 and insert the figures \$16,432.00 in lieu thereof.

In line 100, strike out the figures \$113,553.00 and insert the figures \$120,000.00 in lieu thereof.

In line 101, strike out the figures \$102,998.00 and insert the figures \$110,000.00 in lieu thereof.

In line 102 for the total maintenance, strike out the figures \$1,087,194.00 and insert the figures \$1,110,721.00 in lieu thereof.

In line 104 for net maintenance, strike out the figures \$767,324.00 and insert the figures \$790,851.00 in lieu thereof.

In line 109 for the total, strike out the figures \$815,164.00 and insert the figures \$833,691.00 in lieu thereof.

After Line 157, insert line 157a to read as follows:
157a Summer Session\$20,000.00.

In line 158 for total Educational Service, strike out the figures \$574,577.00 and insert the figures \$594,577.00 in lieu thereof.

In line 172 for Total Maintenance, strike out the figures \$899,671.00 and insert the figures \$919,671.00 in lieu thereof.

In line 177 for Net Maintenance, strike out the figures \$387,771.00 and insert the figures \$407,771.00 in lieu thereof.

In line 178, strike out the figures \$28,245.00 and insert the figures \$28,995.00 in lieu thereof.

In line 181 for the total, strike out the figures \$485,376.00 and insert the figures \$506,126.00 in lieu thereof.

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.

After line 185 insert line 185a to read as follows:
185a 3½ Veterinary Science\$18,500.00.

In line 188, for total Main Stations, strike out the figures \$110,113.96 and insert the figures \$131,113.96 in lieu thereof.

In line 197 for Total Main & Substations, strike out the figures \$154,363.96 and insert the figures \$175,363.96 in lieu thereof.

In line 266, strike out the figures \$5,928.00 and insert the figures \$8,328.00 in lieu thereof.

In line 272, strike out the figures \$18,354.00 and insert the figures \$15,954.00 in lieu thereof.

In line 279, strike out the figures \$5,105.00 and insert the figures \$6,105.00 in lieu thereof.

In line 281, for the Total, strike out the figures \$119,459.64 and insert the figures \$120,459.64 in lieu thereof.

In line 313, strike out the figures \$3,216.00 and insert the figures \$4,500.00 in lieu thereof.

In line 326 for the Total Maintenance, strike out the figures \$238,678.00 and insert the figures \$239,962.00 in lieu thereof.

In line 327 for Less Estimated Local Income, strike out the figures \$45,000.00 and insert the figures \$35,000.00 in lieu thereof.

In line 328 for Net Maintenance, strike out the figures

\$193,678.00 and insert the figures \$204,962.00 in lieu thereof.

In line 332 for the total, strike out the figures \$207,378.00 and insert the figures \$218,662.00 in lieu thereof.

In line 335, strike out the figures \$116,614.00 and insert the figures \$120,604.00 in lieu thereof.

In line 342, strike out the figures \$11,678.00 and insert the figures \$12,572.00 in lieu thereof.

In line 345, strike out the figures \$2,884.00 and insert the figures \$3,712.00 in lieu thereof.

In line 351 for Total Maintenance, strike out the figures \$223,816.00 and insert the figures \$229,528.00 in lieu thereof.

In line 352 for Less Estimated Local Income, strike out the figures \$76,500.00 and insert the figures \$64,000.00 in lieu thereof.

In line 353 for Net Maintenance, strike out the figures \$147,316.00 and insert the figures \$165,528.00 in lieu thereof.

In line 357 for the total, strike out the figures \$159,816.00 and insert the figures \$178,028.00 in lieu thereof.

In line 364, strike out the figures \$1,415.00 and insert the figures \$5,000.00 in lieu thereof.

In line 373, strike out the figures \$46,315.00 and insert the figures \$52,063.00 in lieu thereof.

In line 374, strike out the figures \$31,201.00 and insert the figures \$36,201.00 in lieu thereof.

In line 375, strike out the figures \$17,973.00 and insert the figures \$20,000.00 in lieu thereof.

In line 376 for Total Maintenance, strike out the figures \$350,299.00 and insert the figures \$281,659.00 in lieu thereof.

In line 377 for Less Estimated Local Income, strike out the figures \$100,000.00 and insert the figures \$85,000.00 in lieu thereof.

In line 378, for Net Maintenance, strike out the figures \$250,299.00 and insert the figures \$281,659.00 in lieu thereof.

In line 380, strike out the figures \$5,000.00 and insert the figures \$6,000.00 in lieu thereof.

In line 382 for the total, strike out the figures \$267,399.00 and insert the figures \$299,759 in lieu thereof.

In line 398, strike out the figures \$43,774.00 and insert the figures \$47,374.00 in lieu thereof.

In line 401 for Total Maintenance, strike out the figures \$372,675.00 and insert the figures \$376,275.00 in lieu thereof.

In line 402 for Less Estimated Local Income, strike out the figures \$115,000.00 and insert the figures \$100,000.00 in lieu thereof.

In line 403 for Net Maintenance, strike out the figures \$257,675.00 and insert the figures \$276,275.00 in lieu thereof.

In line 407 for the total, strike out the figures \$286,675.00 and insert the figures \$305,275.00 in lieu thereof.

Senator Watt moved that the report of the Committee on Appropriations on House Bill No. 1 be printed in the journal without reading and action delayed one legislative day, which motion prevailed.

Mr. President: Your Committee on Appropriations to

whom was referred House Bill No. 27, have had the same under consideration and recommend that the same be amended as follows:

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 Supt.	\$ 4,200.00
10b Patrolmen	76,800.00
10c Clerks & 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 in lieu thereof.

Under Section 1 in line 17, strike out the figures \$71,088.16 and insert the figures \$60,057.00 in lieu thereof.

And when so amended recommend the same do pass.

WM. WATT, Chairman.

Senator Watt moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 37, have had the same under consideration and recommend that the same do pass.

WM. WATT, Chairman.

Senator Watt moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 43, have had the same under consideration and recommend that the same be amended as follows:

In the engrossed bill: Under Section 2 in line 4 after the word Treasury insert the words "in the Game and Fish Fund".

And when so amended recommend the same do pass.

WM. WATT, Chairman.

Senator Watt moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Game and Fish to whom was referred House Bill No. 47 have had the same under consideration and recommend that the same be amended as follows:

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".

And when so amended recommend the same do pass.

H. R. MORGAN, Chairman.

Senator Morgan of Richland moved that the report of the committee on Game and Fish on House Bill No. 47 be printed in the Journal without reading and action delayed one legislative day, which motion prevailed.

Mr. President: 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.

E. H. BRANT, Chairman.

Senator Brant moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 77 have had the same under consideration and recommend that the same do pass.

WM. WATT, Chairman.

Senator Watt moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Public Lands to whom was referred House Bill No. 81 have had the same under consideration and recommend that the same be indefinitely postponed.

JOHN J. ADAM, Chairman.

Senator Adam moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 85 have had the same under consideration and recommend that the same be amended as follows:

In the engrossed bill, under Section 1, combine lines 9 and 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.

And when so amended recommend the same do pass.

WM. WATT, Chairman.

Senator Watt moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on 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.

E. H. BRANT, Chairman.

Senator Brant moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Ways and Means to whom was referred House Bill No. 121 have had the same under consideration and recommend that the same do pass.

M. R. YOUNG, Chairman.

Senator Young moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 204 have had the same under consideration and recommend that the same be indefinitely postponed.

WM. WATT, Chairman.

Senator Watt moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Public Welfare to whom was referred House Bill No. 240 have had the same under consideration and recommend that the same do pass.

G. L. DREW, Chairman.

Senator Stucke moved that the report be adopted, which motion prevailed and the report was adopted.

Senator Watt moved that the President appoint a Conference Committee to meet with a like Committee from the House on House Bill No. 110, which motion prevailed.

And the President appointed as such committee, Senators Watt, Morgan of Walsh, Streibel.

Senator Watt moved that the President appoint a Conference Committee to meet with a like Committee from the House on House Bill No. 28, which motion prevailed.

And the President appointed as such committee, Senators: Braun, Day, Stucke.

Senator Hoenck moved that the President appoint a Conference Committee to meet with a like Committee from the House on House Concurrent Resolution "1A", which motion prevailed.

And the President appointed as such committee, Senators: Lavik, Lofthus and Ginter.

MESSAGES TO THE HOUSE

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 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. 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 Concurrent Resolution "1-A," Senators Lavik, Lofthus and Ginter.

Very respectfully,

W. J. TROUT, Secretary.

SECOND READING OF HOUSE BILLS

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 had been read.

Senator Morgan of Walsh moved that House Bill No. 87 be placed at the foot of the calendar, which motion prevailed.

MESSAGES FROM THE HOUSE

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.

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 Commission 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 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, as follows:

Amendment to Senate Concurrent Resolution "1-A":

Strike out all of the lines 20 to 30, inclusive, of the original resolution, and renumber lines.

Amendments to Senate Bill No. 67:

In line 3 of the title of the original bill, strike out the word "creating" and insert in lieu thereof the word "declaring".

In line 5 of the original bill, 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 agricultural purposes."

In line 8 of the original bill, 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 thirty days nor more than six months, or both such fine and imprisonment."

And when so amended renumber the lines.

Amendments for Senate Bill No. 96:

In line 21 of the original bill after the word "cities" insert the following language: "having a population of 25,000 or less".

In line 23 of the original bill, substitute the word "three" for the word "two".

In line 27 of the original bill, 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 when so amended, renumber the lines.

Amendments to Senate Bill No. 152:

Strike out the "March" in line 22 and insert in lieu thereof the word "April".

After the period in line 24 of the original bill, add the following: "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."

House amendment to 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 salesmen; 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 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.

House amendment to Senate Bill No. 180:

Strike out everything after the word "A Bill" and insert the following:

"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.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF
THE STATE OF NORTH DAKOTA:

1 Section 1. AMENDMENT.) Section 2346a18 of the
1a 1925
2 Supplement to the Compiled Laws of North Dakota, as
2a amended
3 by Section 4 of Chapter 283, Session Laws of 1931, as
3a further
4 amended by Section 2 of Chapter 241, Session Laws of
4a 1937, and
5 as further amended by Section 1 of Chapter 228, Ses-
5a sion Laws
6 of 1939, is hereby amended and re-enacted to read as
6a follows:
7 Section 2346a18. DEDUCTIONS ALLOWED.) In
7a computing net
8 income, there shall be allowed as deductions;
9 (1) All the ordinary and necessary expenses paid
9a during
10 the income year in the carrying on of any trade or
10a business
11 including a reasonable allowance for salaries or other
11a com-
12 pensation for personal services actually rendered, and
12a inclu-
13 ding rentals or other payments required to be made as
13a a con-
14 dition to the continued use or possession for the pur-
14a pose of
15 the trade or business, of property to which the tax-
15a payer has
16 not taken or is not taking title, or in which he has no
16a equity.
17 (2) Interest paid or accrued within the year on tax-
18 payer's indebtedness.
19 (3) Taxes paid or accrued within the income year
19a upon
20 property or business, but not including those assessed
20a against
21 local benefits of a kind tending to increase the value of
21a the
22 property assessed. Federal income taxes may be de-
22a ducted to the
23 extent such taxes represent a tax paid on income taxable
23a under
24 this act, but State income taxes are not deductible.
25 (4) a Losses sustained during the income year
25a that are
26 not compensated for by insurance or otherwise, if in-
26a curred
27 in connection with the business or transaction, the gains
28 from which, if any, would be includable in gross income;
28a or
29 if arising from fires not attributable to arson by the
29a taxpayer,
30 or from storms, wrecks or theft. Losses from wagering
30a or illegal
31 acts shall not be allowed.

32 (4) b Net Operating Loss Carry-over. If for any
32a taxable
33 year beginning after December 31, 1941, a taxpayer has
33a a net
34 operating loss from trade or business, such net operating
35 loss may be carried forward by the taxpayer as a credit
35a against
36 the net income, both taxable and nontaxable, received in
37 either of the two succeeding years, subject to the
37a following
38 limitations:

39 1. No carry-over loss shall accrue from any
40 taxpayer, except to the extent that the loss of such
41 year shall exceed any income not taxable under this
42 Act received in the same year;

43 2 The carry-over loss from any prior year or
44 years may be deducted from the taxable income of any
45 tax year only to the extent that such carry-over loss
46 shall exceed any nontaxable income received in such
47 tax year.

48 3 That the carry-over in the case of the second
49 succeeding taxable year shall be the excess, if any, of
50 the amount of such net operating loss over the net in-
51 come (both taxable and nontaxable) for the intervening
52 taxable year.

53 c Taxpayers entitled to net loss carry-over privileges
54 are:

- 55 1 Corporation.
- 56 2 Partnerships
- 57 3 Individuals.
- 58 4 Estates and trusts if engaged in trade or
59 business.

60 (5) Debts ascertained to be worthless and charged
60a off
61 within the income year, except a worthless debt arising
61a from
62 unpaid wages, salaries, rent, or other similar items of
62a taxable
63 income is not an allowable deduction unless the income
63a which
64 such item represents has been included as income by the
64a tax payer
65 in a return previously rendered under 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
71a deposits
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,
74a 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 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
100a part of
101 their net income inures to the benefit of any private
101a share-
102 holder or individual; provided, that such contributions
102a 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 drugs
109 and medical supplies and for funeral expenses of the
109a taxpayer
110 or his dependents and not compensated for by insurance
110a or otherwise.
111 Sec. 2. EMERGENCY.) This Act is hereby declared
111a to
112 be an emergency measure, and shall be in full force and
113 effect from and after its passage and approval.

Amendment to Senate Bill No. 200:

In line 3 of the title of the original bill, strike out the comma after the word "supervision" and add the following words: "of the completion of the North Dakota Revised Code for 1943,".

W. M. SMART, Chief Clerk.

SECOND READING OF HOUSE BILLS

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.

Which had been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 36; nays, 10; absent and not voting, 3.

Those voting in the affirmative were:

Adam	Kamrath	Olson, Barnes
Beaton	Lavik	Olson, McHenry
Bilden	Lofthus	Olson, Mountrail
Blank	Lynch	Porter
Braun	Morgan, Walsh	Raschko
Bridston	Morgan, Richland	Rue
Brunsdale	Nelson, Dickey	Schrock
Feton	Nelson, Griggs-	Semerad
Flatt	Steele	Stucke
Foss	Nelson, McKenzie	Watt
Greiser	Nelson, Renville	Wog
Guenther	O'Brien	Young
Hoenck		

Those voting in the negative were:

Bond	Kehoe	Streibel
Day	Nordhougen	Thatcher
Drew	Oksendahl	Troxel
Ginter		

Absent and not voting:

Brant	Page	Solberg
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So the bill passed and the title was agreed to, and the emergency clause was declared carried.

Senator Morgan of Walsh 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.

Senator Young moved that the Senate do now adjourn, which motion prevailed and the Senate stood adjourned.

W. J. TROUT, Secretary.

FIFTY-EIGHTH DAY

Bismarck, March 3, 1943

The Senate convened at 2:00 p. m., with the President presiding.

Prayer by the chaplain, Rev. Reuben R. Strutz.

Roll call: All Senators present.

MESSAGES TO THE HOUSE

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 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 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. 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. 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.

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.

The Committee on Revision and Correction of the Journal made the following report:

Mr. President: Your Committee on Revision and Correction of the Journal have carefully examined the Journal of the fifty-sixth day after recess and fifty-seventh day and recommend that the same be corrected as follows:

On page 676, ninth line from the bottom change the words "Senate Bill No. 163" to "House Bill No. 163" and the same change on page 677, ninth line from the top and the sixteenth line from the bottom and on page 680, thirteenth line from the bottom strike the words "prepare and" and insert the word "may".

And when so corrected recommend that the same be approved.

ORRIS G. NORDHOUGEN, Chairman.

Senator Nordhogen moved that the report be adopted, which motion prevailed and the report was adopted.

PETITIONS AND COMMUNICATIONS

The Secretary read a letter received by the Lieutenant Governor from the Resolutions Committee of the N. D. A. C. Farmers Union Cooperative Assn. in regard to the appropriation for the Correspondence Center at the North Da-

kota Agricultural College, which was referred to the Committee on Appropriations.

A telegram from P. A. Thomson, Mgr., Refining Division Farmers Union Central Exchange, Inc., regarding the necessity of passing House Bill No. 163, was handed in by Senator Solberg and read by the Secretary. It was referred to the Committee on Highways.

REPORTS OF STANDING COMMITTEES

The Committee on Enrollment and Engrossment made the following report:

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bills and resolution:

Senate Bill No. 41
 Senate Bill No. 61.
 Senate Bill No. 75.
 Senate Bill No. 76.
 Senate Bill No. 97.
 Senate Bill No. 99.
 Senate Bill No. 100.
 Senate Bill No. 120.
 Senate Bill No. 84.
 Senate Bill No. 123.
 Senate Bill No. 125.
 Senate Bill No. 131.
 Senate Bill No. 197.
 Senate Concurrent Resolution "W."

And find the same correctly Enrolled.

W. R. BOND, Chairman.

Senator Bond moved that the report be adopted, which motion prevailed, and the report was adopted.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 31 have had the same under consideration and recommend that the same be amended as follows:

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:

1. SECTION 1. APPROPRIATION.) There is hereby
- 2 appropriated out of any moneys in the State Treasury,
- 3 not otherwise appropriated, the sum of not to exceed
- 4 \$100.00 each year to each organized county of the State
- 5 in which a Boys' and Girls' Achievement Day or
- 5a Achieve-
- 6 ment Fair, is conducted, which sum shall be used ex-
- 7 clusively for the payment of premiums for Boys' and
- 8 Girls' Club Work.

9 SECTION 2. HOW PAID.) The moneys so appro-
 10 priated shall be paid to the County Agent of each county
 11 conducting a Boys' and Girls' Achievement Day or
 11a Achieve-
 12 ment Fair, upon a voucher duly executed by the County
 13 Agent and filed with the State Auditor, stating that the
 14 money is to be used for the purpose herein authorized.
 15 Within thirty days following the Boys' and Girls'
 15a Achieve-
 16 ment Day or Achivement Fair, the County Agent shall
 17 file with the Governor of the State a full and complete
 18 itemized statement showing the disposition of the prem-
 18a ium
 19 payments, and any balance not expended shall be remitted
 19a to
 20 the State Treasurer and placed to the credit of the
 21 General Fund.

And when so amended recommend that the same do pass.
 WM. WATT, Chairman.

Senator Watt moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Insurance to whom was referred House Bill No. 229, have had the same under consideration and recommend that the same do pass.
 FRANKLIN PAGE, Chairman.

Senator Page moved that the report be adopted, which motion prevailed and the report was adopted.

Senator Watt moved that House Bill No. 95 be placed on second reading and final passage as amended by the Conference Committee report, which motion prevailed.

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.
 Which had been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 47; nays, 0; absent and not voting, 2.

Those voting in the affirmative were:

Adam	Kamrath	Olson, McHenry
Beaton	Kehoe	Olson, Mountrail
Bilden	Lavik	Page
Blank	Lofthus	Porter
Bond	Lynch	Raschko
Bridston	Morgan, Walsh	Rue
Brunsdale	Morgan, Richland	Schrock
Day	Nelson, Dickey	Semerad
Drew	Nelson, Griggs-	Solberg
Feton	Steele	Streibel
Flatt	Nelson, McKenzie	Stucke
Foss	Nelson, Renville	Thatcher
Ginter	Nordhougen	Troxel
Greiser	O'Brien	Watt

Guenther	Oksendahl	Wog
Hoencck	Olson, Barnes	Young
Absent and not voting:		
Brant	Braun	

So the bill passed and the title was agreed to.

Senator Guenther 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.

Senator Young moved that House Bill No. 87 be placed at the head of the calendar, 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.

Which had been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 27; nays, 21; absent and not voting, 1.

Those voting in the affirmative were:

Adam	Lynch	Schrock
Beaton	Nelson, Dickey	Semerad
Bilden	Nelson, McKenzie	Solberg
Blank	Nelson, Renville	Streibel
Ginter	Nordhogen	Stucke
Greiser	O'Brien	Thatcher
Kamrath	Olson, McHenry	Troxel
Kehoe	Olson, Mountrail	Wog
Lofthus	Raschko	Young

Those voting in the negative were:

Bond	Foss	Olson, Barnes
Braun	Guenther	Oksendahl
Bridston	Hoencck	Page
Brunsdale	Lavik	Porter
Day	Morgan, Walsh	Rue
Drew	Morgan, Richland	Watt
Feton	Nelson, Griggs-	
Flatt	Steele	

Absent and not voting:

Brant

So the bill passed and the title was agreed to.

Senator Young: "Mr. President: I want to change my vote from 'No' to 'Aye' for the purpose of reconsideration."

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.

Which had been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 42; nays, 7; absent and not voting, 0.

Those voting in the affirmative were:

Adam	Lofthus	Olson, Mountrail
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Beaton	Lynch	Page
Bilden	Morgan, Walsh	Raschko
Blank	Morgan, Richland	Rue
Bond	Nelson, Dickey	Schrock
Braun	Nelson, Griggs-	Semerad
Brunsdale	Steele	Solberg
Feton	Nelson, McKenzie	Streibel
Flatt	Nelson, Renville	Stucke
Foss	Nordhougen	Thatcher
Ginter	O'Brien	Troxel
Greiser	Oksendahl	Watt
Kamrath	Olson, Barnes	Wog
Kehoe	Olson, McHenry	Young
Lavik		

Those voting in the negative were:

Brant	Drew	Hoenck
Bridston	Guenther	Porter
Day		

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

Senator Day moved that the vote by which House Bill No. 220 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 228. A Bill for an Act Permitting Counties, Cities, Villages and Townships to Lease and Permit the Use of Public Buildings for Other Than Public Purposes, and Declaring an Emergency.

Which had been read.

Senator Schrock moved that House Bill No. 228 be amended as follows:

In line 15, after the word "year" and the comma, insert the following language "except as may be otherwise provided by city ordinance", which motion prevailed.

Senator Day moved that the rules be suspended and that House Bill No. 228 be placed on second reading and final passage, as amended, which motion prevailed.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 43; nays, 6; absent and not voting, 0.

Those voting in the affirmative were:

Adam	Guenther	Olson, Barnes
Beaton	Hoenck	Olson, McHenry
Bilden	Kamrath	Porter
Bond	Kehoe	Raschko
Blank	Lavik	Rue
Brant	Morgan, Walsh	Schrock
Braun	Morgan, Richland	Semerad
Bridston	Nelson, Dickey	Solberg
Brunsdale	Nelson, Griggs-	Stucke
Day	Steele	Thatcher
Feton	Nelson, McKenzie	Troxel
Flatt	Nelson, Renville	Watt
Foss	Nordhougen	Wog
Ginter	O'Brien	Young
Greiser	Oksendahl	

Those voting in the negative were:

Drew	Lynch	Page
Lofthus	Olson, Mountrail	Streibel

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

Senator Blank moved that the vote by which House Bill No. 228 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senator Kehoe moved that House Bill No. 163 be placed at the head of the calendar, which motion prevailed.

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 had been read.

Senator Bridston moved that House Bill No. 163 be amended as follows:

In Section 4 of the Amendment, printed on Page 676 of the Journal for the 56th Day, strike out the following: "This Act shall be in full force and effect until so acted upon by the first Legislative Assembly following the cessation of hostilities."

Then insert in lieu thereof: "This Act shall terminate July first in the year following the close of the first North Dakota Legislative Session following the cessation of hostilities as hereinafter defined."

Which motion was declared carried on a voice vote.

A division was requested which request was granted, and the motion was declared carried on the standing vote.

Senator Braun moved that the rules be suspended and that House Bill No. 163 be considered properly re-engrossed and placed on second reading and final passage, as amended, which motion prevailed.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 23; nays, 24; absent and not voting, 1; excused, 1.

Those voting in the affirmative were:

Beaton	Hoencck	Olson, McHenry
Bond	Lavik	Olson, Mountrail

Brant	Lofthus	Raschko
Bridston	Lynch	Semerad
Brunsdale	Nelson, Dickey	Solberg
Day	Nelson, Griggs-	Thatcher
Foss	Steele	Troxel
Ginter	Nelson, McKenzie	Wog
Those voting in the	negative were:	
Adam	Kehoe	Page
Bilden	Morgan, Walsh	Porter
Drew	Morgan, Richland	Rue
Feton	Nelson, Renville	Schrock
Flatt	Nordhougen	Streibel
Greiser	O'Brien	Stucke
Guenther	Oksendahl	Watt
Kamrath	Olson, Barnes	Young
Absent and not voting:		
Blank		
Excused:		
Braun		

So the bill was declared lost.

Senator Braun: "Mr. President: I am going to stand on my constitutional right and ask to be excused on voting on Senate Bill No. 163. I am in the gas and oil business. I sell gas, I sell tires, I fix their tires, so therefore I am asking to be excused on the ground that I am prejudiced."

Senator Streibel moved that Senator Braun be excused from voting, which motion prevailed.

Senator Flatt moved that the vote by which House Bill No. 163 lost be reconsidered and the motion to reconsider be laid on the table, which motion was declared lost on a voice vote.

A division was requested and granted.

The division vote resulted in a tie vote, with the President voting 'No', so the motion to lay the vote by which House Bill No. 163 was lost on the table was lost.

A roll call on the motion of Senator Flatt to lay the vote by which House Bill No. 163 was lost on the table, was requested, which request was granted.

A call of the Senate was demanded.

Senator Flatt moved that the call of the Senate be dispensed with, as all Senators were present except Senator Blank, which motion prevailed.

ROLL CALL

The question being on the motion of Senator Flatt that the vote by which House Bill No. 163 was lost be reconsidered and the motion to reconsider be laid on the table, the roll was called and there were ayes, 24; nays, 23; excused, 2.

Those voting in the affirmative were:		
Adam	Kehoe	Page
Bilden	Morgan, Walsh	Porter
Drew	Morgan, Richland	Rue
Feton	Nelson, Renville	Schrock
Flatt	Nordhougen	Streibel
Greiser	O'Brien	Stucke
Guenther	Oksendahl	Watt
Kamrath	Olson, Barnes	Young
Those voting in the negative were:		
Beaton	Hoenck	Olson, McHenry

Bond	Lavik	Olson, Mountrail
Brant	Lofthus	Raschko
Bridston	Lynch	Semerad
Brunsdale	Nelson, Dickey	Solberg
Day	Nelson, Griggs-	Thatcher
Foss	Steele	Troxel
Ginter	Nelson, McKenzie	Wog
Excused:		
Blank	Braun	

So the motion of Senator Flatt that the vote by which House Bill No. 163 was lost be reconsidered and the motion to reconsider be laid on the table, was declared carried.

Senator Blank, having returned to the Senate chamber, requested that he be excused from voting, which request was granted.

Senator Flatt moved that the Senate do now recess for fifteen minutes, which motion prevailed, and the Senate stood recessed.

The Senate re-convened at the expiration of the fifteen minute recess, and the President announced that the Senate would be on the fifth order of business for the reading of standing committee reports.

REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on Insurance to whom was referred House Bill No. 119, have had the same under consideration and recommend that the same be amended as follows:

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."

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 to and including the word "Department".

In Line 210 strike out the figures "95" and insert the figures "90" in lieu thereof.

And when so amended recommend the same do pass.

FRANKLIN PAGE, Chairman.

Senator Page moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Insurance to whom was referred House Bill No. 233, have had the same under consideration and recommend that the same be amended as follows:

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.”

And renumber the following Section.

And when so amended recommend the same do pass.

FRANKLIN PAGE, Chairman.

Senator Page moved that the report be adopted, which motion prevailed and the report was adopted.

The President called Senator Raschko to the chair.

SECOND READING OF HOUSE BILLS

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 had been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 42; nays, 3; absent and not voting, 4.

Those voting in the affirmative were:

Adam	Kamrath	Olson, McHenry
Beaton	Kehoe	Olson, Mountrail
Blank	Lavik	Page
Bond	Lofthus	Porter
Brant	Lynch	Raschko
Braun	Morgan, Richland	Rue
Bridston	Nelson, Dickey	Schrock
Brunsdale	Nelson, Griggs-	Semerad
Day	Steele	Streibel
Drew	Nelson, McKenzie	Stucke
Flatt	Nordhousen	Troxel
Foss	O'Brien	Watt
Ginter	Oksendahl	Wog
Greiser	Olson, Barnes	Young
Hoenck		

Those voting in the negative were:

Bilden	Nelson, Renville	Thatcher
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Absent and not voting:

Feton	Morgan, Walsh	Solberg
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Guenther

So the bill passed and the title was agreed to.

Senator Braun 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. 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.

Senator Kehoe moved that the Senate be on the eighth order of business, which motion prevailed.

Senator Kehoe moved that House Bill No. 239 be placed at the foot of the calendar, 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.

Which had been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 26; nays, 16; absent and not voting, 7.

Those voting in the affirmative were:

Beaton	Greiser	Page
Blank	Hoencck	Porter
Braun	Kamrath	Raschko
Bridston	Lavik	Rue
Brunsdale	Lynch	Stucke
Day	Nelson, Dickey	Thatcher
Drew	O'Brien	Wog
Flatt	Oksendahl	Young
Foss	Olson, Barnes	

Those voting in the negative were:

Adam	Morgan, Richland	Olson, McHenry
Bilden	Nelson, Griggs-	Olson, Mountrail
Bond	Steele	Semerad
Ginter	Nelson, McKenzie	Streibel
Kehoe	Nelson, Renville	Troxel
Lofthus	Nordhougen	

Absent and not voting:

Brant	Morgan, Walsh	Solberg
Feton	Schrock	Watt
Guenther		

So the bill passed and the title was agreed to.

Senator Rue moved that the vote by which House Bill No. 245 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senator Bridston requested that the Senate be on the eighth order, which request was granted.

Senator Bridston moved that the Senate do concur in the House amendments to Senate Bill No. 96, which motion prevailed.

Senator Bridston moved that the rules be suspended and that Senate Bill No. 96 be considered properly re-engrossed

and placed on second reading and final passage, as amended, which motion prevailed.

SECOND READING OF SENATE BILLS

Senate Bill No. 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.

Which had been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 39; nays, 3; absent and not voting, 7.

Those voting in the affirmative were:

Adam	Hoenck	Olson, Barnes
Beaton	Kamrath	Olson, McHenry
Bilden	Kehoe	Page
Blank	Lavik	Porter
Bond	Lynch	Raschko
Brant	Nelson, Dickey	Rue
Braun	Nelson, Griggs-	Semerad
Bridston	Steele	Streibel
Brunsdale	Nelson, McKenzie	Stucke
Day	Nelson, Renville	Thatcher
Drew	Nordhousen	Troxel
Flatt	O'Brien	Wog
Foss	Oksendahl	Young
Ginter		

Those voting in the negative were:

Greiser	Lofthus	Olson, Mountrail
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Absent and not voting:

Feton	Morgan, Richland	Solberg
Guenther	Schrock	Watt
Morgan, Walsh		

So the bill passed and the title was agreed to.

Senator Braun 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.

Senator Rue moved that the Senate do concur in the House amendments to Senate Bill No. 152, which motion prevailed.

Senator Flatt moved that the rules be suspended and that Senate Bill No. 152 be considered properly re-engrossed, as amended by the House, 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.

Which had been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 42; nays, 0; absent and not voting, 7.

Those voting in the affirmative were:

Adam	Kehoe	Olson, McHenry
Beaton	Lavik	Olson, Mountrail
Bilden	Lofthus	Page
Blank	Lynch	Porter
Bond	Morgan, Richland	Raschko
Brant	Nelson, Dickey	Rue
Braun	Nelson, Griggs-	Schrock
Bridston	Steele	Semerad
Day	Nelson, McKenzie	Streibel
Drew	Nelson, Renville	Stucke
Flatt	Nordhousen	Thatcher
Ginter	O'Brien	Troxel
Greiser	Oksendahl	Wog
HoencK	Olson, Barnes	Young
Kamrath		

Absent and not voting:

Brunsdale	Guenther	Solberg
Feton	Morgan, Walsh	Watt
Foss		

So the bill passed and the title was agreed to.

Senator Braun 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.

Senator Brant moved that the Senate do concur in the House amendments to Senate Bill No. 180, which motion prevailed.

Senator Brant moved that the rules be suspended and that Senate Bill No. 180 be considered properly re-engrossed, as amended by the House, and placed on second reading and final passage, 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.

Which had been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 38; nays, 5; absent and not voting, 6.

Those voting in the affirmative were:

Adam	HoencK	Olson, McHenry
Beaton	Kehoe	Page
Bilden	Lavik	Porter
Blank	Lofthus	Raschko
Bond	Lynch	Rue
Brant	Morgan, Richland	Schrock
Braun	Nelson, Dickey	Semerad

Bridston	Nelson, McKenzie	Stucke
Day	Nelson, Renville	Troxel
Drew	Nordhogen	Watt
Flatt	O'Brien	Wog
Foss	Oksendahl	Young
Ginter	Olson, Barnes	
Those voting in the negative were:		
Greiser	Olson, Mountrail	Thatcher
Kamrath	Streibel	
Absent and not voting:		
Brunsdale	Morgan, Walsh	Solberg
Feton	Nelson, Griggs-	
Guenther	Steele	

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

Senator Brant 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.

SECOND READING OF HOUSE CONCURRENT RESOLUTIONS

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 had been read.

ROLL CALL

The question being on the final passage of the Resolution, as amended, the roll was called and there were ayes, 32; nays, 16; absent and not voting, 1.

Those voting in the affirmative were:

Adam	Foss	Olson, Barnes
Beaton	Hoenck	Olson, McHenry
Bilden	Kamrath	Olson, Mountrail
Blank	Kehoe	Schrock
Bond	Lynch	Semerad
Brant	Morgan, Walsh	Solberg
Braun	Nelson, Dickey	Streibel
Bridston	Nelson, Griggs-	Stucke
Brunsdale	Steele	Thatcher
Day	Nelson, Renville	Troxel
Feton	Nordhogen	Young

Those voting in the negative were:

Drew	Morgan, Richland	Porter
Flatt	Nelson, McKenzie	Raschko
Ginter	O'Brien	Rue
Greiser	Oksendahl	Watt
Lavik	Page	Wog

Absent and not voting:

Guenther

So the Concurrent Resolution passed and the title was agreed to.

Senator Kehoe: "Mr. President: I change my vote from 'No' to 'Aye' for the purpose of reconsideration."

House Concurrent Resolution "P." A Concurrent Resolution Providing for the Amendment of Section 154 of Article IX of the Constitution of North Dakota.

Senator Streibel moved that House Concurrent Resolution "P" be laid over one legislative day, 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.

Which had been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 45; nays, 3; absent and not voting, 1.

Those voting in the affirmative were:

Adam	Greiser	Olson, McHenry
Beaton	Hoenck	Olson, Mountrail
Blank	Kamrath	Porter
Bilden	Kehoe	Raschko
Bond	Lavik	Rue
Brant	Lofthus	Schrock
Braun	Lynch	Semerad
Bridston	Morgan, Walsh	Solberg
Brunsdale	Morgan, Richland	Streibel
Day	Nelson, Dickey	Stucke
Drew	Nelson, McKenzie	Thatcher
Feton	Nelson, Renville	Troxel
Flatt	Nordhougen	Watt
Foss	O'Brien	Wog
Ginter	Oksendahl	Young

Those voting in the negative were:

Nelson, Griggs-	Olson, Barnes	Page
Steele		

Absent and not voting:

Guenther

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

Senator Day moved that the vote by which House Bill No. 9 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

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.

Which had been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 45; nays, 0; absent and not voting, 4.

Those voting in the affirmative were:

Adam	Lavik	Olson, Mountrail
Beaton	Lofthus	Page
Bilden	Lynch	Porter
Blank	Morgan, Walsh	Raschko
Bond	Morgan, Richland	Rue
Brant	Nelson, Dickey	Schrock
Braun	Nelson, Griggs-	Semerad
Brunsdale	Steele	Solberg
Day	Nelson, McKenzie	Streibel
Drew	Nelson, Renville	Stucke

Feton	Nordhougen	Thatcher
Foss	Oksendahl	Troxel
Ginter	O'Brien	Watt
Greiser	Olson, Barnes	Wog
Hoenck	Olson, McHenry	Young
Kehoe		

Absent and not voting:

Bridston	Guenther	Kamrath
Flatt		

So the bill passed and the title was agreed to.

Senator Bilden 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. 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.

Which had been read.

Senator Solberg moved that further consideration of House Bill No. 44 be indefinitely postponed, which motion was declared lost.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 31; nays, 16; absent and not voting, 2.

Those voting in the affirmative were:

Blank	Ginter	O'Brien
Bond	Hoenck	Oksendahl
Brant	Kehoe	Olson, Barnes
Braun	Lavik	Page
Bridston	Morgan, Walsh	Porter
Brunsdale	Morgan, Richland	Raschko
Day	Nelson, Griggs-	Rue
Drew	Steele	Schrock
Feton	Nelson, McKenzie	Wog
Flatt	Nelson, Renville	Young
Foss	Nordhougen	

Those voting in the negative were:

Adam	Lynch	Solberg
Beaton	Nelson, Dickey	Streibel
Bilden	Olson, McHenry	Thatcher
Greiser	Olson, Mountrail	Troxel
Kamrath	Semerad	Watt
Lofthus		

Absent and not voting:

Guenther	Stucke
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So the bill passed and the title was agreed to.

Senator Morgan of Richland moved that the vote by which House Bill No. 44 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 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.

Which had been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 44; nays, 1; absent and not voting, 4.

Those voting in the affirmative were:

Adam	Kamrath	Olson, Barnes
Beaton	Kehoe	Olson, McHenry
Bilden	Lavik	Olson, Mountrail
Blank	Lofthus	Page
Bond	Lynch	Porter
Brant	Morgan, Walsh	Raschko
Braun	Morgan, Richland	Rue
Brunsdale	Nelson, Dickey	Schrock
Drew	Nelson, Griggs-	Semerad
Feton	Steele	Solberg
Flatt	Nelson, McKenzie	Streibel
Foss	Nelson, Renville	Troxel
Ginter	Nordhougen	Watt
Greiser	O'Brien	Wog
Hoencck	Oksendahl	Young

Those voting in the negative were:

Thatcher

Absent and not voting:

Bridston

Guenther

Stucke

Day

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

Senator Young moved that the vote by which House Bill No. 48 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

MESSAGES TO THE HOUSE

Senate Chamber

Bismarck, March 3, 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.

SECOND READING OF HOUSE CONCURRENT RESOLUTIONS

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 final passage of the Resolution, the roll was called and there were ayes, 16; nays, 31; absent and not voting, 2.

Those voting in the affirmative were:

Adam	Nordhogen	Rue
Flatt	Oksendahl	Semerad
Ginter	Olson, McHenry	Solberg
Kamrath	Porter	Thatcher
Kehoe	Raschko	Wog
Nelson, McKenzie		

Those voting in the negative were:

Beaton	Foss	Nelson, Renville
Bilden	Greiser	O'Brien
Blank	Hoenck	Olson, Barnes
Bond	Lavik	Olson, Mountrail
Brant	Lofthus	Page
Braun	Lynch	Schrock
Bridston	Morgan, Walsh	Streibel
Brunsdale	Morgan, Richland	Troxel
Day	Nelson, Dickey	Watt
Drew	Nelson, Griggs-	Young
Feton	Steele	

Absent and not voting:

Guenther	Stucke
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So House Concurrent Resolution "P" was declared lost.

Senator Day moved that the vote by which House Concurrent Resolution "P" was lost be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senator Watt requested that the Senate be on the seventh order of business for the purpose of introduction of Senate Concurrent Resolutions, which request was granted.

FIRST READING OF SENATE CONCURRENT RESOLUTIONS

Senator Watt Introduced:

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.

- 1 WHEREAS, the policy of the State should be
- 2 to make available to its citizens moneys for the purchase
- 3 of farm homes at the lowest possible rate of interest
- 4 and
- 5 WHEREAS, the State Land Department is making
- 6 many loans to farms and prospective farmers for the
- 7 purchase of farm homes, and
- 8 WHEREAS, it is to the best interest of the
- 9 State of North Dakota that such purchases be encouraged
- 10 in every way.

11 NOW, THEREFORE BE IT RESOLVED BY THE
 11a SENATE
 12 OF THE STATE OF NORTH DAKOTA, THE HOUSE
 12a OF REPRESENTATIVES
 13 CONCURRING:
 14 THAT the State Land Department is authorized
 15 to make loans for the purchase of farms at the rate
 16 of four percent per annum.

Senators Brunsdale and Streibel introduced:

SENATE CONCURRENT RESOLUTION "1-J"

Reducing the Number of 1943 Session Laws to Be Published by the Secretary of State.

WHEREAS the Twenty-eighth Legislative Assembly has made provisions for including the laws passed by said Assembly in the new revised Code, and

WHEREAS this action will materially reduce the demand for 1943 Session Laws as now published by the Secretary of the State.

BE IT THEREFORE RESOLVED BY THE SENATE OF THE STATE OF NORTH DAKOTA, THE HOUSE OF REPRESENTATIVES CONCURRING:

That the popular edition of the 1943 Session Laws, printed and bound, shall be reduced from 2000 to 1200 copies and that the buckram edition of the 1943 Session Laws, printed and bound, shall be reduced from 2000 to 1000 copies.

Senator Watt moved that Senate Concurrent Resolution "1-I" be printed in the Journal in full and other action be deferred one day, which motion prevailed.

Senator Brunsdale moved that Senate Concurrent Resolution "1-J" be printed in the Journal and other action be deferred one day, which motion prevailed.

Senator Young moved that the Senate be on the twelfth order of business for the second reading of House Bills, that the Secretary be instructed to continue until all the House Bills have been read, at the conclusion of which the Senate stand recessed until 10:00 a. m., Thursday, which motion prevailed.

W. J. TROUT, Secretary.

FIFTY-EIGHTH DAY AFTER RECESS AND
FIFTY-NINTH DAY

Bismarck, March 4, 1943

The Senate re-convened at 10:00 a. m., with the President presiding.

The President announced that the Senate would be on the ninth order of business for the consideration of Messages from the House.

Senator Brant moved that the Senate do concur in the House amendments to Senate Bill No. 161, which motion prevailed.

Senator Brant moved that the rules be suspended and that Senate Bill No. 161 be considered properly re-engrossed and placed on Second Reading and Final Passage as amended by the House, 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.

Which had been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 36; nays, 0; absent and not voting, 13.

Those voting in the affirmative were:

Adam	Lavik	Olson, Barnes
Beaton	Lofthus	Olson, McHenry
Bilden	Lynch	Olson, Mountrail
Blank	Morgan, Walsh	Page
Brant	Morgan, Richland	Porter
Brunsdale	Nelson, Griggs-	Rue
Day	Steele	Schrock
Drew	Nelson, McKenzie	Solberg
Feton	Nelson, Renville	Stucke
Flatt	Nordhousen	Troxel
Greiser	O'Brien	Watt
Hoenck	Oksendahl	Wog
Kamrath		

Absent and not voting:

Bond	Guenther	Semerad
Braun	Kehoe	Streibel
Bridgston	Nelson, Dickey	Thatcher
Foss	Raschko	Young
Ginter		

So the bill passed and the title was agreed to.

Senator Brant 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.

MESSAGES TO THE HOUSE

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 return:

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. 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. 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 License 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 inform you that the Senate has concurred in the House amendment to Senate Bill No. 161.

Very respectfully,

W. J. TROUT, Secretary.

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.

Which had been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 36; nays, 0; absent and not voting, 13.

Those voting in the affirmative were:

Adam	Kamrath	Olson, Barnes
Beaton	Lavik	Olson, McHenry
Bilden	Lofthus	Olson, Mountrail
Blank	Lynch	Page
Brant	Morgan, Richland	Porter
Brunsdale	Nelson, Griggs-	Rue
Day	Steele	Schrock
Drew	Nelson, McKenzie	Solberg
Feton	Nelson, Renville	Stucke
Flatt	Nordhousen	Troxel
Ginter	O'Brien	Watt
Greiser	Oksendahl	Wog
Hoenck		

Absent and not voting:

Bond	Kehoe	Semerad
Braun	Morgan, Walsh	Streibel
Bridston	Nelson, Dickey	Thatcher
Foss	Raschko	Young
Guenther		

So the bill passed and the title was agreed to.

Senator Drew moved that the vote by which House Bill No. 90 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 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.

Which had been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 38; nays, 0; absent and not voting, 11.

Those voting in the affirmative were:

Adam	Hoenck	Oksendahl
Beaton	Kamrath	Olson, Barnes
Bilden	Lavik	Olson, McHenry
Blank	Lofthus	Olson, Mountrail
Bond	Lynch	Page
Brant	Morgan, Walsh	Porter
Brunsdale	Morgan, Richland	Rue
Day	Nelson, Griggs-	Schrock
Drew	Steele	Solberg
Feton	Nelson, McKenzie	Stucke
Flatt	Nelson, Renville	Troxel
Ginter	Nordhogen	Watt
Greiser	O'Brien	Wog

Absent and not voting:

Braun	Kehoe	Streibel
Bridston	Nelson, Dickey	Thatcher
Foss	Raschko	Young
Guenther	Semerad	

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

Senator Lynch 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. 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

Senator Day moved that House Bill No. 202 be placed at the foot of the calendar, 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.

Which had been read.

ROLL CALL

The question being on the final passage of the bill, as

amended, the roll was called and there were ayes, 31; nays, 8; absent and not voting, 10.

Those voting in the affirmative were:		
Adam	Greiser	Nordhousen
Beaton	Hoencck	O'Brien
Blank	Kamrath	Oksendahl
Bond	Lavik	Olson, McHenry
Brant	Lofthus	Olson, Mountrail
Brunsdale	Lynch	Page
Day	Morgan, Walsh	Raschko
Drew	Morgan, Richland	Solberg
Feton	Nelson, Griggs-	Troxel
Flatt	Steele	Watt
Ginter	Nelson, McKenzie	
Those voting in the negative were:		
Bilden	Porter	Stucke
Nelson, Renville	Rue	Wog
Olson, Barnes	Schrock	
Absent and not voting:		
Braun	Kehoe	Streibel
Bridston	Nelson, Dickey	Thatcher
Foss	Semerad	Young
Guenther		

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

Senator Brunsdale moved that the vote by which House Bill No. 130 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 147. A Bill for an Act 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.

Which had been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 33; nays, 7; absent and not voting, 9.

Those voting in the affirmative were:		
Adam	Hoencck	Page
Beaton	Kamrath	Porter
Bilden	Lynch	Raschko
Blank	Morgan, Walsh	Rue
Bond	Morgan, Richland	Schrock
Brant	Nelson, McKenzie	Solberg
Brunsdale	O'Brien	Stucke
Feton	Oksendahl	Thatcher
Flatt	Olson, Barnes	Watt
Ginter	Olson, McHenry	Wog
Greiser	Olson, Mountrail	Young
Those voting in the negative were:		
Day	Lofthus	Nelson, Renville
Drew	Nelson, Griggs-	Troxel
Lavik	Steele	
Absent and not voting:		
Braun	Guenther	Nordhousen
Bridston	Kehoe	Semerad
Foss	Nelson, Dickey	Streibel

So the bill passed and the title was agreed to.

Senator Flatt moved that the vote by which House Bill No. 147 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 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 had been read.

Senator Stucke moved that House Bill No. 159 be amended as follows:

In line 11, strike out the period after the word "upon" and insert the following language, "including a reduction below the present statutory or industrial standards of the butterfat content of all dairy products.", which motion prevailed.

Senator Stucke moved that the rules be suspended and that House Bill No. 159 be placed on second reading and final passage, as amended, which motion prevailed.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 34; nays, 7; absent and not voting, 8.

Those voting in the affirmative were:

Adam	Hoenck	Olson, Barnes
Beaton	Kamrath	Porter
Bilden	Kehoe	Raschko
Blank	Lavik	Rue
Bond	Lofthus	Schrock
Brant	Lynch	Solberg
Brunsdale	Nelson, Griggs-	Stucke
Day	Steele	Thatcher
Drew	Nelson, McKenzie	Troxel
Feton	Nordhougen	Wog
Flatt	O'Brien	Young
Ginter	Oksendahl	

Those voting in the negative were:

Greiser	Olson, McHenry	Page
Morgan, Richland	Olson, Mountrail	Streibel

Nelson, Renville

Absent and not voting:

Braun	Guenther	Semerad
Bridston	Morgan, Walsh	Watt
Foss	Nelson, Dickey	

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

Senator Stucke moved that the vote by which House Bill No. 159 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

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.

Which had been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 41; nays, 0; absent and not voting, 8.

Those voting in the affirmative were:

Adam	Hoeneck	Olson, Barnes
Beaton	Kamrath	Olson, McHenry
Bilden	Kehoe	Olson, Mountrail
Blank	Lavik	Page
Bond	Lofthus	Porter
Brant	Lynch	Raschko
Braun	Morgan, Richland	Rue
Brunsdale	Nelson, Griggs-	Schrock
Day	Steele	Streibel
Drew	Nelson, McKenzie	Stucke
Feton	Nelson, Renville	Thatcher
Flatt	Nordhougen	Troxel
Ginter	O'Brien	Wog
Greiser	Oksendahl	Young
Absent and not voting:		
Bridston	Morgan, Walsh	Solberg
Foss	Nelson, Dickey	Watt
Guenther	Semerad	

So the bill passed and the title was agreed to.

Senator Braun moved that the vote by which House Bill No. 165 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

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.

Which had been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 41; nays, 1; absent and not voting 7.

Those voting in the affirmative were:

Adam	Kamrath	Page
Beaton	Kehoe	Porter
Bilden	Lavik	Raschko
Blank	Lofthus	Rue
Bond	Lynch	Schrock
Brant	Morgan, Richland	Semerad
Braun	Nelson, McKenzie	Solberg
Brunsdale	Nelson, Renville	Streibel
Day	Nordhougen	Stucke
Drew	O'Brien	Thatcher
Feton	Oksendahl	Troxel
Flatt	Olson, Barnes	Wog
Ginter	Olson, McHenry	Young
Hoeneck	Olson, Mountrail	

Those voting in the negative were:

Greiser

Absent and not voting:

Bridston

Morgan, Walsh

Nelson, Griggs-

Foss

Nelson, Dickey

Steele

Guenther

Watt

So the bill passed and the title was agreed to and the emergency clause was declared carried.

Senator Brant moved that the vote by which House Bill No. 198 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

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 had been read.

Senator Brant moved that House Bill No. 199 be amended as follows:

In line 103, add the following language after the period, "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", which motion prevailed.

Senator Brant moved that the rules be suspended and that House Bill No. 199 be placed on second reading and final passage, as amended, which motion prevailed.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 39; nays, 4; absent and not voting, 6.

Those voting in the affirmative were:

Adam

Hoenck

Olson, Mountrail

Beaton

Kamrath

Page

Blank

Lavik

Porter

Bond

Lofthus

Rue

Brant

Lynch

Schrock

Braun

Nelson, Griggs-

Semerad

Brunsdale

Steele

Solberg

Day

Nelson, McKenzie

Streibel

Drew

Nelson, Renville

Stucke

Feton

O'Brien

Thatcher

Flatt

Oksendahl

Troxel

Foss

Olson, Barnes

Wog

Ginter

Olson, McHenry

Young

Greiser

Those voting in the negative were:

Bilden

Morgan, Richland

Nordhougen

Kehoe

Absent and not voting:

Bridston

Morgan, Walsh

Raschko

Guenther

Nelson, Dickey

Watt

So the bill passed and the title was agreed to.

Senator Brant 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.

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.

Senator Day moved that House Bill No. 239 be placed at the foot of the calendar, which motion prevailed.

House Concurrent Resolution "O." A Concurrent Resolution for an Amendment to the Constitution of the State of North Dakota Permitting Liquor Stores.

Which had been read.

ROLL CALL

The question being on the final passage of the resolution the roll was called and there were ayes, 37; nays, 5; absent and not voting, 7.

Those voting in the affirmative were:

Adam	Hoenk	Olson, Barnes
Bilden	Kamrath	Olson, McHenry
Blank	Kehoe	Olson, Mountrail
Bond	Lavik	Page
Brant	Lynch	Schrock
Braun	Morgan, Richland	Solberg
Brunsdale	Nelson, Griggs-	Streibel
Day	Steele	Stucke
Drew	Nelson, McKenzie	Thatcher
Flatt	Nelson, Renville	Troxel
Foss	Nordhougen	Wog
Ginter	O'Brien	Young
Greiser	Oksendahl	

Those voting in the negative were:

Beaton	Porter	Semerad
Feton	Rue	

Absent and not voting:

Bridston	Morgan, Walsh	Raschko
Guenther	Nelson, Dickey	Watt
Lofthus		

So the concurrent resolution was declared adopted.

Senator Nordhaugen 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.

MESSAGES FROM THE HOUSE

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 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 There-with 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 Em-

ployee, 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

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 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.

MESSAGE FROM THE GOVERNOR
State of North Dakota
OFFICE OF THE GOVERNOR

Bismarck, March 3, 1943

The Honorable Ralph G. Beede
Speaker of the House of Representatives
Bismarck, North Dakota

In Re: House Bill No. 84

Dear Mr. Speaker:

I have serious doubts as to the validity of this bill in its present form. There is attached hereto a memorandum from Assistant Attorney General C. F. Kelsch, who has examined the bill as to its legality and validity.

The objections raised by Mr. Kelsch speak for themselves.

It occurs to me that possibly there is yet time for the Legislature to correct the apparent errors in this bill so as to meet the objections raised by the Assistant Attorney General.

For that reason I return the bill to you, in the hope that the necessary corrective steps can still be taken.

Respectfully yours,

JOHN MOSES, Governor.

House Bill No. 84 Disapproved as to form and Validity
C. F. KELSCH
Special Assistant Attorney General

Dated: March 3.

COMMENT:

I have disapproved House Bill No. 84 as to form and validity for the reasons:

1. That the title only pertains to the salary of clerical help.
2. That Section 4 of Chapter 168, S. L. 1919, as amended in the body of the act, also covers the salary of the Coal Mine Inspector, while the title is silent with reference to the salary of such inspector.
3. That the body of the act is broader than its title in that it also fixes the salary of the Coal Mine Inspector and not only the salary of clerical help.
4. That it is elementary that an act, the body of which is broader than its title, is void insofar as it transcends its title (Divet v. Richland County, 8 N. D. 65).

I would therefore advise that this bill be returned to the Speaker of the House and that the title of the act be amended so as to read "pertaining to the salary of the Coal Mine Inspector and his clerical help."

MESSAGES FROM THE HOUSE

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 as follows:

Amendment to title to House Bill No. 84.

Amend the title so as to read as follows:

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.

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 4, 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. 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.

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. 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. 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 Appro-

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 Amendment to 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)

Amendment to Senate Bill No. 140:

In line 3 change “one” to “two”. Strike out “a” and add “s” to “member”.

Insert in line 6 after the word “Representatives,” the following: “which four members, selected by the Senate and House, shall represent agriculture.”

Also in line 6 change the word “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 27 after the word “State” strike out the words “who have or who will” and insert in lieu thereof “so that they will not”.

In line 28 strike out the word “the” and insert in lieu thereof “post war conditions and so that there will be no”.

In line 42 change the word “seek” to “secure”.

Renumber the lines.

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.

Amendment to Senate Bill No. 204:

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".

Amendment to Senate Bill No. 205:

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."

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 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. 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.

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.

Which had been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 37; nays, 6; absent and not voting, 6.

Those voting in the affirmative were:

Adam	Hoenck	Olson, McHenry
Bilden	Kamrath	Page
Blank	Kehoe	Porter
Bond	Lavik	Raschko
Brant	Lynch	Rue
Braun	Morgan, Richland	Schrock
Brunsdale	Nelson, Griggs-	Solberg
Day	Steele	Stucke
Drew	Nelson, McKenzie	Thatcher
Feton	Nordhousen	Troxel
Flatt	O'Brien	Wog
Foss	Oksendahl	Young
Ginter	Olson, Barnes	

Those voting in the negative were:

Beaton	Nelson, Renville	Semerad
Greiser	Olson, Mountrail	Streibel

Absent and not voting:

Bridston	Lofthus	Nelson, Dickey
Guenther	Morgan, Walsh	Watt

So the bill passed and the title was agreed to.

Senator Olson of Barnes moved that the vote by which House Bill No. 27 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 31. A Bill for an Act Making an Appropriation for the Payment of the Expenses to Be Incurred by the State.

Which had been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 43; nays, 1; absent and not voting, 5.

Those voting in the affirmative were:

Adam	Hoenck	Olson, Barnes
Beaton	Kamrath	Olson, McHenry

Bilden	Kehoe	Olson, Mountrail
Blank	Lavik	Porter
Bond	Lofthus	Raschko
Brant	Lynch	Rue
Braun	Morgan, Walsh	Schrock
Brunsdale	Morgan, Richland	Semerad
Day	Nelson, Griggs-	Solberg
Drew	Steele	Streibel
Feton	Nelson, McKenzie	Stucke
Flatt	Nelson, Renville	Thatcher
Foss	Nordhogen	Troxel
Ginter	O'Brien	Wog
Greiser	Oksendahl	
Those voting in the negative were:		
Page		
Absent and not voting:		
Eridston	Nelson, Dickey	Young
Guenther	Watt	

So the bill passed and the title was agreed to.

Senator Porter 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.

The President called Senator Rue to the Chair.

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.

Which had been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 45; nays, 0; absent and not voting, 4.

Those voting in the affirmative were:

Adam	Kamrath	Olson, McHenry
Beaton	Kehoe	Olson, Mountrail
Bilden	Lavik	Page
Blank	Lofthus	Porter
Bond	Lynch	Raschko
Brant	Morgan, Walsh	Rue
Braun	Morgan, Richland	Schrock
Brunsdale	Nelson, Griggs-	Semerad
Day	Steele	Solberg
Drew	Nelson, McKenzie	Streibel
Feton	Nelson, Renville	Stucke
Flatt	Nordhogen	Thatcher
Foss	O'Brien	Troxel
Ginter	Oksendahl	Wog
Greiser	Olson, Barnes	Young
Hoenck		
Absent and not voting:		
Bridston	Nelson, Dickey	Watt
Guenther		

So the bill passed and the title was agreed to.

Senator Porter moved that the vote by which House Bill No. 37 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

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.

Which had been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 44; nays, 0; absent and not voting, 5.

Those voting in the affirmative were:

Adam	Kamrath	Olson, McHenry
Beaton	Kehoe	Olson, Mountrail
Bilden	Lavik	Page
Blank	Lofthus	Porter
Bond	Lynch	Raschko
Brant	Morgan, Walsh	Rue
Braun	Morgan, Richland	Schrock
Brunsdale	Nelson, Griggs-	Semerad
Day	Steele	Solberg
Drew	Nelson, McKenzie	Streibel
Feton	Nelson, Renville	Stucke
Flatt	Nordhogen	Thatcher
Ginter	O'Brien	Troxel
Greiser	Oksendahl	Wog
Hoенck	Olson, Barnes	Young

Absent and not voting:

Bridston	Guenther	Watt
Foss	Nelson, Dickey	

So the bill passed and the title was agreed to and the emergency clause was declared carried.

Senator Braun moved that the vote by which House Bill No. 43 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

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 had been read.

Senator Kehoe moved that House Bill No. 72 be placed at the foot of the calendar, which motion lost on a rising vote.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 43; nays, 3; absent and not voting, 3.

Those voting in the affirmative were:

Adam	Hoенck	Olson, McHenry
Beaton	Kamrath	Olson, Mountrail
Bilden	Kehoe	Page
Blank	Lavik	Porter
Bond	Lofthus	Raschko
Brant	Lynch	Rue

Braun	Morgan, Walsh	Schrock
Brunsdale	Nelson, Griggs-	Semerad
Day	Steele	Solberg
Drew	Nelson, McKenzie	Streibel
Feton	Nelson, Renville	Stucke
Flatt	Nordhousen	Thatcher
Foss	O'Brien	Troxel
Ginter	Oksendahl	Wog
Greiser	Olson, Barnes	

Those voting in the negative were:

Morgan, Richland	Watt	Young
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Absent and not voting:

Bridston	Guenther	Nelson, Dickey
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So the bill passed and the title was agreed to, and the emergency clause was declared carried.

Senator Brant 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.

Senator Watt: "Mr. President: I am going to vote 'No' on this bill for the reason that I think the proper place to have the reserve fund is in the taxpayer's pocket."

The President resumed the Chair.

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.

Which had been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 47; nays, 0; absent and not voting, 2.

Those voting in the affirmative were:

Adam	Kamrath	Olson, McHenry
Beaton	Kehoe	Olson, Mountrail
Bilder	Lavik	Page
Blank	Lofthus	Porter
Bond	Lynch	Raschko
Brant	Morgan, Walsh	Rue
Braun	Morgan, Richland	Schrock
Brunsdale	Nelson, Dickey	Semerad
Day	Nelson, Griggs-	Solberg
Drew	Steele	Streibel
Feton	Nelson, McKenzie	Stucke
Flatt	Nelson, Renville	Thatcher
Foss	Nordhousen	Troxel
Ginter	O'Brien	Watt
Greiser	Oksendahl	Wog
Hoenck	Olson, Barnes	Young

Absent and not voting:

Bridston	Guenther
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So the bill passed and the title was agreed to.

Senator Young moved that the vote by which Bill No. 77 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senator Young requested that the Senate be on the eighth order of business, which request was granted.

Senator Young moved that the vote by which the report of the Special Investigating Committee on the methods of the administration of Old Age Assistance laws was adopted be reconsidered, which motion prevailed.

Senator Young moved that Section 9 of the recommendations of the report of the Special Investigation Committee on the methods of the administration of the Old Age Assistance Laws be stricken from the report, which motion prevailed on a standing vote.

Senator Young moved that the report of the Special Investigating Committee on the methods of the administration of the Old Age Assistance Laws, as amended by his motion, be adopted, which motion prevailed.

Senator Young moved that the Special Investigating Committee on the methods of the administration of the Old Age Assistance Laws, be dismissed, which motion prevailed.

SECOND READING OF HOUSE BILLS

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.

Which had been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 47; nays, 0; absent and not voting, 2.

Those voting in the affirmative were:

Adam	Kamrath	Olson, McHenry
Beaton	Kehoe	Olson, Mountrail
Bilden	Lavik	Page
Blank	Lofthus	Porter
Bond	Lynch	Raschko
Brant	Morgan, Walsh	Rue
Braun	Morgan, Richland	Schrock
Brunsdale	Nelson, Dickey	Semerad
Day	Nelson, Griggs-	Solberg
Drew	Steele	Streibel
Feton	Nelson, McKenzie	Thatcher
Flatt	Nelson, Renville	Stucke
Foss	Nordhousen	Troxel
Ginter	O'Brien	Watt
Greiser	Oksendahl	Wog
Hoencck	Olson, Barnes	Young

Absent and not voting:

Bridston Guenther

So the bill passed and the title was agreed to.

Senator Watt 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.

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.

Senator Morgan of Walsh moved that further consideration of House Bill No. 91 be laid over one legislative day, which motion prevailed.

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 had been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 41; nays, 6; absent and not voting, 2.

Those voting in the affirmative were:

Adam	Greiser	Olson, Mountrail
Beaton	Hoencck	Page
Bilden	Kamrath	Porter
Blank	Kehoe	Raschko
Bond	Lavik	Rue
Brant	Lofthus	Schrock
Braun	Lynch	Semerad
Brunsdale	Morgan, Walsh	Solberg
Day	Morgan, Richland	Streibel
Drew	Nelson, Dickey	Stucke
Feton	Nelson, McKenzie	Thatcher
Flatt	Nordhougen	Troxel
Foss	O'Brien	Young
Ginter	Oksendahl	

Those voting in the negative were:

Nelson, Griggs-	Olson, Barnes	Watt
Steele	Olson, McHenry	Wog

Nelson, Renville

Absent and not voting:

Bridston	Guenther
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So the bill passed and the title was agreed to, and the emergency clause was declared carried.

Senator Page moved that the vote by which House Bill No. 119 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senator Young moved that the Senate do now recess until 1:30 p. m., which motion prevailed and the Senate stood recessed.

The Senate re-convened at 1:30 p. m. pursuant to the motion of Senator Young.

The President announced that the Senate would be on the twelfth order of business for the purpose of second reading of House bills.

MESSAGE TO THE HOUSE

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 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.

Which had been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 45; nays, 0; absent and not voting, 4.

Those voting in the affirmative were:

Adam	Lavik	Olson, Mountrail
Bilden	Lofthus	Page
Blank	Lynch	Porter
Bond	Morgan, Walsh	Raschko
Brant	Morgan, Richland	Rue
Braun	Nelson, Dickey	Schrock
Brunsdale	Nelson, Griggs-	Semerad
Drew	• Steele	Solberg
Feton	Nelson, McKenzie	Streibel
Flatt	Nelson, Renville	Stucke
Foss	Nordhougen	Thatcher
Ginter	O'Brien	Troxel
Greiser	Oksendahl	Watt
Hoencck	Olson, Barnes	Wog
Kamrath	Olson, McHenry	Young
Kehoe		

Absent and not voting:

Beaton	Day	Guenther
Bridston		

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

Senator Morgan of Walsh moved that the vote by which House Bill No. 121 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 229. A Bill for an Act Providing for the Organization and Regulation of Non-Profit Hospital Service Plan Corporations, and Declaring an Emergency.

Which had been read.

Senator Day moved that further action on House Bill No. 229 be indefinitely postponed, which motion was withdrawn.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 39; nays, 9; absent and not voting, 1.

Those voting in the affirmative were:

Adam	Lavik	Olson, Mountrail
Bilden	Lynch	Page
Blank	Morgan, Richland	Rue
Bond	Nelson, Dickey	Schrock
Brant	Nelson, Griggs-	Semerad
Bridston	Steele	Solberg
Brunsdale	Nelson, McKenzie	Streibel
Flatt	Nelson, Renville	Stucke
Foss	Nordhougen	Thatcher
Ginter	O'Brien	Troxel
Greiser	Oksendahl	Watt
Hoencck	Olson, Barnes	Wog

Kamrath	Olson, McHenry	Young
Kehoe		
Those voting in the negative were:		
Beaton	Drew	Morgan, Walsh
Braun	Feton	Porter
Day	Lofthus	Raschko
Absent and not voting:		
Guenther		

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

Senator Day moved that the vote by which House Bill No. 229 was passed be reconsidered and the motion to reconsider be laid on the table, 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.

Which had been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 47; nays, 0; absent and not voting, 2.

Those voting in the affirmative were:

Adam	Hoenck	Olson, Barnes
Beaton	Kamrath	Olson, McHenry
Bilden	Kehoe	Olson, Mountrail
Blank	Lavik	Page
Bond	Lofthus	Porter
Brant	Lynch	Raschko
Braun	Morgan, Walsh	Rue
Bridston	Morgan, Richland	Semerad
Brunsdale	Nelson, Dickey	Solberg
Day	Nelson, Griggs-	Streibel
Drew	Steele	Stucke
Feton	Nelson, McKenzie	Thatcher
Flatt	Nelson, Renville	Troxel
Foss	Nordhougen	Watt
Ginter	O'Brien	Wog
Greiser	Oksendahl	Young
Absent and not voting:		
Guenther	Schrock	

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

Senator Flatt moved that the vote by which House Bill No. 233 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

MESSAGE FROM THE HOUSE

House of Representatives

Bismarck, March 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.

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.

Senator Watt requested the Senate be on the 8th order of business, which request was granted.

Senator Watt moved to amend the report of the Committee on Appropriations on House Bill No. 1 in the Senate Journal of March 3, as follows:

"Under Section 3 in line 88, strike out the figures \$748,236.00 and insert the figures \$758,314.00 in lieu thereof.

"Under Section 3 in line 376, strike out the figures \$281,659.00 and insert the figures \$366,659.00 in lieu thereof."

Which motion prevailed.

Senator Watt moved that the report be adopted as amended which motion prevailed and the report was adopted.

Senator Morgan of Richland moved that the report of the Committee on Game and Fish on House Bill No. 47 as printed in the journal on page 692 be adopted, which motion prevailed and the report was declared adopted.

Senator Young moved that the Senate do now adjourn, which motion prevailed and the Senate stood adjourned.

W. J. TROUT, Secretary.

FIFTY-NINTH DAY

Bismarck, March 4, 1943

The Senate convened at 2:00 p. m., with the President presiding.

Prayer by the chaplain, Rev. Reuben R. Strutz.

Roll call: All Senators present.

The Committee on Revision and Correction of the Journal made the following report:

Mr. President: Your Committee on Revision and Correction of the Journal have carefully examined the Journal of the

fifty-seventh day after recess and the fifty-eighth day and find the same correct.

ORRIS G. NORDHOUGEN, Chairman.

Senator Nordhogen moved that the report be adopted, which motion prevailed and the report was adopted.

PETITIONS AND COMMUNICATIONS

A letter received by the Lieutenant Governor from N. O. Churchill, Mayor of Bismarck, was read by the Secretary.

Senator Bond moved that the letter from Mayor Churchill be printed in the journal, which motion prevailed.

CITY OF BISMARCK

North Dakota

March 3rd, 1943

Hon. Henry Holt
Lieutenant Governor
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.

REPORTS OF STANDING COMMITTEES

The Committee on Enrollment and Engrossment made the following report:

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bill and resolutions:

Senate Bill No. 78.

Senate Concurrent Resolution "B."

Senate Concurrent Resolution "1-E."

Senate Concurrent Resolution "1-B."

And find the same correctly Enrolled.

W. R. BOND, Chairman.

Senator Bond moved that the report be adopted, which motion prevailed, and the report was adopted.

Mr. President: Your Committee on Enrollment and En-

grossment respectfully report that they have examined the following bills:

Senate Bill No. 65.
 Senate Bill No. 96.
 Senate Bill No. 101.
 Senate Bill No. 133.
 Senate Bill No. 136.
 Senate Bill No. 152.
 Senate Bill No. 162.
 Senate Bill No. 168.
 Senate Bill No. 170.
 Senate Bill No. 185.
 Senate Bill No. 188.
 Senate Bill No. 190.

And find the same correctly Enrolled.

W. R. BOND, Chairman.

Senator Bond moved that the report be adopted, which motion prevailed, and the report was adopted.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 65 have had the same under consideration and recommend that the same do pass.

WM. WATT, Chairman.

Senator Watt moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Highways to whom was referred House Bill No. 158 have had the same under consideration and recommend that the same be indefinitely postponed.

GUST WOG, Chairman.

Senator Wog moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Highways to whom was referred House Bill No. 160 have had the same under consideration and recommend that the same be amended as follows:

In line 14 of the engrossed bill strike out the words and figures "one hundred twenty (120)" and insert in lieu thereof the following: "ninety (90)".

And when so amended recommend the same do pass.

GUST WOG, Chairman.

Senator Wog moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on 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:

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 covered 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 cooperation 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.

And when so amended recommend the same do pass.

E. H. BRANT, Chairman.

Senator Brant moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Highways to whom was referred House Concurrent Resolution "Y" have had the same under consideration and recommend that the same be amended as follows:

At the end of Line 22, add the following: "That a copy be sent to the War Production Board, Washington, D. C."

And when so amended recommend the same do pass.

GUST WOG, Chairman.

Senator Wog moved that the report be adopted, which motion prevailed and the report was adopted.

MESSAGE TO THE HOUSE

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.

Senator Young moved that the vote by which House Bill No. 87 was passed be reconsidered, which motion prevailed, on a voice vote.

A division was requested and granted.

Senator Olson of Mountrail requested a call of the Senate, which request was granted.

The roll call disclosed that Senators Bilden and Guenther were absent.

Senators Bilden and Guenther now being in attendance, Senator Watt moved that the call of the Senate be dispensed with, which motion prevailed.

ROLL CALL

The question being on the motion of Senator Young, that the vote by which House Bill No. 87 was passed be reconsidered, a roll call was demanded, so the roll was called and there were ayes, 28; nays, 21; absent and not voting, 0.

Those voting in the affirmative were:

Bond	Guenther	Oksendahl
Brant	HoencK	Olson, Barnes
Braun	Kehoe	Page
Bridston	Lavik	Porter
Brunsdale	Lofthus	Rue
Day	Morgan, Walsh	Troxel
Drew	Morgan, Richland	Watt
Feton	Nelson, Griggs-	Wog
Flatt	Steele	Young
Foss	O'Brien	

Those voting in the negative were:

Adam	Lynch	Raschko
Beaton	Nelson, Dickey	Schrock
Bilden	Nelson, McKenzie	Semerad
Blank	Nelson, Renville	Solberg
Ginter	Nordhogen	Streibel
Greiser	Olson, McHenry	Stucke
Kamrath	Olson, Mountrail	Thatcher

So the motion was declared carried.

Senator Young moved that the House be requested to return House Bill No. 87, which motion prevailed.

MESSAGES TO THE HOUSE

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 requested the return of House Bill No. 87.

Very respectfully,

W. J. TROUT, Secretary.

Senator Rue moved that the President appoint a Conference Committee to meet with a like committee from the House on House Bill No. 244, which motion prevailed, and the President appointed as such committee, Senators Rue, Day and Thatcher.

MESSAGE TO THE HOUSE

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.

Senator Bridston moved that the report of the Special

Senate Committee, composed of Senators Bridston, Page and Solberg, be adopted, which motion prevailed.

Senator Morgan of Walsh moved that the President appoint a Conference Committee to meet with a like committee from the House on House Bill No. 189, which motion prevailed, and the President appointed as such committee Senators Page, Flatt and Nelson of McKenzie.

Senator Flatt moved that the Senate do concur in the House amendments to Senate Bill No. 67 which motion prevailed.

Senator Flatt moved that the rules be suspended and Senate Bill No. 67 be placed on Second Reading and Final Passage, as amended, which motion prevailed.

SECOND READING OF SENATE BILLS

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.

Which had been read.

ROLL CALL

The question being on the final passage of the bill, as amended by the House, the roll was called and there were ayes, 48; nays, 0; absent and not voting, 1.

Those voting in the affirmative were:

Adam	Kamrath	Olson, McHenry
Beaton	Kehoe	Olson, Mountrail
Bilden	Lavik	Page
Blank	Lofthus	Porter
Bond	Lynch	Raschko
Brant	Morgan, Walsh	Rue
Braun	Morgan, Richland	Schrock
Bridston	Nelson, Dickey	Semerad
Brunsdale	Nelson, Griggs-	Solberg
Day	Steele	Streibel
Drew	Nelson, McKenzie	Stucke
Feton	Nelson, Renville	Thatcher
Flatt	Nordhogen	Troxel
Foss	O'Brien	Watt
Ginter	Oksendahl	Wog
Guenther	Olson, Barnes	Young
Hoenck		

Absent and not voting:

Greiser

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

Senator Flatt moved that the vote by which Senate Bill No. 67 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senator Kehoe moved that the Senate do concur in the House amendments to Senate Bill No. 200, which motion prevailed.

Senator Kehoe moved that the rules be suspended and Senate Bill No. 200 be placed on second reading and final passage, as amended by the House, 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.

Which had been read.

ROLL GALL

The question being on the final passage of the bill, as amended by the House, the roll was called ad there were ayes, 47; nays, 0; absent and not voting, 2.

Those voting in the affirmative were:

Adam	Kamrath	Olson, Mountrail
Beaton	Kehoe	Olson, McHenry
Bilden	Lavik	Page
Blank	Lofthus	Porter
Bond	Lynch	Rue
Brant	Morgan, Walsh	Raschko
Braun	Morgan, Richland	Schrock
Bridston	Nelson, Dickey	Semerad
Brunsdale	Nelson, Griggs-	Solberg
Day	Steele	Streibel
Drew	Nelson, McKenzie	Stucke
Feton	Nelson, Renville	Thatcher
Flatt	Nordhougen	Troxel
Ginter	O'Brien	Watt
Guenther	Oksendahl	Wog
Hoencck	Olson, Barnes	Young

Absent and not voting:

Foss Greiser

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

Senator Porter 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.

Senator Kehoe moved that the Senate do concur in the House amendments to Senate Bill No. 204, which motion prevailed.

Senator Kehoe moved that the rules be suspended and that Senate Bill No. 204 be considered properly re-engrossed and placed on second reading and final passage, as amended by the House, which motion prevailed.

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.

Which had been read.

ROLL CALL

The question being on the final passage of the bill, as amended by the House, the roll was called and there were ayes, 47; nays, 0; absent and not voting, 2.

Those voting in the affirmative were:

Adam	Kamrath	Olson, McHenry
Beaton	Kehoe	Olson, Mountrail
Bilden	Lavik	Page
Blank	Lofthus	Porter
Bond	Lynch	Raschko
Brant	Morgan, Walsh	Rue
Braun	Morgan, Richland	Schrock
Bridston	Nelson, Dickey	Semerad
Brunsdale	Nelson, Griggs-	Solberg
Day	Steele	Streibel
Drew	Nelson, McKenzie	Stucke

Feton	Nelson, Renville	Thatcher
Flatt	Nordhougen	Troxel
Ginter	O'Brien	Watt
Guenther	Oksendahl	Wog
Hoencck	Olson, Barnes	Young

Absent and not voting:

Foss	Greiser
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So the bill passed and the title was agreed to.

Senator Day moved that the vote by which Senate Bill No. 204 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senator Kehoe moved that the Senate do concur in the House amendments to Senate Bill No. 205, which motion prevailed.

Senator Kehoe moved that the rules be suspended and that Senate Bill No. 205 be considered properly re-engrossed and placed on second reading and final passage, as amended by the House, which motion prevailed.

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.

Which had been read.

ROLL CALL

The question being on the final passage of the bill, as amended by the House, the roll was called and there were ayes, 47; nays, 0; absent and not voting, 2.

Those voting in the affirmative were:

Adam	Kamrath	Olson, McHenry
Beaton	Kehoe	Olson, Mountrail
Bilden	Lavik	Page
Blank	Loffthus	Porter
Bond	Lynch	Raschko
Brant	Morgan, Walsh	Rue
Braun	Morgan, Richland	Schrock
Bridston	Nelson, Dickey	Semerad
Brunsdale	Nelson, Griggs-	Solberg
Day	Steele	Streibel
Drew	Nelson, McKenzie	Stucke
Feton	Nelson, Renville	Thatcher
Flatt	Nordhougen	Troxel
Ginter	O'Brien	Watt
Guenther	Oksendahl	Wog
Hoencck	Olson, Barnes	Young

Absent and not voting:

Foss	Greiser
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So the bill passed and the title was agreed to.

Senator Semerad moved that the vote by which Senate Bill No. 205 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senator Morgan of Richland moved that the Senate do concur in the House amendments to Senate Bill No. 53, which motion prevailed.

Senator Morgan of Richland moved that the rules be suspended and Senate Bill No. 53 be placed on second reading and final passage, as amended by the House, which motion prevailed.

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.

Which had been read.

ROLL CALL .

The question being on the final passage of the bill, as amended by the House, the roll was called and there were ayes, 46; nays, 0; absent and not voting, 3.

Those voting in the affirmative were:

Adam	Kamrath	Olson, McHenry
Beaton	Kehoe	Olson, Mountrail
Bilden	Lavik	Page
Blank	Lofthus	Porter
Bond	Lynch	Rue
Brant	Morgan, Walsh	Schrock
Braun	Morgan, Richland	Semerad
Bridston	Nelson, Dickey	Solberg
Brunsdale	Nelson, Griggs-	Streibel
Day	Steele	Stucke
Drew	Nelson, McKenzie	Thatcher
Feton	Nelson, Renville	Troxel
Flatt	Nordhougen	Watt
Ginter	O'Brien	Wog
Guenther	Oksendahl	Young
Hoencck	Olson, Barnes	

Absent and not voting:

Foss	Greiser	Raschko
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So the bill passed and the title was agreed to.

Senator Kamrath 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.

MESSAGES TO THE HOUSE

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 President has appointed 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 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. 204.

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.

Senator Wog requested that the Senate be on the fifth order of business, which request was granted.

REPORT OF STANDING COMMITTEE

Mr. President: Your Committee on Highways to whom was referred House Bill No. 50, 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 (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 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 side 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 carriers 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.

And when so amended recommend the same do pass.

GUST WOG, Chairman.

Senator Wog moved that the report of the Committee on Highways on House Bill No. 50 be printed in the Journal without reading and action delayed one legislative day, which motion prevailed.

SECOND READING OF HOUSE BILLS

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.

Which had been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 46; nays, 0; absent and not voting, 3.

Those voting in the affirmative were:

Adam	Hoenck	Olson, McHenry
Beaton	Kamrath	Olson, Mountrail

Bilden	Kehoe	Page
Blank	Lavik	Porter
Bond	Lofthus	Raschko
Brant	Lynch	Rue
Braun	Morgan, Richland	Schrock
Bridston	Nelson, Dickey	Semerad
Brunsdale	Nelson, Griggs-	Solberg
Day	Steele	Streibel
Drew	Nelson, McKenzie	Thatcher
Feton	Nelson, Renville	Troxel
Foss	Nordhogen	Watt
Ginter	O'Brien	Wog
Greiser	Oksendahl	Young
Guenther	Olson, Barnes	

Absent and not voting:

Flatt	Morgan, Walsh	Stucke
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So the bill passed and the title was agreed to, and the emergency clause was declared carried.

Senator Drew moved that the vote by which House Bill No. 240 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senator Flatt moved that the Senate do now recess for twenty minutes, which motion prevailed and the Senate stood recessed.

The Senate re-convened at the conclusion of the recess.

Senator Watt moved that House Bill No. 1 be placed at the head of the calendar, which motion prevailed.

House Bill No. 1. A Bill for an Act 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, 42; nays, 0; absent and not voting, 7.

Those voting in the affirmative were:

Adam	Hoenck	Page
Bilden	Lavik	Porter
Blank	Lofthus	Raschko
Bond	Lynch	Rue
Brant	Nelson, Dickey	Schrock
Braun	Nelson, Griggs-	Semerad
Brunsdale	Steele	Solberg
Day	Nelson, McKenzie	Streibel
Drew	Nelson, Renville	Stucke
Feton	O'Brien	Thatcher
Flatt	Oksendahl	Troxel
Foss	Olson, Barnes	Watt
Ginter	Olson, McHenry	Wog
Greiser	Olson, Mountrail	Young
Guenther		

Absent and not voting:

Beaton	Kehoe	Morgan, Richland
Bridston	Morgan, Walsh	Nordhogen
Kamrath		

So the bill passed and the title was agreed to.

Senator Watt 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.

MESSAGE TO THE HOUSE

Senate Chamber

Bismarck, March 4, 1943

Mr. President: 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.

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.

Which had been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 47; nays, 1; absent and not voting, 1.

Those voting in the affirmative were:

Adam	Guenther	Oksendahl
Beaton	Hoencck	Olson, Barnes
Bilden	Kamrath	Olson, McHenry
Blank	Kehoe	Olson, Mountrail
Bond	Lavik	Page
Brant	Lofthus	Raschko
Braun	Lynch	Rue
Bridston	Morgau, Walsh	Schrock
Brunsdale	Morgan, Richland	Semerad
Day	Nelson, Dickey	Streibel
Drew	Nelson, Griggs-	Stucke
Feton	Steele	Thatcher
Flatt	Nelson, McKenzie	Troxel
Foss	Nelson, Renville	Watt
Ginter	Nordhougen	Wog
Greiser	O'Brien	Young

Those voting in the negative were:

Porter

Absent and not voting:

Solberg

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

Senator Rue moved that the vote by which House Bill No. 202 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.

Which had been read.

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 49; nays, 0; absent and not voting, 0.

ROLL CALL

Those voting in the affirmative were:

Adam	Hoenck	Olson, Mountrail
Beaton	Kamrath	Olson, McHenry
Blank	Kehoe	Page
Bilden	Lavik	Porter
Bond	Lofthus	Raschko
Brant	Lynch	Rue
Braun	Morgan, Walsh	Schrock
Bridston	Morgan, Richland	Semerad
Brunsdale	Nelson, Dickey	Solberg
Day	Nelson, Griggs-	Streibel
Drew	Steele	Stucke
Feton	Nelson, McKenzie	Thatcher
Flatt	Nelson, Renville	Troxel
Foss	Nordhousen	Watt
Ginter	O'Brien	Wog
Greiser	Oksendahl	Young
Guenther	Olson, Barnes	

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

Senator Porter 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.

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.

Senator Watt moved that Senate Concurrent Resolution "1-I" be amended as follows:

On page 724 of the Senate journal, line 15 of the resolution, strike the language "loans for the purchase of farms" and insert the words "farm loans", which motion prevailed.

Senator Watt moved that the rules be suspended and that Senate Concurrent Resolution "1-I" be adopted, as amended, which motion prevailed.

Senator Watt moved that the vote by which Senate Concurrent Resolution "1-I" was adopted be reconsidered and the

motion to reconsider be laid on the table, which motion prevailed.

Senate Concurrent Resolution "1-J." Reducing the Number of 1943 Session Laws to Be Published by the Secretary of State.

Was read the second time.

Senator Brunsdale moved that the rules be suspended and that Senate Concurrent "1-J" be adopted, which motion prevailed.

Senator Brunsdale moved that the vote by which Senate Concurrent Resolution "1-J" was adopted be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senator Bond moved that the Senate do concur in the House amendments to Senate Concurrent Resolution "Q," which motion prevailed.

Senator Bond moved that the vote by which the Senate concurred in the House amendments to Senate Concurrent Resolution "Q" be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senator Bond moved that the Senate do concur in the House amendments to Senate Concurrent Resolution "R," which motion prevailed.

Senator Bond moved that the vote by which the Senate concurred in the House amendments to Senate Concurrent Resolution "R" be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senator Bond moved that the Senate do concur in the House amendments to Senate Concurrent Resolution "S," which motion prevailed.

Senator Bond moved that the vote by which the Senate concurred in the House amendments to Senate Concurrent Resolution "S" be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senator Young moved that the President appoint a Conference Committee to meet with a like Committee from the House on House Bill No. 9.

And the President appointed as such committee, Senators Morgan of Richland, Porter and Ginter.

MESSAGE TO THE HOUSE

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.

Senator Brunsdale moved that the Senate do concur in the House amendments to the title of House Bill No. 84, which motion prevailed.

Senator Brunsdale moved that the rules be suspended and House Bill No. 84 be placed on second reading and final passage, as amended in the title by the House, which motion prevailed.

SECOND READING OF HOUSE BILLS

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.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 46; nays, 0; absent and not voting, 3.

Those voting in the affirmative were:

Adam	Hoenck	Olson, McHenry
Beaton	Kamrath	Olson, Mountrail
Bilden	Kehoe	Page
Blank	Lavik	Porter
Bond	Lofthus	Rue
Brant	Lynch	Schrock
Braun	Morgan, Richland	Semerad
Bridston	Nelson, Dickey	Solberg
Brunsdale	Nelson, Griggs-	Streibel
Day	Steele	Stucke
Drew	Nelson, McKenzie	Thatcher
Feton	Nelson, Renville	Troxel
Flatt	Nordhougen	Watt
Foss	O'Brien	Wog
Greiser	Oksendahl	Young
Guenther	Olson, Barnes	
Absent and not voting:		
Ginter	Morgan, Walsh	Raschko

So the bill passed and the title was agreed to.

Senator Brunsdale moved that the vote by which House Bill No. 84 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

MESSAGES TO THE HOUSE

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 "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 "S".

Very respectfully,

W. J. TROUT, Secretary.

Senator Watt requested that the Senate be on the fifth order or business, which requested was granted.

REPORT OF SELECT COMMITTEE

Mr. President: 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 89 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 Senate:

WM. WATT
RILIE R. MORGAN
R. M. STREIBEL

For the House:

RAY SCHNELL
EDWIN L. BAGGE
K. A. FITCH

Senator Watt moved that the Senate adopt the report of the Conference Committee on House Bill No. 110, which motion prevailed.

MESSAGE TO THE HOUSE

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.

The President called Senator Brunsdale to the Chair.

MESSAGE FROM THE HOUSE

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.

Senator Watt moved that the President appoint a Conference Committee to meet with a like Committee from the House on House Bill No. 1, of which Senator Watt will be not a member, which motion prevailed, and the President appointed as such committee, Senators Young, Streibel, Brant.

MESSAGE TO THE HOUSE

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.

FIRST READING OF HOUSE CONCURRENT
RESOLUTIONS

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 first time and referred to the Committee of the Whole.

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 first time and referred to the Committee of the Whole.

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 first time and referred to the Committee of the Whole.

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.

Was read the first time and referred to the Committee of the Whole.

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.

Was read the first time and referred to the Committee of the Whole.

Senator Streibel moved that the Senate resolve itself into a Committee of the Whole, which motion prevailed.

The Presiding Officer called Senator Streibel to the Chair.

When the Committee of the Whole arose, Senator Brunsdale resumed the Chair.

Senator Streibel reported that the Committee of the Whole had under consideration House Concurrent Resolutions "1-F," "1-H," "1-I" and "1-J," and recommends that the same be adopted.

Senator Streibel moved the adoption of the report of the Committee of the Whole, which motion prevailed.

Senator Streibel reports that the Committee of the Whole had under consideration House Concurrent Resolution "1-G" and recommends that the same be amended.

Senator Streibel moved the adoption of the report of the Committee of the Whole, which motion prevailed.

Senator Flatt moved that House Concurrent Resolution "1-G" be amended as follows:

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", which motion prevailed.

Senator Watt moved that those resolutions that call for an expenditure of money be placed on roll call, which motion prevailed.

Senator Watt moved that the rules be suspended and that House Concurrent Resolution "1-G" be placed on Second Reading and Final Passage as amended by the Committee of the Whole, which motion prevailed.

SECOND READING OF HOUSE CONCURRENT 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 final passage of the resolution, as amended, the roll was called and there were ayes, 41; nays, 0; absent and not voting, 8.

Those voting in the affirmative were:

Adam	Kamrath	Olson, Barnes
Beaton	Kehoe	Olson, McHenry
Bilden	Lavik	Olson, Mountrail
Blank	Lofthus	Page
Bond	Lynch	Rue
Brant	Morgan, Walsh	Schrock
Braun	Nelson, Dickey	Semerad
Brunsdale	Nelson, Griggs-	Solberg
Day	Steele	Streibel
Drew	Nelson, McKenzie	Thatcher
Feton	Nelson, Renville	Troxel
Flatt	Nordhougen	Watt
Foss	O'Brien	Wog
Hoenck	Oksendahl	Young
Absent and not voting:		
Bridston	Guenther	Raschko
Ginter	Morgan, Richland	Stucke
Greiser	Porter	

So the concurrent resolution was declared adopted.

Senator Flatt moved that the vote by which House Concurrent Resolution "1-G" was adopted be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senator Day moved that the rules be suspended and that 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 final passage of the resolution,

the roll was called and there were ayes, 48; nays, 0; absent and not voting, 6.

Those voting in the affirmative were:

Adam	Kamrath	Olson, McHenry
Beaton	Kehoe	Olson, Mountrail
Bilden	Lavik	Page
Blank	Lofthus	Rue
Bond	Lynch	Schrock
Brant	Morgan, Walsh	Semerad
Braun	Nelson, Dickey	Solberg
Bridston	Nelson, Griggs-	Streibel
Brunsdale	Steele	Stucke
Day	Nelson, McKenzie	Thatcher
Drew	Nelson, Renville	Troxel
Feton	Nordhousen	Watt
Flatt	O'Brien	Wog
Foss	Oksendahl	Young
Hoenck	Olson, Barnes	

Absent and not voting:

Ginter	Guenther	Porter
Greiser	Morgan, Richland	Raschko

So the concurrent resolution was declared adopted.

Senator Day moved that the rules be suspended and that 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 final passage of the Resolution, the roll was called and there were ayes, 42; nays, 0; absent and not voting, 7.

Those voting in the affirmative were:

Adam	Kehoe	Olson, McHenry
Beaton	Lavik	Olson, Mountrail
Bilden	Lofthus	Page
Blank	Lynch	Rue
Bond	Morgan, Walsh	Schrock
Brant	Nelson, Dickey	Semerad
Braun	Nelson, Griggs-	Solberg
Brunsdale	Steele	Streibel
Day	Nelson, McKenzie	Stucke
Drew	Nelson, Renville	Thatcher
Feton	Nordhousen	Troxel
Flatt	O'Brien	Watt
Foss	Oksendahl	Wog
Hoenck	Olson, Barnes	Young

Absent and not voting:

Bridston	Guenther	Porter
Ginter	Morgan, Richland	Raschko
Greiser		

So the concurrent resolution was declared adopted.

Senator Flatt moved that the vote by which House Concurrent Resolution "1-H" was adopted be reconsidered and the

motion to reconsider be laid on the table, which motion prevailed.

Senator Brant moved that the rules be suspended and that House Concurrent Resolution "1-I" be adopted, which motion prevailed and House Concurrent Resolution "1-I" was declared adopted.

Senator Streibel moved that the rules be suspended and that House Concurrent Resolution "1-J" be adopted, which motion prevailed and House Concurrent Resolution "1-J" was declared adopted.

Senator Young moved that the Senate be on the fourteenth order of business for the signing of bills, after the conclusion of which the Senate stand recessed until 11:00 a. m., Friday, which motion prevailed.

SIGNING OF BILLS

The Secretary announced that the President was about to sign:

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. 170.
 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."
 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. 109.
 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.
 House Bill No. 252.
 House Concurrent Resolution "R."
 House Concurrent Resolution "V."
 House Concurrent Resolution "X."

And the President signed the same in the presence of the Senate.

MESSAGES TO THE HOUSE

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 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 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 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 Pro-

vide 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 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.

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 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.

Pursuant to motion by Senator Young, the Senate stood recessed until 11:00 a. m., Friday, March 5th.

W. J. TROUT, Secretary.

FIFTY-NINTH DAY AFTER RECESS AND
SIXTIETH DAY

Bismarck, March 5, 1943

The Senate re-convened at 11:00 a. m., with the President presiding.

The President announced that the Senate would be on the fourteenth order of business for the purpose of signing bills.

SIGNING OF BILLS

The Secretary announced that the President was about to sign:

Senate Bill No. 103.
Senate Bill No. 156.
Senate Bill No. 171.
Senate Bill No. 172.
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. 187.
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".

And the President signed the same in the presence of the Senate.

MESSAGES TO THE HOUSE

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, 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. 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. 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 Joint Memorial Resolution "A." A Resolution in Memory of Departed Members of the North Dakota Senate.

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 "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 "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.
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

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 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. 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; 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 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 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.

SECOND READING OF HOUSE BILLS

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.

Senator Flatt moved that House Bill No. 47 be placed at the foot of the calendar, which motion prevailed.

Senator Thatcher moved that the Senate remain on the 12th order of business and at the conclusion of the reading of all House bills, the Senate stand recessed until twelve noon, which motion prevailed.

The President called the Senate to order at twelve noon, pursuant to the motion of Senator Thatcher.

Senator Young moved that the Senate do now recess until 1:30 p. m., which motion prevailed.

The Senate re-convened at 1:30 p. m., pursuant to the motion of Senator Young.

FIRST READING OF SENATE CONCURRENT RESOLUTION

The Committee on Employment introduced:

SENATE CONCURRENT RESOLUTION "1-K"

1. WHEREAS, Myrtle Steen has been recorded as a
- 2 committee clerk, and
- 3 WHEREAS, she has been doing all the stenographic
- 4 work, and all other book work connected with the
- 5 Senate Appropriations Committee;
- 6 NOW, THEREFORE, BE IT RESOLVED BY THE
- 6a SENATE,
- 7 AND THE HOUSE OF REPRESENTATIVES CON-
- 7a CURRING:

8 That Myrtle Steen be paid an additional 50¢ a
9 day or \$30, the same to be charged and paid as
10 legislative expense.

Senator Watt moved that the rules be suspended and that Senate Concurrent Resolution "1-K" be adopted, which motion prevailed.

ROLL CALL

The question being on the adoption of Senate Concurrent Resolution "1-K," the roll was called and there were ayes, 43; nays, 0; absent and not voting, 6.

Those voting in the affirmative were:

Adam	Kehoe	Page
Bilden	Lavik	Porter
Blank	Lofthus	Raschko
Bond	Lynch	Rue
Braun	Morgan, Walsh	Schrock
Brunsdale	Nelson, Dickey	Semerad
Day	Nelson, McKenzie	Solberg
Drew	Nelson, Renville	Streibel
Feton	Nordhougen	Stucke
Flatt	O'Brien	Thatcher
Foss	Oksendahl	Troxel
Ginter	Olson, Barnes	Watt
Guenther	Olson, McHenry	Wog
Hoencck	Olson, Mountrail	Young
Kamrath		
Absent and not voting:		
Beaton	Greiser	Nelson, Griggs-
Brant	Morgan, Richland	Steele
Bridston		

So the concurrent resolution was declared adopted.

Senator Bond moved that the vote by which Senate Concurrent Resolution "1-K" was adopted be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

FIRST READING OF SENATE RESOLUTION

Senator Morgan of Walsh introduced:

SENATE RESOLUTION "C-1"

WHEREAS, 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 \$900,000.00 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 passed by the Senate on Wednesday, March 3, 1943, which was the fifty-eighth legislative day of the Twenty-Eighth Legislative Assembly, by a vote of 27 ayes and 21 nays with one absent and not voting, and

WHEREAS, Senator Young of LaMoure county changed his vote from nay to aye for the purpose of reconsideration which said change of vote was noted in the Journal of the Senate on page 710, and

WHEREAS, on Thursday, March 4, 1943, being the fifty-ninth legislative day of the Twenty-eighth Legislative Assembly, Senator Young moved that the vote by which House Bill No. 87 was passed, be reconsidered, which motion prevailed by a vote of 28 ayes and 21 nays, and

WHEREAS, inadvertently and by mistake said House Bill No. 87 had been returned, in the meantime, to the House of Representatives, and

WHEREAS, when such mistake was discovered the Senate voted to request the return of said House Bill No. 87, as provided for under Rule 11 of the Joint Rules of the House of Representatives and the Senate, by the House of Representatives, and

WHEREAS, the House of Representatives refused to return said House Bill No. 87, which had been returned to the House of Representatives inadvertently and by mistake,

NOW, THEREFORE, BE IT RESOLVED THAT THE SENATE OF THE TWENTY-EIGHTH LEGISLATIVE ASSEMBLY hereby directs and instructs the President of the Senate not to sign said House Bill No. 87 if and when it should return for his signature.

Was read the first time.

Senator Morgan of Walsh moved that Senate Resolution "C-1" be adopted, which motion was declared carried on a voice vote.

A roll call was demanded, which was granted.

A call of the Senate was demanded and granted.

The roll was called and the following Senators were absent: Senators Bridston, Greiser, Morgan of Richland and Nelson of Griggs. The Sergeant-at-Arms was instructed to notify the absent Senators.

Senator Morgan of Walsh moved that the call of the Senate be dispensed with, all Senators having reported.

ROLL CALL

The question being on the motion of Senator Morgan of Walsh that Senate Resolution "C-1" be adopted, the roll was called and there were ayes, 28; nays, 21; absent and not voting, 0.

Those voting in the affirmative were:

Bond	Guenther	Oksendahl
Brant	Hoenck	Olson, Barnes
Braun	Kehoe	Page
Bridston	Lavik	Porter
Brunsdale	Lofthus	Rue
Day	Morgan, Walsh	Troxel
Drew	Morgan, Richland	Watt
Feton	Nelson, Griggs-	Wog
Flatt	Steele	Young
Foss	O'Brien	

Those voting in the negative were:

Adam	Lynch	Raschko
Beaton	Nelson, Dickey	Schrock
Bilden	Nelson, McKenzie	Semerad
Blank	Nelson, Renville	Solberg
Ginter	Nordhougen	Streibel
Greiser	Olson, McHenry	Stucke
Kamrath	Olson, Mountrail	Thatcher

So the resolution was declared adopted.

Senator Morgan of Walsh moved that the vote by which Senate Resolution "C-1" was adopted be reconsidered and

the motion to reconsider be laid on the table, which motion prevailed.

FIRST READING OF SENATE CONCURRENT
RESOLUTION

Senators Bridston, Page and Solberg introduced:

Senate Concurrent Resolution "1-L". A Concurrent Resolution 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.

BE IT RESOLVED BY THE SENATE OF THE STATE OF NORTH DAKOTA, THE HOUSE OF REPRESENTATIVES CONCURRING:

1 That the sum of \$451.54 or so much thereof as
2 may be necessary to pay the mileage, expenses and ser-
3 vices of the stenographer employed by the Special Senate
4 Committee appointed to investigate the facts, figures
5 and charges contained in a report of A. J. Klaudt,
6 Special Investigating Commissioner and to pay the ex-
7 pense of printing the report of said Committee is here-
8 by appropriated out of the monies in the State Treasury,
9 not otherwise appropriated, to be paid by the State
10 Treasury upon warrants drawn upon the Treasurer by the
11 State Auditor upon the presentation to the State Auditor
12 of approved vouchers of said Committee, signed by the
13 Senators appointed on said Committee.

14 BE IT RESOLVED, that an emergency is hereby de-
15 clared to exist for the reason that there is no other
16 provision for paying the expenses incurred by the Com-
17 mittee; therefore, this provision shall be in effect
18 from and after its passage and approval.

Was read the first time and referred to the Committee on Appropriations.

MESSAGE TO THE HOUSE

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.

Senator Kehoe moved that the vote by which House Concurrent Resolution "G" was passed, be reconsidered, which motion was declared lost.

Senator Wog moved that the report of the Committee on Highways on House Bill No. 50 as printed in the Journal on page 766, be adopted, which motion prevailed.

Senator Nelson of Dickey moved that the Select Committee on Photographs be discharged, as their work had been completed, which motion prevailed.

MESSAGES TO THE SENATE

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.
Bismarck, March 5, 1943
House of Representatives

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 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 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. 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. 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 Payment 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 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 Scien-

tific 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 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 Board-

ing 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 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 Veterans' Post-War Rehabilitation Reserve Fund, and Provid-

ing 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. 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 Predatory.

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, 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. 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; as follows:

Amendments to 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."

Amendments to 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."

Amendments to 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."

Amendments to 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."

Amendments to 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."

Amendment to 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." 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".

Amendment to 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.

Amendment to 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".

Amendment to 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"
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Amendment to 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.

Amendments to 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)".

Amendments to 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, 39, 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.

Amendment to 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.

Amendment to 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.”

Amendment to 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.

Amendment to Senate Bill No. 112:

In line 14, insert the word “conflict’ ’before the word “herewith”.

Amendment to Senate Bill No. 149:

Amend the title after the word and figures “Section 51” insert the words and figures “of Chapter 162”. In line 1 after

the word and figures "Section 51" insert the words and figures "of Chapter 162".

Amendment to 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
52 exist and this act shall be in full force and
53 effect from and after its passage and approval."

In line thirteen 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 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 research 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.

Renumber Sections and lines to conform with the rest of the Bill.

Amendment to 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.

Amendment to 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.

Amendments to Senate Bill No. 192:

In the title of the original bill in line 15 after the word "Thereof" strike out the ",", and insert a "." and strike out the balance of the title.

Strike out all of sections 7 and 8 in the body of the original bill.

Amendment to Senate Bill 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.

Amendment to 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) percent of the purchase price at the time the contract is executed; thereafter annual payments shall be made of not less than six (6) percent of the original purchase price. An amount equal to not less than three (3) percent 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.

W. M. SMART, Chief Clerk.

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.

Senator Kehoe moved that House Bill No. 50 be amended as follows:

Strike the letter "s" after the word section in line 1 of the title, of the amendment.

Strike out the letter "b" and its brackets; strike the figure "4" and its brackets; and strike the word "and" immediately following; strike out all of section 1 in the amendment and renumber the following sections and lines accordingly, which motion prevailed.

Senator Kehoe moved that the rules be suspended and that House Bill No. 50 be placed on second reading and final passage, as amended, which motion prevailed.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 46; nays, 1; absent and not voting, 2.

Those voting in the affirmative were:

Adam	Kamrath	Olson, McHenry
Beaton	Kehoe	Page
Bilden	Lavik	Porter
Blank	Lofthus	Raschko
Bond	Lynch	Rue
Brant	Morgan, Walsh	Schrock
Braun	Morgan, Richland	Semerad
Brunsdale	Nelson, Dickey	Solberg
Drew	Nelson, Griggs-	Streibel
Feton	Steele	Stucke
Flatt	Nelson, McKenzie	Thatcher
Foss	Nelson, Renville	Troxel
Ginter	Nordhougen	Watt
Greiser	O'Brien	Wog
Guenther	Oksendahl	Young
Hoenck	Olson, Barnes	

Those voting in the negative were:

Olson, Mountrail

Absent and not voting:

Bridston Day

So the bill passed and the title was agreed to and the emergency clause was declared carried.

Senator Wog 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.

Senator Watt moved that the Senate do recess for five minutes, which motion prevailed and the Senate stood recessed.

The Senate reconvened at the expiration of the five minute recess.

The President announced that the Senate would be on the fifth order of business for the reading of Standing Committee Reports.

REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on Appropriations to whom was referred Senate Concurrent Resolution "1-L" have had the same under consideration and recommend that the same be amended as follows:

In line 8 after the word "appropriated" insert the following: "and charged to legislative expense".

Strike out everything after the line 13.

And when so amended recommend the same do pass.

WM. WATT, Chairman.

Senator Watt moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Tax and Tax Laws to whom was referred House Bill No. 169 have had the same under consideration and recommend that the same be amended as follows:

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 word "at the time" and insert the 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 Lines 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."

And when so amended recommend the same do pass.

E. H. BRANT, Chairman.

Senator Brant moved that the report be adopted, which motion prevailed and the report was adopted.

Senator Flatt asked that Senator Braun be allowed to say a few words, which request was granted.

Senator Braun: "Mr. President: As this 28th legislative assembly draws towards its conclusion, we are proud to have had you as our presiding officer. We have always found you just in your rulings and in all our deliberations. I am proud and pleased at this time, on behalf of this body to present you with a gift, showing our esteem and affection. May this gift bring you fond recollections of your time in this assembly and we all wish you health and success in the future."

Lieutenant Governor Holt: "Senators: Thank you Senator Braun. I will not open this gift now but will wait until I get home with my family.

"I don't know what to say at this time, except that when I first came out here to assume my duties as presiding officer of the Senate, it was with considerable fear and trembling that I came because I had always figured that the Senators here were quite strict and that they were certainly strict on rules. Believe it or not, after my election last fall, I stayed at home evenings and studied up on this book of rules and tried to learn it by heart but it was impossible. Since I have come here, however, I have found out the fine treatment that you

have given me, and the fine cooperation. I can honestly say to you that these sixty days have been the finest days of my life.

"It is a real experience to come out here. I recall the first day I was here when I appealed to you that we all think of the times we are living in and that we make every effort to work in harmony for the best interests of the people of North Dakota and the country of which we are a part—and I can say that this has been your aim and purpose. The discussions carried on, were all with that end in view, and I shall leave with fond recollections and pleasant memories. It has been an education for me to be your presiding officer. As I go down to represent the Governor at the conference in Minneapolis tomorrow, I know that I take with me the best wishes of you here and I will always have in my heart the good memories of this fine assembly of real representative citizens of North Dakota. I say to you—'Good luck to you in your final deliberations and may we soon be privileged to join with the other united nations of the world to say God bless the peace that is ours, and ours to save at all times.' I thank you."

Senator Bond moved that the remarks of Senator Braun (the Senator from the Garden of Eden) be printed in the Journal, which motion prevailed.

Senator Nordhougen moved that the remarks of Lieutenant Governor Holt be printed in the Journal, which motion prevailed.

Lieutenant Governor Holt: "I want to call Senator Brunsdale to the Chair to take over for me at this time. There is one more word I would like to add. I want to especially express my appreciation to Senator Brunsdale, the President Pro Tem of the Senate. He has certainly been a tower of strength in giving me assistance up here and I appreciate sincerely the good work he has done for me. I am going to turn the Chair over to you now, Senator Brunsdale.

Senator Brunsdale moved that the Senate rescind it's action taken yesterday on the motion of Senator Wog on page 767 of the Journal on the report of the Committee on Highways on House Bill No. 50, which motion prevailed.

Senator Kehoe moved that the Senate suspend the rules and adopt the committee report of the Committee on Highways on House Bill No. 50, which motion prevailed.

Senator Watt moved that the President appoint the same Conference Committee composed of Watt, Morgan of Walsh, and Streibel, to meet with a like committee from the House on House Bill No. 110, as the House has refused to adopt the Conference Committee on same, which motion prevailed.

MESSAGE FROM THE HOUSE

House of Representatives,
Bismarck, March 5, 1943

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.

Senator Young moved that the Senate do now adjourn, which motion prevailed and the Senate stood adjourned.

W. J. TROUT, Secretary.

SIXTIETH DAY

Bismarck, March 5, 1943

The Senate convened at 2:00 p. m., with the President presiding.

Prayer by the chaplain, Rev. Reuben R. Strutz.

Roll call: All Senators present.

The Committee on Revision and Correction of the Journal made the following report:

Mr. President: Your Committee on Revision and Correction of the Journal have carefully examined the Journal of the Fifty-eighth Day After Recess and Fifty-ninth Day and recommend that the same be corrected as follows:

Page 777, change paragraphs 1 and 2, to read as follows:

Senator Brant moved that the rules be suspended and that House Concurrent Resolution "1-I" be adopted.

And

Senator Streibel moved that the rules be suspended and that House Concurrent Resolution "1-J" be adopted.

And when so corrected recommend that the same be approved.

ORRIS G. NORDHOUGEN, Chairman.

Senator Nordhougen moved that the report be adopted, which motion prevailed and the report was adopted.

COMMUNICATION

State of North Dakota

OFFICE OF THE GOVERNOR

To the Senate of the State of North Dakota:

This is to notify you that I have today approved the following Senate Bill:

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.

And the same has been filed with the Secretary of State.

JOHN MOSES, Governor.

REPORTS OF STANDING COMMITTEES

The Committee on Enrollment and Engrossment made the following report:

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that:

Senate Bill No. 11.
 Senate Bill No. 13.
 Senate Bill No. 14.
 Senate Bill No. 34.
 Senate Bill No. 39.
 Senate Bill No. 46.
 Senate Bill No. 50.
 Senate Bill No. 54.
 Senate Bill No. 62.
 Senate Bill No. 69.

Senate Bill No. 79.
 Senate Bill No. 80.
 Senate Bill No. 85.
 Senate Bill No. 86.
 Senate Bill No. 87.
 Senate Bill No. 88.
 Senate Bill No. 89.
 Senate Bill No. 90.
 Senate Bill No. 116.
 Senate Bill No. 132.
 Senate Bill No. 137.
 Senate Bill No. 147.
 Senate Bill No. 157.

Were delivered to the Governor for his approval at the hour of 1:45 o'clock p. m., March 4, 1943.

W. R. BOND, Chairman.

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that:

Senate Concurrent Resolution "N."
 Senate Concurrent Resolution "T."
 Senate Concurrent Resolution "1-F."

Were delivered to the Secretary of State at the hour of 1:40 o'clock p. m., March 4, 1943.

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following resolution:

Senate Concurrent Resolution "1-I."

And find the same correctly Engrossed.

W. R. BOND, Chairman.

Senator Bond moved that the report be adopted, which motion prevailed, and the report was adopted.

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

Senate Bill No. 109.
 Senate Bill No. 111.
 Senate Bill No. 146.
 Senate Bill No. 161.
 Senate Bill No. 184.
 Senate Bill No. 187.

And find the same correctly Enrolled.

W. R. BOND, Chairman.

Senator Bond moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bills and resolutions:

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. 200.
 Senate Bill No. 205.
 Senate Joint Memorial Resolution "A."
 Senate Concurrent Resolution "Q."
 Senate Concurrent Resolution "S."
 Senate Concurrent Resolution "R."
 Senate Bill No. 204.

And find the same correctly Enrolled.

W. R. BOND, Chairman.

Senator Bond moved that the report be adopted, which motion prevailed, and the report was adopted.

Mr. President: Your Committee on Enrollment and En-grossment respectfully report that they have examined the following bills:

Senate Bill No. 103.
 Senate Bill No. 156.
 Senate Bill No. 171.
 Senate Bill No. 172.
 Senate Bill No. 180.
 Senate Bill No. 206.

And find the same correctly Enrolled.

W. R. BOND, Chairman.

Senator Bond moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on State Affairs to whom was referred House Bill No. 76, have had the same under consideration and recommend that the rules be suspended and that the same be indefinitely postponed.

J. B. BRIDSTON, Chairman.

Senator Bridston moved that the report be adopted, which motion prevailed and the report was adopted.

MESSAGES TO THE HOUSE

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 and Morgan of Walsh.

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 the title of House Bill No. 84 and returns the same herewith.

Very respectfully,

W. J. TROUT, Secretary.

MESSAGES FROM THE HOUSE

House of Representatives
Bismarck, March 5, 1943

Mr. President: I have the honor to return Senate Bill No. 174 which the House has indefinitely postponed.

In a former message this bill was sent you and messaged as passed by the House.

W. M. SMART, Chief Clerk.
House of Representatives
Bismarck, March 5, 1943

Mr. President: I have the honor to return:

Senate Bill No. 117.

Senate Bill No. 163.

Senate Bill No. 178.

Which the House has indefinitely postponed.

W. M. SMART, Chief Clerk.

REPORTS OF SELECT COMMITTEES

The Conference Committee on House Bill No. 28 made the following report:

Mr. President: Your Conference Committee to whom was referred House Bill No. 28 have had the same under consideration and reports that the House does concur to the Senate amendments on House Bill No. 28.

For the Senate:

E. C. STUCKE
CARROLL E. DAY
W. J. BRAUN

For the House:

A. C. JOHNSON
W. T. LILLEHAUGEN
D. D. BLAIR

Senator Braun moved that the report be adopted, which motion prevailed and the report was adopted.

Senator Braun moved that the rules be suspended and House Bill No. 28 be 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 Appropriation for the Purpose of Defraying the Expenses of the Maintenance and Operation of the Workmen's Compensation Bureau.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended by Conference Report, the roll was called and there were ayes, 49; nays, 0; absent and not voting, 0.

Those voting in the affirmative were:

Adam	Hoenck	Olson, McHenry
Beaton	Kamrath	Olson, Mountrail
Bilden	Kehoe	Page

Blank	Lavik	Porter
Bond	Lofthus	Raschko
Brant	Lynch	Rue
Braun	Morgan, Walsh	Schrock
Bridston	Morgan, Richland	Semerad
Brunsdale	Nelson, Dickey	Solberg
Day	Nelson, Griggs-	Streibel
Drew	Steele	Stucke
Feton	Nelson, McKenzie	Thatcher
Flatt	Nelson, Renville	Troxel
Foss	Nordhogen	Watt
Ginter	O'Brien	Wog
Greiser	Oksendahl	Young
Guenther	Olson, Barnes	

So the bill passed and the title was agreed to.

The Conference Committee on House Bill No. 189 made the following report:

Mr. Speaker: Your Conference Committee to whom was referred House Bill No. 189 have had the same under consideration and recommend that the Senate recedes 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 the 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 Senate:
 SENATOR PAGE
 SENATOR NELSON of
 McKenzie
 SENATOR FLATT

For the House:
 REP. HAUGLAND
 REP. SANDNESS
 REP. FORSETH

Senator Flatt moved that the report be adopted, which motion prevailed and the report was adopted.

The Conference Committee on House Bill No. 244 made the following report:

Mr. President: 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 Senate:

MILTON RUE
CARROLL E. DAY
WM. A. THATCHER

For the House:

L. L. TWICHELL
WALTER BUBEL
H. W. McINNES

Senator Rue moved that the report be adopted, which motion prevailed and the report was adopted.

MESSAGE FROM THE HOUSE

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.

MESSAGES TO THE HOUSE

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.

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. 244.

Very respectfully,
W. J. TROUT, Secretary.

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 by the Conference Committee, the roll was called and there were ayes, 36; nays, 12; absent and not voting, 1.

Those voting in the affirmative were:

Adam	Ginter	O'Brien
Beaton	Greiser	Oksendahl
Bilden	Guenther	Olson, Barnes
Blank	Hoenck	Olson, Mountrail
Brant	Kamrath	Schrock
Braun	Lavik	Semerad
Bridston	Lofthus	Solberg
Brunsdale	Lynch	Streibel
Day	Morgan, Walsh	Stucke
Drew	Nelson, Dickey	Thatcher
Feton	Nelson, McKenzie	Wog
Foss	Nordhougen	Young

Those voting in the negative were:

Bond	Nelson, Renville	Rue
Flatt	Olson, McHenry	Troxel
Kehoe	Page	Watt
Morgan, Richland	Porter	
Nelson, Griggs- Steele		

Absent and not voting:

Raschko

So the bill passed and the title was agreed to.

Senator Flatt 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.

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 by the Conference Committee, the roll was called and there were ayes, 48; nays, 0; absent and not voting, 1.

Those voting in the affirmative were:

Adam	Hoenck	Olson, Barnes
Beaton	Kamrath	Olson, McHenry
Bilden	Kehoe	Olson, Mountrail
Blank	Lavik	Page
Bond	Lofthus	Porter
Brant	Lynch	Rue
Braun	Morgan, Walsh	Schrock
Bridston	Morgan, Richland	Semerad
Brunsdale	Nelson, Dickey	Solberg
Day	Nelson, Griggs- Steele	Streibel
Drew		Stucke
Feton	Nelson, McKenzie	Thatcher
Flatt	Nelson, Renville	Troxel
Foss	Nordhougen	Watt
Ginter	O'Brien	Wog
Greiser	Oksendahl	Young
Guenther		

Absent and not voting:

Raschko

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

Senator O'Brien moved that the President appoint a Con-

ference Committee to meet with a like Committee from the House on Senate Bill No. 68, which motion prevailed.

And the President appointed as such committee, Senators O'Brien, Ginter and Wog.

Senator Rue moved that the Senate do concur in the House amendments to Senate Bill No. 1, which motion prevailed.

Senator Flatt moved that the rules be suspended and Senate Bill No. 1 be placed on second reading and final passage, as amended, which motion prevailed.

SECOND 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.

Which had been read.

ROLL CALL

The question being on the final passage of the bill, as amended by the House, the roll was called and there were ayes, 48; nays, 0; absent and not voting, 1.

Those voting in the affirmative were:

Adam	Hoenck	Olson, McHenry
Beaton	Kamrath	Olson, Mountrail
Bilden	Kehoe	Page
Blank	Lavik	Porter
Bond	Lofthus	Raschko
Brant	Lynch	Rue
Braun	Morgan, Richland	Schrock
Bridston	Nelson, Dickey	Semerad
Brunsdale	Nelson, Griggs-	Solberg
Day	Steele	Streibel
Drew	Nelson, McKenzie	Stucke
Feton	Nelson, Renville	Thatcher
Flatt	Nordhogen	Troxel
Foss	O'Brien	Watt
Ginter	Oksendahl	Wog
Greiser	Olson, Barnes	Young
Guenther		

Absent and not voting:

Morgan, Walsh

So the bill passed and the title was agreed to.

Senator Porter moved that the vote by which Senate Bill No. 1 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senator Braun requested that the Senate be on the eighth order of business, which request was granted.

Senator Braun moved that House Concurrent Resolution "1-L" be placed at the head of the calendar, which motion prevailed.

SECOND READING OF SENATE RESOLUTION

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.
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, 31; nays, 17; absent and not voting, 1.

Those voting in the affirmative were:

Bond	Hoencck	Page
Brant	Kehoe	Porter
Braun	Lavik	Raschko
Bridston	Lofthus	Rue
Brunsdale	Morgan, Walsh	Semerad
Day	Morgan, Richland	Solberg
Drew	Nelson, Griggs-	Troxel
Feton	Steele	Watt
Flatt	O'Brien	Wog
Foss	Oksendahl	Young
Guenther	Olson, Barnes	

Those voting in the negative were:

Adam	Lynch	Olson, Mountrail
Beaton	Nelson, Dickey	Schrock
Blank	Nelson, McKenzie	Streibel
Ginter	Nelson, Renville	Stucke
Greiser	Nordhogen	Thatcher
Kamrath	Olson, McHenry	

Absent and not voting:

Bilden

So the resolution was declared adopted.

Senator Flatt moved that the vote by which Senate Concurrent Resolution "1-L" was adopted be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senator Olson of Mountrail: "Mr. President, I want to explain my vote. This is just another \$450.00 of taxpayers' money going down a rat hole—another useless investigation that has come to nothing just to satisfy certain individuals. I vote 'No'."

Senator Wog moved that the Senate do concur in the House amendments to Senate Bill No. 192.

Senator Streibel made a substitute motion that further consideration of Senate Bill No. 192 be laid on the table.

Senator Streibel requested a roll call which was granted.

ROLL CALL

The question being on the motion of Senator Streibel that further consideration of Senate Bill No. 192 be laid on the table, the roll was called and there were ayes, 21; nays, 25; absent and not voting, 3.

Those voting in the affirmative were:

Adam	Lynch	Rue
Beaton	Nelson, McKenzie	Semerad
Bond	Nelson, Renville	Streibel
Brunsdale	Nordhogen	Stucke
Foss	Olson, Barnes	Thatcher
Greiser	Olson, Mountrail	Troxel
Kamrath	Olson, McHenry	Watt

Those voting in the negative were:

Blank	Hoencck	O'Brien
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Brant	Kehoe	Oksendahl
Braun	Lavik	Page
Day	Lofthus	Raschko
Drew	Morgan, Walsh	Schrock
Feton	Morgan, Richland	Solberg
Flatt	Nelson, Dickey	Wog
Ginter	Nelson, Griggs-	Young
Guenther	Steele	

Absent and not voting:

Bilden	Bridston	Porter
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So the motion was declared lost.

The question now being on the motion of Senator Wog that the Senate do concur in the amendments to Senate Bill No. 192, the motion was put and declared carried.

Senator Wog moved that the rules be suspended and that Senate Bill No. 192 be considered properly re-engrossed and placed on second reading and final passage, as amended by the House, which motion prevailed.

SECOND READING OF SENATE BILLS

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.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended by the House, the roll was called and there were ayes, 22; nays, 25; absent and not voting, 2.

Those voting in the affirmative were:

Blank	Guenther	Nelson, Griggs-
Brant	Hoencck	Steele
Braun	Kehoe	O'Brien
Bridston	Lavik	Oksendahl
Day	Lofthus	Raschko
Drew	Morgan, Walsh	Solberg
Flatt	Morgan, Richland	Young
Ginter	Nelson, Dickey	

Those voting in the negative were:

Adam	Nelson, McKenzie	Schrock
Beaton	Nelson, Renville	Semerad
Bond	Nordhougen	Streibel
Brunsdale	Olson, Barnes	Stucke
Feton	Olson, McHenry	Thatcher
Foss	Olson, Mountrail	Troxel
Greiser	Page	Watt

Kamrath Rue Wog
 Lynch
 Absent and not voting:
 Bilden Porter
 So the bill was declared lost.

MESSAGE FROM THE HOUSE

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.

Senator Watt moved that the Senate do concur in the House amendments to Senate Bill No. 5, which motion prevailed.

Senator Watt moved that the rules be suspended and that Senate Bill No. 5 be considered properly re-engrossed, as amended by the House, and placed on Second Reading and Final Passage, 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.

Which had ben read.

ROLL CALL

The question being on the final passage of the bill, as amended by the House, the roll was called and there were ayes, 46; nays, 0; absent and not voting, 3.

Those voting in the affirmative were:

Adam	Hoencck	Olson, McHenry
Beaton	Kamrath	Olson, Mountrail
Bilden	Kehoe	Page
Blank	Lavik	Porter
Bond	Lofthus	Raschko
Brant	Lynch	Rue
Braun	Morgan, Walsh	Schrock
Brunsdale	Morgan, Richland	Semerad
Day	Nelson, Dickey	Solberg
Drew	Nelson, Griggs-	Stucke
Feton	Steele	Thatcher
Flatt	Nelson, McKenzie	Troxel
Foss	Nelson, Renville	Watt
Ginter	O'Brien	Wog
Greiser	Oksendahl	Young
Guenther	Olson, Barnes	

Absent and not voting:

Bridston Nordhougen Streibel

Si the bill passed and the title was agreed to.

Senator Brant moved that the vote by which Senate Bill No. 5 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senator Morgan of Richland moved that the Senate do concur in the House amendments to Senate Bill No. 56, which motion prevailed.

Senator Morgan of Richland moved that the rules be suspended and that Senate Bill No. 56 be considered properly re-

engrossed, as amended by the House, and placed on Second Reading and Final Passage, which motion prevailed.

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 had been read.

ROLL CALL

The question being on the final passage of the bill, as amended by the House, the roll was called and there were ayes, 48; nays, 0; absent and not voting, 1.

Those voting in the affirmative were:

Adam	Kamrath	Olson, McHenry
Beaton	Kehoe	Olson, Mountrail
Bilden	Lavik	Page
Blank	Lofthus	Porter
Brant	Lynch	Raschko
Braun	Morgan, Walsh	Rue
Bridston	Morgan, Richland	Schrock
Brunsdale	Nelson, Dickey	Semerad
Day	Nelson, Griggs-	Solberg
Drew	Steele	Streibel
Feton	Nelson, McKenzie	Stucke
Flatt	Nelson, Renville	Thatcher
Foss	Nordhogen	Troxel
Ginter	O'Brien	Watt
Greiser	Oksendahl	Wog
Guenther	Olson, Barnes	Young
Hoeneck		

Absent and not voting:

Bond

So the bill passed and the title was agreed to.

Senator Semerad 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.

Senator Watt moved that the Senate do concur in the House amendments to Senate Bill No. 12, which motion prevailed.

Senator Flatt moved that the rules be suspended and that Senate Bill No. 12 be considered properly re-engrossed, as amended by the House, and placed on Second Reading and Final Passage, which motion prevailed.

Senate Bill No. 12. A Bill for an Act Making an Appropriation for Administration and Expenses for the Liquor Control Act.

Which had been read.

ROLL CALL

The question being on the final passage of the bill, as

amended by the House, the roll was called and there were ayes, 48; nays, 0; absent and not voting, 1.

Those voting in the affirmative were:

Adam	Kamrath	Olson, McHenry
Beaton	Kehoe	Olson, Mountrail
Bilden	Lavik	Page
Blank	Lofthus	Porter
Bond	Lynch	Raschko
Brant	Morgan, Walsh	Rue
Braun	Morgan, Richland	Schrock
Bridston	Nelson, Dickey	Semerad
Brunsdale	Nelson, Griggs-	Solberg
Drew	Steele	Streibel
Feton	Nelson, McKenzie	Stucke
Flatt	Nelson, Renville	Thatcher
Foss	Nordhousen	Troxel
Ginter	O'Brien	Watt
Greiser	Oksendahl	Wog
Guenther	Olson, Barnes	Young
Hoencck		

Absent and not voting:

Day

So the bill passed and the title was agreed to.

Senator Morgan of Richland moved that the vote by which Senate Bill No. 12 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senator Morgan of Richland moved that the Senate do concur in the House amendments to Senate Bill No. 55, which motion prevailed.

Senator Morgan of Richland moved that the rules be suspended and that Senate Bill No. 55 be considered properly re-encrossed, as amended by the House, and placed on Second Reading and Final Passage, which motion prevailed.

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.

Which had been read.

ROLL CALL

The question being on the final passage of the bill, as amended by the House, the roll was called and there were ayes, 48; nays, 0; absent and not voting, 1.

Those voting in the affirmative were:

Adam	Kamrath	Olson, McHenry
Beaton	Kehoe	Olson, Mountrail
Bilden	Lavik	Page
Blank	Lofthus	Porter
Bond	Lynch	Raschko
Brant	Morgan, Walsh	Rue
Braun	Morgan, Richland	Schrock
Bridston	Nelson, Dickey	Semerad
Brunsdale	Nelson, Griggs-	Solberg
Drew	Steele	Streibel
Feton	Nelson, McKenzie	Stucke

Flatt	Nelson, Renville	Thatcher
Foss	Nordhougen	Troxel
Ginter	O'Brien	Watt
Greiser	Oksendahl	Wog
Guenther	Olson, Barnes	Young
Hoенck		

Absent and not voting:

Day

So the bill passed and the title was agreed to and the emergency clause was declared carried.

Senator Semerad moved that the vote by which Senate Bill No. 55 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senator Nordhougen moved that the Senate do concur in the House amendments to Senate Bill No. 175, which motion prevailed.

Senator Nordhougen moved that the rules be suspended and that Senate Bill No. 175 be considered properly re-engrossed, as amended by the House, and placed on Second Reading and Final Passage, which motion prevailed.

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.

Which had been read.

ROLL CALL

The question being on the final passage of the bill, as amended by the House, the roll was called and there were ayes, 48; nays, 0; absent and not voting, 1.

Those voting in the affirmative were:

Adam	Kamrath	Olson, McHenry
Beaton	Kehoe	Olson, Mountrail
Bilden	Lavik	Page
Blank	Lofthus	Porter
Bond	Lynch	Raschko
Brant	Morgan, Walsh	Rue
Braun	Morgan, Richland	Schrock
Bridston	Nelson, Dickey	Semerad
Brunsdale	Nelson, Griggs-	Solberg
Drew	Steele	Streibel
Feton	Nelson, McKenzie	Stucke
Flatt	Nelson, Renville	Thatcher
Foss	Nordhougen	Troxel
Ginter	O'Brien	Watt
Greiser	Oksendahl	Wog
Guenther	Olson, Barnes	Young
Hoенck		

Absent and not voting:

Day

So the bill passed and the title was agreed to.

Senator Porter moved that the vote by which Senate Bill No. 175 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senator Morgan of Walsh moved that the Senate do concur in the House amendments to Senate Bill No. 19, which motion prevailed.

Senator Morgan of Walsh moved that the rules be suspended and that Senate Bill No. 19 be considered properly

re-engrossed, as amended by the House, and placed on second reading and final passage, which motion prevailed.

Senate Bill No. 19. A Bill for an Act Making an Appropriation for Salaries and Expenses for the State Seed Department.

Which had been read.

ROLL CALL

The question being on the final passage of the bill, as amended by the House, the roll was called and there were ayes, 46; nays, 0; absent and not voting, 3.

Those voting in the affirmative were:

Adam	Kamrath	Olson, Mountrail
Beaton	Kehoe	Page
Bilden	Lavik	Porter
Blank	Lofthus	Raschko
Bond	Lynch	Rue
Brant	Morgan, Walsh	Schrock
Braun	Morgan, Richland	Semerad
Brunsdale	Nelson, Griggs-	Solberg
Drew	Steele	Streibel
Feton	Nelson, McKenzie	Stucke
Flatt	Nelson, Renville	Thatcher
Foss	Nordhougen	Troxel
Ginter	O'Brien	Watt
Greiser	Oksendahl	Wog
Guenther	Olson, Barnes	Young
Hoencck	Olson, McHenry	

Absent and not voting:

Bridston	Day	Nelson, Dickey
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So the bill passed and the title was agreed to.

Senator Solberg moved that the vote by which Senate Bill No. 19 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

MESSAGES TO THE HOUSE

Senate Chamber
Bismarck, March 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.
 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 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.

Senator Young moved that the Senate be on the twelfth order of business for the purpose of cleaning the calendar, 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.

Senator Kehoe moved that House Bill No. 50 be amended as follows:

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.

Which motion prevailed.

Senator Kehoe moved that the rules be suspended and that House Bill No. 50 be considered properly re-engrossed and placed on Second Reading and Final Passage, as amended, which motion prevailed.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 41; nays, 1; absent and not voting, 7.

Those voting in the affirmative were:

Adam	Hoenck	Porter
Beaton	Kamrath	Raschko
Bilden	Kehoe	Rue
Blank	Lavik	Schrock
Bond	Lofthus	Semerad
Brant	Lynch	Solberg
Braun	Morgan, Walsh	Streibel
Brunsdale	Morgan, Richland	Stucke
Drew	Nelson, McKenzie	Thatcher
Feton	Nordhogen	Troxel
Flatt	Oksendahl	Watt
Foss	Olson, Barnes	Wog
Greiser	Olson, McHenry	Young
Guenther	Olson, Mountrail	

Those voting in the negative were:

Ginter

Absent and not voting:

Bridgston	Nelson, Griggs-	O'Brien
Day	Steele	Page
Nelson, Dickey	Nelson, Renville	

So the bill passed and the title was agreed to and the emergency clause was declared carried.

Senator Kehoe 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. 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.

Senator Brant moved that House Bill No. 91 be placed at the foot of the calendar, which motion prevailed.

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.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 43; nays, 1; absent and not voting, 5.

Those voting in the affirmative were:

Adam	Kamrath	Page
Beaton	Kehoe	Porter
Bilden	Lavik	Raschko
Blank	Lofthus	Rue
Bond	Lynch	Schrock
Brant	Morgan, Walsh	Semerad
Braun	Morgan, Richland	Solberg
Brunsdale	Nelson, McKenzie	Streibel
Drew	Nordhougen	Stucke
Feton	O'Brien	Thatcher
Flatt	Oksendahl	Troxel
Ginter	Olson, Barnes	Watt
Greiser	Olson, McHenry	Wog
Guenther	Olson, Mountrail	Young

Those voting in the negative were:

Nelson, Griggs-
Steele

Absent and not voting:

Bridston	Foss	Nelson, Renville
Day	Nelson, Dickey	

So the bill passed and the title was agreed to.

Senator Nelson of McKenzie moved that the vote by which House Bill No. 65 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

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.

Senator Watt moved that House Bill No. 160 be amended as follows:

In line 14 of the printed bill, change the words and figures "one hundred eighty (180)" to "thirty (30)", which motion was declared lost on a voice vote.

Senator Watt moved that House Bill No. 160 be amended as follows: In line 14 of the printed bill, change the words and figures "one hundred eighty (180)" to "ninety (90)", which motion was declared carried on a voice vote.

Senator O'Brien moved that further consideration of House Bill No. 160 be laid on the table, which motion prevailed.

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, 32; nays, 12; absent and not voting, 5.

Those voting in the affirmative were:

Beaton	Kehoe	Raschko
Blank	Lavik	Rue
Brant	Lynch	Schrock
Bridston	Morgan, Walsh	Semerad
Brunsdale	Morgan, Richland	Streibel
Day	O'Brien	Stucke
Feton	Oksendahl	Thatcher
Flatt	Olson, McHenry	Troxel
Guenther	Olson, Mountrail	Wog
Hoenck	Page	Young
Kamrath	Porter	

Those voting in the negative were:

Adam	Foss	Nelson, McKenzie
Bond	Ginter	Nelson, Renville
Braun	Greiser	Olson, Barnes
Drew	Lofthus	Watt

Absent and not voting:

Bilden	Nelson, Griggs-	Nordhougen
Nelson, Dickey	Steele	Solberg

So the bill passed and the title was agreed to.

Senator Kehoe: "Mr. President, I vote 'Aye' for the purpose of reconsideration."

Senator Young moved that the Senate do now recess until 8:00 p. m., which motion prevailed and the Senate stood recessed.

The Senate re-convened at 8:00 P. M., pursuant to the motion of Senator Young, with President Pro Tem Brunsdale presiding.

The presiding officer announced that the Senate would be

on the twelfth order of business for the purpose of second reading of House bills.

Senator Page requested that the Senate be on the eighth order of business, which request was granted.

Senator Page moved that the President appoint a Conference Committee to meet with a like committee from the House on House Bill No. 119, which motion prevailed and the President appointed as such committee Senators Page, Lofthus and Thatcher.

Senator Day moved that the Senate do concur in the House amendments to Senate Bill No. 209, which motion prevailed.

Senator Day moved that the rules be suspended and that Senate Bill No. 209 be considered properly re-engrossed, as amended by the House, and placed on Second Reading and Final Passage, which motion prevailed.

SECOND READING OF SENATE BILLS

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

ROLL CALL

The question being on the final passage of the bill, as amended by the House, the roll was called and there were ayes, 41; nays, 0; absent and not voting, 8.

Those voting in the affirmative were:

Adam	Hoencck	Olson, McHenry
Beaton	Kamrath	Olson, Mountrail
Bilden	Kehoe	Page
Blank	Lavik	Porter
Bond	Lofthus	Raschko
Brant	Lynch	Rue
Brunsdale	Morgan, Walsh	Schrock
Day	Morgan, Richland	Solberg
Drew	Nelson, Griggs-	Streibel
Feton	Steele	Thatcher
Flatt	Nelson, McKenzie	Troxel
Foss	O'Brien	Watt
Ginter	Oksendahl	Wog
Greiser	Olson, Barnes	Young

Absent and not voting:

Braun	Nelson, Dickey	Semerad
Bridston	Nelson, Renville	Stucke
Guenther	Nordhogen	

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

Senator Day moved that the vote by which Senate Bill No. 209 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senator Watt moved that the Senate do concur in the House amendments to Senate Bill No. 20, which motion prevailed.

Senator Watt moved that the rules be suspended and that Senate Bill No. 20 be considered properly re-engrossed, as amended by the House, and placed on Second Reading and Final Passage, which motion prevailed.

Senate Bill No. 20. A Bill for an Act Making an Appro-

priation 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 second time.

ROLL CALL

The question being on the final passage of the bill, as amended by the House, the roll was called and there were ayes, 43; nays, 0; absent and not voting, 6.

Those voting in the affirmative were:

Adam	Greiser	Olson, McHenry
Beaton	Hoencck	Olson, Mountrail
Bilden	Kamrath	Page
Blank	Kehoe	Porter
Bond	Lavik	Raschko
Brant	Lofthus	Rue
Braun	Lynch	Schrock
Bridston	Morgan, Walsh	Solberg
Brunsdale	Morgan, Richland	Streibel
Day	Nelson, Griggs-	Stucke
Drew	Steele	Troxel
Feton	Nelson, McKenzie	Watt
Flatt	O'Brien	Wog
Foss	Oksendahl	Young
Ginter	Olson, Barnes	

Absent and not voting:

Guenther	Nelson, Renville	Semerad
Nelson, Dickey	Nordhougen	Thatcher

So the bill passed and the title was agreed to.

Senator Flatt moved that the vote by which Senate Bill No. 20 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senator Watt moved that the Senate do concur in the House amendments to Senate Bill No. 21, which motion prevailed.

Senator Watt moved that the rules be suspended and that Senate Bill No. 21 be considered properly re-engrossed, as amended by the House, and placed on Second Reading and Final Passage, which motion prevailed.

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 by the House, the roll was called and there were ayes, 46; nays, 0; absent and not voting, 3.

Those voting in the affirmative were:

Adam	Hoencck	Olson, Mountrail
Beaton	Kamrath	Page
Bilden	Kehoe	Porter
Blank	Lavik	Raschko
Bond	Lofthus	Rue
Brant	Lynch	Schrock
Braun	Morgan, Walsh	Semerad
Bridston	Morgan, Richland	Solberg
Brunsdale	Nelson, Griggs-	Streibel
Day	Steele	Stucke

Drew	Nelson, Renville	Thatcher
Feton	Nelson, McKenzie	Troxel
Flatt	O'Brien	Watt
Foss	Oksendahl	Wog
Ginter	Olson, Barnes	Young
Greiser	Olson, McHenry	

Absent and not voting:

Guenther	Nelson, Dickey	Nordhousen
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So the bill passed and the title was agreed to.

Senator Porter 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.

Senator Watt moved that the Senate do concur in the House amendments to Senate Bill No. 22, which motion prevailed.

Senator Watt moved that the rules be suspended and that Senate Bill No. 22 be considered properly re-engrossed, as amended by the House, and placed on Second Reading and Final Passage, 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 by the House, the roll was called and there were ayes, 46; nays, 0; absent and not voting, 3.

Those voting in the affirmative were:

Adam	Hoenck	Olson, Mountrail
Beaton	Kamrath	Page
Bilden	Kehoe	Porter
Blank	Lavik	Raschko
Bond	Lofthus	Rue
Brant	Lynch	Schrock
Braun	Morgan, Walsh	Semerad
Bridston	Nelson, Griggs-	Solberg
Brunsdale	Steele	Streibel
Day	Nelson, McKenzie	Stucke
Drew	Nelson, Renville	Thatcher
Feton	Nordhousen	Troxel
Flatt	O'Brien	Watt
Foss	Oksendahl	Wog
Ginter	Olson, Barnes	Young
Greiser	Olson, McHenry	

Absent and not voting:

Guenther	Morgan, Richland	Nelson, Dickey
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So the bill passed and the title was agreed to.

Senator Day 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.

Senator Braun moved that the Conference Committee on House Bill No. 28 be discharged, which motion prevailed.

Senator Young moved that the Senate do concur in the House amendments to Senate Bill No. 110, which motion prevailed.

Senator Young moved that the rules be suspended and

that Senate Bill No. 110 be considered properly re-engrossed, as amended by the House, and placed on Second Reading and Final Passage, which motion prevailed.

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 by the House, the roll was called and there were ayes, 42; nays, 0; absent and not voting, 7.

Those voting in the affirmative were:

Adam	Greiser	Olson, Barnes
Beaton	Hoenck	Olson, McHenry
Bilden	Kamrath	Olson, Mountrail
Blank	Kehoe	Page
Bond	Lavik	Porter
Brant	Lofthus	Raschko
Braun	Lynch	Rue
Bridston	Morgan, Richland	Schrock
Brunsdale	Nelson, Griggs-	Semerad
Day	Steele	Solberg
Drew	Nelson, McKenzie	Stucke
Feton	Nordhougen	Thatcher
Flatt	O'Brien	Troxel
Foss	Oksendahl	Young

Ginter

Absent and not voting:

Guenther	Nelson, Renville	Watt
Morgan, Walsh	Streibel	Wog
Nelson, Dickey		

So the bill passed and the title was agreed to.

Senator Young 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.

MESSAGES FROM THE HOUSE

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, as follows:

W. M. SMART, Chief Clerk.

Amendments to Senate Bill No. 122.

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, "accepted appraiser, appraisal company or one of the Members of such Board."

In line 186 after the word, "dispute" insert the following sentence, "that 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 this 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 ninetieth day succeeding the last day of the next session of the Legislature draw a warrant upon the State Treasurer against any fund appropriated 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."

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 Providing for an Increased Rate of Pay Schedule for Employees of the Twenty-eighth Legislative Assembly and Making an Appropriation Therefor.

House Resolution "1-N."

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 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 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.
 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.
 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.

Senator Day moved that the Sergeant-at-Arms be instructed to remove the House members in our corridors, and that the Sergeant-at-Arms be instructed to allow all the ladies and lobbyists to enter our corridor but not to permit any members of the House, admittance, unless he shows that he has been appointed on a conference Committee and indicates a desire to be conciliatory, and that the House members be permitted to sit in the Senate gallery, if they have their coats on.

Which motion was ruled out of order by the presiding officer.

Senator Young moved that the Senate do concur in the House amendments to Senate Bill No. 112, which motion prevailed.

Senator Young moved that the rules be suspended and Senate Bill No. 112 be placed on Second Reading and Final Passage, as amended by the House, which motion prevailed.

SECOND READING OF SENATE BILLS

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 by the House, the roll was called and there were ayes, 43; nays, 0; absent and not voting, 6.

Those voting in the affirmative were:

Adam	Greiser	Olson, McHenry
Beaton	Hoencck	Olson, Mountrail
Bilden	Kamrath	Page
Blank	Kehoe	Porter
Bond	Lavik	Raschko

Brant	Lofthus	Rue
Braun	Lynch	Schrock
Bridston	Morgan, Richland	Semerad
Brunsdale	Nelson, Griggs-	Solberg
Day	Steele	Stucke
Drew	Nelson, McKenzie	Thatcher
Feton	Nordhousen	Troxel
Flatt	O'Brien	Wog
Foss	Oksendahl	Young
Ginter	Olson, Barnes	

Absent and not voting:

Guenther	Nelson, Dickey	Streibel
Morgan, Walsh	Nelson, Renville	Watt

So the bill passed and the title was agreed to.

Senator Young 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.

Senator Thatcher moved that the Senate do concur in the House amendments to Senate Bill No. 15, which motion prevailed.

Senator Thatcher moved that the rules be suspended and that Senate Bill No. 15 be considered properly re-engrossed, as amended by the House, and placed on Second Reading and Final Passage, 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 by the House, the roll was called and there were ayes, 42; nays, 0; absent and not voting, 7.

Those voting in the affirmative were:

Adam	Greiser	Olson, Barnes
Beaton	Hoencck	Olson, McHenry
Bilden	Kamrath	Olson, Mountrail
Blank	Kehoe	Porter
Bond	Lavik	Raschko
Brant	Lofthus	Rue
Braun	Lynch	Schrock
Bridston	Morgan, Richland	Semerad
Brunsdale	Nelson, Griggs-	Solberg
Day	Steele	Stucke
Drew	Nelson, McKenzie	Thatcher
Feton	Nordhousen	Troxel
Flatt	O'Brien	Wog
Foss	Oksendahl	Young
Ginter		

Absent and not voting:

Guenther	Nelson, Renville	Streibel
Morgan, Walsh	Page	Watt
Nelson, Dickey		

So the bill passed and the title was agreed to.

Senator Thatcher moved that the vote by which Senate Bill No. 15 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senator Thatcher moved that the Senate do concur in the

House amendments to Senate Bill No. 16, which motion prevailed.

Senator Thatcher moved that the rules be suspended and that Senate Bill No. 16 be considered properly re-engrossed, as amended by the House, and placed on Second Reading and Final Passage, which motion prevailed.

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 by the House, the roll was called and there were ayes, 44; nays, 0; absent and not voting, 5.

Those voting in the affirmative were:

Adam	Greiser	Olson, Barnes
Beaton	Guenther	Olson, McHenry
Bilden	Hoencck	Olson, Mountrail
Blank	Kamrath	Page
Bond	Kehoe	Porter
Brant	Lavik	Raschko
Braun	Lofthus	Rue
Bridston	Lynch	Schrock
Brunsdale	Morgan, Richland	Semerad
Day	Nelson, Griggs-	Solberg
Drew	Steele	Stucke
Feton	Nelson, McKenzie	Thatcher
Flatt	Nordhougen	Troxel
Foss	O'Brien	Wog
Ginter	Oksendahl	Young

Absent and not voting:

Morgan, Walsh	Nelson, Renville	Watt
Nelson, Dickey	Streibel	

So the bill passed and the title was agreed to.

Senator Flatt moved that the vote by which Senate Bill No. 16 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senator Page moved that the Senate do not concur in the House amendments to Senate Bill No. 122, which motion prevailed.

Senator Page moved that the President appoint a Conference Committee to meet with a like committee from the House on Senate Bill No. 122, which motion prevailed and the President appointed as such committee Senators Page, Solberg and Raschko.

Senator Kehoe moved that the Senate do not concur in the House amendments to Senate Bill No. 181, which motion prevailed.

Senator Kehoe moved that the President appoint a Conference Committee to meet with a like committee from the House on Senate Bill No. 181, which motion prevailed and the President appointed as such committee, Senators Stucke, Olson of Barnes and Kehoe.

MESSAGES TO THE HOUSE

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 Page, Solberg and Raschko.

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 Senate has concurred in the House amendment to Senate Bill No. 15.

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. 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. 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. 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. 20.

Very respectfully,
W. J. TROUT, Secretary.

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 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.

MESSAGE FROM THE HOUSE

House of Representatives

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.

Senator Wog moved that the vote by which Senate Bill No. 192 was lost be reconsidered.

A call of the Senate was demanded, and granted.

The roll was called and Senators Bilden, Bridston, Greiser, Morgan of Walsh, Nelson of Dickey, Nelson of McKenzie, Streibel and Watt were absent, and being notified by the Sergeant-at-Arms, returned to the Senate.

Senator Wog moved that the call of the Senate be dispensed with, which motion prevailed.

The question being on the motion of Senator Wog that the Senate reconsider the vote by which Senate bill No. 192 was lost, the motion was put and declared lost on a standing vote.

Senator Nordhaugen moved that the vote by which the motion to reconsider the action of the Senate on Senate Bill No. 192 was lost, be reconsidered and the motion to reconsider be laid on the table.

A roll call was requested, and granted.

ROLL CALL

The question being on the motion of Senator Nordhaugen that the vote by which the motion to reconsider the action of the Senate on Senate Bill No. 192 was lost be reconsidered and the motion to reconsider be laid on the table, the roll was called and there were: ayes, 26; nays, 23; absent and not voting, 0.

Those voting in the affirmative were:

Adam

Kamrath

Olson, Mountrail

Beaton	Lynch	Rue
Bilden	Nelson, Dickey	Schrock
Bond	Nelson, McKenzie	Semerad
Brunsdale	Nelson, Renville	Streibel
Feton	Nordhaugen	Stucke
Foss	Oksendahl	Thatcher
Ginter	Olson, Barnes	Troxel
Greiser	Olson, McHenry	
Those voting in the negative were:		
Blank	Hoenck	O'Brien
Brant	Kehoe	Page
Braun	Lavik	Porter
Bridston	Lofthus	Raschko
Day	Morgan, Walsh	Solberg
Drew	Morgan, Richland	Watt
Flatt	Nelson, Griggs-	Wog
Guenther	Steele	Young

So the motion of Senator Nordhaugen 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. 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.

Senator Flatt: "Mr. President: Last evening Senator Watt was honored at a dinner and presented with a traveling bag—some very becoming remarks were made at that time to remind him of this Senate body, and this afternoon we presented the Lieutenant Governor with a lifetime pen and pencil set, and he took the plane to Minneapolis. Now tonight, Senators, we have just an ordinary sort of people around—people who deserve some recognition.

As we sit on this side of the Senate Chamber we have a good view of that section on the other side of the chamber. I don't know what they call themselves but we on this side are proud of being the 'renegade section'. In the middle of that section over there sits Dr. Stucke. We always look upon Dr. Stucke as the wheelhorse of that section, but we have looked to him in that capacity for so long we are no longer interested. As he told me the other night, he doesn't care for any more publicity—he gets so much while he has been down here that it takes him all summer to get it out of his system! But we have one Senator over there who is always in his seat. 97½ times we vote on opposite sides. He told me the other night the only trouble with me is that I am ignorant—he votes right all the time! But nevertheless tonight, it is my pleasure, in behalf of the Senate body and the employees, to present Senator Streibel with a little present."

Senator Streibel: "Mr. President: Having worked in this body for four years, I am satisfied that my colleagues will not think too badly of me if I open this gift before saying 'Thank you'!

I am taken unaware and I don't know what to say, especially having to speak extemporaneously. I want you to know I am

very appreciative. I don't know why they picked on me, unless it is because I always voted wrong, but after all I think this is about all I can say—Thank you!"

Senator Morgan of Walsh: "Mr. President: It has always been the custom of this body, I think, to present the President Pro Tem with a little gift and to say a few kind words about him. I am here tonight to perform that very pleasant duty. Not because it is the custom, but because I think I speak the sentiment of every man in this body when I say that it has been a long time since the Senate of the State of North Dakota have had a more able, a more conscientious, or a fairer President Pro Tem than we have had this year. There is not a man in this body who has not, at some time this session, gone to the President Pro Tem for counsel and advice and whether he be of the other political faction or of the faction to which the President Pro Tem belongs, I believe that advise has always been fair and kind; and Senator Brunsdale, on behalf of the forty-eight Senators before you, I present this little token of our esteem and affection."

President Pro Tem Brunsdale: I have been in the Senate several sessions and strange as it may seem, I don't recall that the President Pro Tem was ever presented with any kind of a material tribute. I did have an idea that something like this was in the wind some time ago when Senator Raschko came around and wanted to know if I would not contribute a dollar towards getting a gift for some of those who were holding positions in the Senate. And as a surprise to him, I flashed a ten dollar bill and he couldn't change it, so he didn't get the dollar. Later he told me that he had made a mistake—he was not supposed to collect from the President Pro Tem. So I was not entirely surprised when this was brought up to me but I feel grateful to the Senate body for the gift given me and for the word you have expressed thru one of your members, Senator Morgan of Walsh.

I assure you that it has always been my aim to be fair and to deal justly with all men regardless of political factions or my feelings towards them and especially when I am acting in some official capacity. I know for example that one or two men came to me and asked if a suspension of rules requires a two-thirds vote and I said that I was sure it did. I was not at all alarmed when he used that rule against me—he was entitled to that and he had a perfect right to use it.

Speaking of the minority, in a democratic form of government, we must have it. If we didn't have a minority we would have no democratic form of government. That is illustrated in several countries of the world today. You see it in Germany under Hitler; you see it in Norway under Quisling, who is under Hitler—these countries have no minority, only a majority—they have no democracy. The same thing might happen in a legislative assembly. If we over-ride the minority in any way we are destroying the foundation of the minority, so I have not done anything that was not my duty when in every way I was willing to show fairness to both sides and I hope that I have done that. If I haven't, in any way it was not intentional, whether with the majority or the minority.

I didn't know anything about parliamentary law. I had never presided at any session of this kind. When I have been in the legislature before I was never asked to come up

here and I don't know what kind of a mess I have made. I felt as long as it was your wish that I be President Pro Tem I had better learn something about parliamentary law and fundamentals of parliamentary law.

I assure you that I am very appreciative of the sentiments you have expressed. I thank you."

Senator Thatcher: "Mr. President: This may be a little out of the customary but I think that speaking for the minority faction here, I have a right to say that the minority faction of this Senate joins heartily in the expressions that Senator Morgan of Walsh gave relative to our President Pro Tem. We feel the same way as the majority does that he has been fair and honest in all his rulings."

Senator Stucke: "The members of the Senate and employees have delegated to me the most agreeable privilege of presenting to you, Milt Young, this gift. It is very easy and pleasant to throw bouquets of roses to our friends who have honestly and sincerely differed from us. You, Senator Young, not only during this session, but ever since you became a member of this body have proven yourself able, courteous and fair. What better attributes would endear one to his associates in this body. This has been a rather peaceful session, coming at a time when the world is in chaos. The decorum that has been observed here is, in a measure, due to your sense of fairness and leadership. Let us hope that by the time we meet again that peace and good will shall have come to this world, and you, Senator Young, we wish you God speed and good luck."

Senator Young: Mr. President and members of the Senate: I wish to thank you from the bottom of my heart for this present. I find it impossible to find words to properly express my appreciation, especially as it comes from the Senate as a whole, from the majority, the minority and the employees—and the kind remarks of Senator Stucke of the minority.

I think the minority has contributed more than any session since I have been here, to good legislation. They have been honest and fair and their criticism has been constructive. The years that I have been here have contributed much more to me than I have contributed to the Senate. It has given me a liberal education and a better understanding of men, and the best friends that I have ever known. It is not easy for me to go home after session and readjust myself. Although I don't have a chance to visit with all of you as often as I would like, there is the feeling that you are here and when I want to visit with you, I can.

I doubt if I would have taken this job of majority floor leader if I had not known of the ability in the Senate. I know of no other time when the chairmen of the Senate committees have had as much ability, and the membership on the various committees. It was no task for me to perform my duties as floor leader. And you haven't seen me on my feet very often. The decisions of every one has been exactly as he believed and not influenced by anyone else. Again I thank you and I shall keep this gift always in memory of you."

Senator Flatt: "Ruth Smith and I were named a Committee of Two to pick out these gifts. We didn't have much money—not as much as in some former years but it is not

the intrinsic value of the gifts, but the thought behind the gifts that counts. As Dr. Stucke would say "The gift without the giver is bare", but he can quote Shakespeare and I can't. I hope you receive these gifts, not in dollars and cents but in the spirit given."

Senator Morgan of Walsh moved that the Senate do concur in the House amendments to Senate Bill No. 70, which motion prevailed.

Senator Morgan of Walsh moved that the rules be suspended and Senate Bill No. 70 be placed on Second Reading and Final Passage, which motion prevailed.

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 by the House, the roll was called and there were ayes, 40; naves, 0; absent and not voting, 9.

Those voting in the affirmative were:

Adam	Greiser	Olson, Barnes
Beaton	Hoencck	Olson, McHenry
Bilden	Kamrath	Olson, Mountrail
Blank	Kehoe	Porter
Bond	Lavik	Rue
Brant	Lofthus	Schrock
Braun	Lynch	Semerad
Bridston	Morgan, Walsh	Streibel
Brunsdale	Morgan, Richland	Stucke
Day	Nelson, Dickey	Thatcher
Drew	Nelson, McKenzie	Troxel
Feton	Nordhougen	Wog
Flatt	Oksendahl	Young
Foss		

Absent and not voting:

Ginter	Nelson, Renville	Raschko
Guenther	O'Brien	Solberg
Nelson, Griggs- Steele	Page	Watt

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

Senator Porter 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.

REPORT OF SELECT COMMITTEE

The Conference Committee on House Bill No. 1 made the following report:

Mr. President: Your Conference Committee to whom was referred House Bill No. 1, have had the same under consideration and 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 inserting 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 "\$163,024.00" 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

REP. JOHNSON OF CASS

REP. STAIR

For the Senate:

SEN. BRANT

SEN. STREIBEL

SEN. YOUNG

Senator Young moved that the report be adopted, which motion prevailed and the report was adopted.

Senator Young moved that the Conference Committee on House Bill No. 1 be discharged, which motion prevailed.

Senator Bond moved that the rules be suspended and that House Bill No. 1 be placed on second Reading and Final Passage, as amended, which motion prevailed.

SECOND READING OF HOUSE BILLS

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 in Conference Committee, the roll was called and there were ayes, 42; nays, 0; absent and not voting, 7.

Those voting in the affirmative were:

Adam	HoencK	Olson, McHenry
Bilden	Kamrath	Olson, Mountrail
Blank	Kehoe	Page
Bond	Lavik	Porter
Brant	Lofthus	Raschko
Braun	Lynch	Rue
Bridston	Morgan, Walsh	Schrock
Brunsdale	Morgan, Richland	Solberg
Day	Nelson, Dickey	Streibel
Drew	Nelson, McKenzie	Stucke
Feton	Nelson, Renville	Thatcher
Flatt	Nordhougen	Troxel
Foss	Oksendahl	Wog
Greiser	Olson, Barnes	Young
Absent and not voting:		
Beaton	Nelson, Griggs-	Semerad
Ginter	Steele	Watt
Guenther	O'Brien	

So the bill passed and the title was agreed to.

Senator Bond moved that the vote by which House Bill No. 1 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senator Thatcher moved that the Senate do concur in the House amendments to Senate Bill No. 17, which motion prevailed.

Senator Thatcher moved that the rules be suspended and that Senate Bill No. 17 be considered properly re-engrossed and placed on Second Reading and Final Passage, as amended by the House, which motion prevailed.

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 by the House, the roll was called and there were ayes, 40, nays, 0; absent and not voting 9.

Those voting in the affirmative were:

Adam	Kamrath	Olson, Mountrail
Bilden	Kehoe	Page
Blank	Lavik	Porter
Bond	Lynch	Raschko
Brant	Morgan, Walsh	Rue
Braun	Morgan, Richland	Schrock
Brunsdale	Nelson, Dickey	Solberg
Day	Nelson, McKenzie	Streibel
Drew	Nelson, Renville	Stucke
Feton	Nordhougen	Thatcher
Flatt	Oksendahl	Troxel
Foss	Olson, Barnes	Wog
Greiser	Olson, McHenry	Young
HoencK		
Absent and not voting:		
Beaton	Lofthus	O'Brien
Bridston	Nelson, Griggs-	Semerad
Ginter	Steele	Watt
Guenther		

So the bill passed and the title was agreed to.

Senator Porter moved that the vote by which Senate Bill No. 17 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

MESSAGES FROM THE HOUSE

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, as follows:

W. M. SMART, Chief Clerk.

Amendment to 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 Subsection 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."

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, as follows:

W. M. SMART, Chief Clerk.

Amendment to House Concurrent Resolution "1-H."

Representative Blair moved that House Concurrent Resolution 1-H be amended as follows:

In lines 5, 24, and 25, strike out the name "Theodore G. Buchholz" and insert in lieu thereof "V. E. Haskins".

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. 122, Reprs. Kolpin, Johnson of Richland and Callahan.

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 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 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, as follows:

Very respectfully,
W. M. SMART, Chief Clerk.

Amendment to Senate Bill No. 176.

At the end of the engrossed bill add the following Section: "SECTION 6. Provided, that the provision of this Act shall terminate on June 30, 1945."

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 as amended, as follows:

W. M. SMART, Chief Clerk.

Amendments to Senate Bill No. 119.

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 enclosed therein.

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".

FIRST READING OF HOUSE CONCURRENT RESOLUTIONS

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.

Was read the first time.

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.

Was read the first time.

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.

Was read the first time.

House Resolution "1-N."

Was read the first time.

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.

Was read the first time.

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.

Was read the first time.

Senator Flatt moved that further consideration of House Concurrent Resolution "1-P" be indefinitely postponed.

The presiding officer ruled that this motion would require a suspension of rules.

The motion of Senator Flatt was put and declared carried.

Senator Watt moved that the vote by which further consideration of House Concurrent Resolution "1-P" was indefinitely postponed be reconsidered and the motion to reconsider be laid on the table, which motion was declared carried on a voice vote.

A roll call was demanded and granted.

ROLL CALL

The question being on the motion of Senator Watt, the roll was called and there were: ayes, 20; nays, 14; absent and not voting, 15.

Those voting in the affirmative were:

Blank	Hoencck	Porter
Bond	Morgan, Walsh	Rue
Brunsdale	Morgan, Richland	Solberg
Drew	Nelson, Griggs-	Thatcher
Feton	Steele	Troxel
Flatt	Oksendahl	Watt
Foss	Olson, Barnes	Young

Those voting in the negative were:

Adam	Bridston	Nordhougen
Beaton	Day	Olson, McHenry
Bilden	Greiser	Streibel
Brant	Kamrath	Stucke
Braun	Lynch	

Absent and not voting:

Ginter	Nelson, Dickey	Raschko
Gunther	Nelson, McKenzie	Schrock
Kehoe	Nelson, Renville	Semerad
Lavik	O'Brien	Wog

Passed:

Olson, Mountrail Page

So the motion of Senator Watt was declared carried.

Senator Olson of Mountrail: "Mr. President: I want to be excused from voting on the grounds of personal interest."

Senator Page: "Mr. President: I want to be excused from voting as I was not here when the question was put and I do not know what you are voting on."

MESSAGE FROM THE HOUSE

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.

Amendment to Senate Bill 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.

Senator Morgan of Walsh moved that the Senate do not concur in the House amendments to Senate Bill No. 154, which motion prevailed.

Senator Morgan of Walsh moved that the President appoint a Conference Committee to meet with a like Committee from the House on Senate Bill No. 154, which motion prevailed and the President appointed as such committee, Senators Day, Thatcher and Braun.

Senator Morgan of Walsh moved that the Senate do not concur in the House amendments to Senate Bill No. 119, which motion prevailed.

Senator Morgan of Walsh moved that the President appoint a Conference Committee to meet with a like Committee from the House on Senate Bill No. 119, which motion prevailed and the President appointed as such committee, Senators Morgan of Walsh, Beaton and Feton.

MESSAGES TO THE HOUSE

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 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. 17.

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.

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 Brown.

Very respectfully,
W. J. TROUT, Secretary.

Senator Bridston moved that the Senate recess for fifteen minutes, which motion prevailed.

The Senate reconvened at the expiration of the recess.

Senator Young moved that the Senate be on the twelfth order of business, which motion prevailed.

MESSAGES FROM THE HOUSE

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, as follows:

W. M. SMART, Chief Clerk.

Amendments to 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".

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, as follows:

W. M. SMART, Chief Clerk.

Amendment to 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.

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, as follows:

W. M. SMART, Chief Clerk.

Amendment to Senate Bill No. 202.

To strike out all the words in the title after the word "re-enact" and insert in lieu thereof the following:

"that part of Section 8 of Chapter 255 of the Session Laws of 1941 set out in Section 15-4017 of House Bill No. 49, the proposed Revised Code of 1943, and that part of Section 8 and all of Section 7 of Chapter 255 of the Session Laws of 1941 set out in Section 15-4018 of House Bill No. 49, the proposed Revised Code of 1943."

In line 1 after the word "That", insert the following language: "part of Section 8 of Chapter 255 of the Session Laws of 1941 set out in".

In line 17, after the word "That", insert the following language: "part of Section 8 and all of Section 7 of Chapter 255 of the Session Laws of 1941, set out in".

In line 27 after the word "instruction", add the words: "or who is not teaching in a district organized by virtue of a special charter".

In line 43, strike out the word "one" and insert in lieu thereof the word "four" and add "s" to the word "mill".

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 55, insert the word "seven" for the word "four".

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.

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.

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. 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 HOUSE

Senate Chamber
Bismarck, March 5, 1943

Mr. Speaker: I have the honor to return:

House Resolution "1-N."

Which the House inadvertently sent to the Senate.

W. J. TROUT, Secretary.

SECOND READING OF HOUSE CONCURRENT RESOLUTIONS

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.

Senator Raschko moved that the House Concurrent Resolution "Y" be adopted, which motion prevailed and House Concurrent "Y" was declared adopted.

Senator Page moved that the Senate do concur in the House amendments to Senate Bill No. 102, which motion prevailed.

Senator Page moved that the rules be suspended and Senate Bill No. 102 be placed on Second Reading and Final Passage, as amended by the House, which motion prevailed.

SECOND READING OF SENATE BILLS

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 by the House, the roll was called and there were ayes, 34; nays, 2; absent and not voting, 13.

Those voting in the affirmative were:

Adam	Kehoe	Porter
Blank	Lavik	Raschko
Bond	Lofthus	Rue
Brant	Lynch	Schrock
Braun	Morgan, Richland	Solberg
Brunsdale	Nelson, Dickey	Streibel
Day	Nordhougen	Stucke
Drew	Oksendahl	Thatcher
Flatt	Olson, Barnes	Troxel
Foss	Olson, Mountrail	Wog
Hoенck	Page	Young
Kamrath		

Those voting in the negative were:

Nelson, Griggs-
Steele Olson, McHenry

Absent and not voting:

Beaton	Greiser	Nelson, Renville
Bilden	Guenther	O'Brien
Bridston	Morgan, Walsh	Semerad
Feton	Nelson, McKenzie	Watt
Ginter		

So the bill passed and the title was agreed to and the emergency clause was declared carried.

REPORT OF SELECT COMMITTEE

The Conference Committee on Senate Bill No. 154 made the following report:

Mr. President: 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:

HAROLD BURAU
PALMER LEVIN
H. M. EKREN

For the Senate:

CARROLL E. DAY
WM. A. THATCHER
W. J. BRAUN

Senator Day moved that the report be adopted, which motion prevailed and the report was adopted.

Senator Day moved that the rules be suspended and that Senate Bill No. 154 be considered properly re-engrossed and placed on second Reading and Final Passage, as amended by the Conference Committee, which motion prevailed.

SECOND READING OF SENATE BILLS

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 by the Conference Committee, the roll was called and there were ayes, 37; nays, 0; absent and not voting, 12.

Those voting in the affirmative were:

Adam	Lavik	Page
Blank	Lofthus	Porter
Bond	Lynch	Raschko
Brant	Morgan, Richland	Rue

Braun	Nelson, Dickey	Schrock
Brunsdale	Nelson, Griggs-	Solberg
Day	Steele	Streibel
Drew	Nordhogen	Stucke
Flatt	O'Brien	Thatcher
Foss	Oksendahl	Troxel
Ginter	Olson, Barnes	Watt
Hoenck	Olson, McHenry	Wog
Kamrath	Olson, Mountrail	
Absent and not voting:		
Beaton	Greiser	Nelson, McKenzie
Bilden	Guenther	Nelson, Renville
Bridston	Kehoe	Semerad
Feton	Morgan, Walsh	Young

So the bill passed and the title was agreed to.

MESSAGES FROM THE HOUSE

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, as follows:

W. M. SMART, Chief Clerk.

Amendments to Senate Bill No. 3.

In the engrossed Bill:

Line 4—Strike out the figures "\$593,090.00" and insert the figures "\$586,180.00" in lieu thereof.

Insert line "13-a Emergency fund \$10,000".

In 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 "\$221,950.00" 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 "\$586,180.00" in lieu thereof.

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.

Senator Drew moved that the Senate do concur in the House amendments to Senate Bill No. 176, which motion prevailed.

Senator Drew moved that the rules be suspended and Senate Bill No. 176 be placed on Second Reading and Final Passage, as amended by the House, which motion prevailed.

SECOND READING OF SENATE BILLS

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 by the House, the roll was called and there were ayes, 33; nays, 0; absent and not voting, 16.

Those voting in the affirmative were:

Adam	Kamrath	Porter
Blank	Lavik	Raschko
Bond	Lofthus	Rue
Brant	Lynch	Schrock
Braun	Morgan, Richland	Solberg
Brunsdale	Nelson, Dickey	Streibel
Drew	Oksendahl	Stucke
Flatt	Olson, Barnes	Thatcher
Foss	Olson, McHenry	Troxel
Ginter	Olson, Mountrail	Watt
Hoenck	Page	Young

Absent and not voting:

Beaton	Guenther	Nelson, Renville
Bilden	Kehoe	Nordhougen
Bridston	Morgan, Walsh	O'Brien
Day	Nelson, Griggs-	Semerad
Feton	Steele	Wog
Greiser	Nelson, McKenzie	

So the bill passed and the title was agreed to.

Senator Braun moved that the vote by which Senate Bill No. 176 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

MESSAGE FROM THE HOUSE

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.

Senator Braun moved that the Senate do concur in the House amendments to Senate Bill No. 211, which motion prevailed.

Senator Braun moved that the rules be suspended and Senate Bill No. 211 be placed on Second Reading and Final Passage, as amended by the House, which motion prevailed.

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 by the House, the roll was called and there were ayes, 37; nays, 0; absent and not voting, 12.

Those voting in the affirmative were:

Adam	Lavik	Porter
Blank	Lofthus	Raschko
Bond	Lynch	Rue
Brant	Morgan, Richland	Schrock
Braun	Nelson, Dickey	Solberg
Brunsdale	Nelson, Griggs-	Streibel
Drew	Steele	Stucke
Flatt	O'Brien	Thatcher
Foss	Oksendahl	Troxel
Ginter	Olson, Barnes	Watt
Hoenck	Olson, McHenry	Wog
Kamrath	Olson, Mountrail	Young
Kehoe	Page	

Absent and not voting:

Beaton	Feton	Nelson, McKenzie
Bilden	Greiser	Nelson, Renville
Bridston	Guenther	Nordhousen
Day	Morgan, Walsh	Semerad

So the bill passed and the title was agreed to.

Senator Lavik moved that the vote by which Senate Bill No. 211 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

MESSAGES TO THE HOUSE

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. 154.

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 concurred in the House amendment to Senate Bill No. 176.

Very respectfully,
W. J. TROUT, Secretary.

Senator Stucke moved that the report of the Conference Committee on Senate Bill No. 181 be adopted, which motion prevailed.

Senator Stucke moved that the Conference Committee on Senate Bill No. 181 be discharged, which motion prevailed.

Senator Stucke moved that the rules be suspended and that Senate Bill No. 181 be considered properly re-engrossed and placed on Second Reading and Final Passage, as amended by the Conference Committee, which motion prevailed.

SECOND READING OF SENATE BILLS

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 by the Conference Committee, the roll was called and there were ayes, 36; nays, 0; absent and not voting, 13.

Those voting in the affirmative were:

Adam	Kehoe	Porter
Blank	Lavik	Raschko
Bond	Lofthus	Rue
Brant	Lynch	Schrock
Braun	Morgan, Richland	Solberg
Brunsdale	Nelson, Dickey	Streibel
Drew	Nordhougen	Stucke
Flatt	Oksendahl	Thatcher
Foss	Olson, Barnes	Troxel
Ginter	Olson, McHenry	Watt
Hoenck	Olson, Mountrail	Wog
Kamrath	Page	Young
Absent and not voting:		
Beaton	Greiser	Nelson, McKenzie
Bilden	Guenther	Nelson, Renville
Bridston	Morgan, Walsh	O'Brien
Day	Nelson, Griggs-	Semerad
Feton	Steele	

So the bill passed and the title was agreed to.

REPORT OF SELECT COMMITTEE

The Conference Committee on Senate Bill No. 122 made the following report:

Mr. President: 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 to line 223 be changed to read "80% or 90%".

For the Senate:
FRANKLIN PAGE
IVER SOLBERG
M. J. RASCHKO

For the House:
VERNON M. JOHNSON
L. E. CALLAHAN
HARRY KOLPIN

Senator Page moved that the report be adopted, which motion prevailed and the report was adopted.

Senator Page moved that the rules be suspended and that Senate Bill No. 122 be considered properly re-engrossed and placed on Second Reading and Final Passage, as amended by the Conference Committee, 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 by the Conference Committee, the roll was called and there were ayes, 28; nays, 9; absent and not voting, 12.

Those voting in the affirmative were:

Bond	Kehoe	Raschko
Brant	Lavik	Rue
Braun	Lofthus	Schrock
Brunsdale	Morgan, Richland	Solberg
Day	Nordhougen	Stucke
Drew	Oksendahl	Troxel
Flatt	Olson, Barnes	Watt
Foss	Page	Wog
Hoenck	Porter	Young
Kamrath		

Those voting in the negative were:

Adam	Lynch	Olson, Mountrail
Blank	Nelson, Dickey	Streibel
Ginter	Olson, McHenry	Thatcher

Absent and not voting:

Beaton	Guenther	Nelson, McKenzie
Bilden	Morgan, Walsh	Nelson, Renville
Bridston	Nelson, Griggs-	O'Brien
Feton	Steele	Semerad
Greiser		

So the bill passed and the title was agreed to.

Senator Lofthus 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.

Senator Flatt moved that House Bill No. 184 be messaged to the House.

Senator Kehoe moved that the vote by which House Bill No. 184 was lost be reconsidered, which motion was declared lost.

Senator Kehoe demanded a roll call, which was not sustained.

Senator Kehoe rose to a point of personal privilege and explained his motion.

The presiding officer asked for a division and the motion was declared lost.

A roll call was requested but was not sustained.

Senator Flatt moved that House Bill No. 184 be messaged to the House, which motion prevailed.

MESSAGE TO THE HOUSE

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.

MESSAGES FROM THE HOUSE

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.
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.

Amendments to 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 “\$113,000.00” 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”.

MESSAGES TO THE HOUSE

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.

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.

Senator Watt moved that the Senate do concur in the House amendments to Senate Bill No. 3, which motion prevailed.

Senator Watt moved that the rules be suspended and Senate Bill No. 3 be placed on Second Reading and Final Passage, as amended by the House, which motion prevailed.

SECOND 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 second time.

ROLL CALL

The question being on the final passage of the bill, as amended by the House, the roll was called and there were ayes, 40; nays, 0; absent and not voting, 9.

Those voting in the affirmative were:

Adam	Kehoe	Olson, Mountrail
Beaton	Lavik	Page
Blank	Lofthus	Porter
Bond	Lynch	Raschko
Brant	Morgan, Walsh	Rue
Brunsdale	Morgan, Richland	Schrock
Day	Nelson, Dickey	Solberg
Drew	Nelson, Griggs-	Streibel
Feton	Steele	Thatcher
Flatt	Nordhougen	Troxel
Foss	O'Brien	Watt
Ginter	Oksendahl	Wog
Hoенck	Olson, Barnes	Young
Kamrath	Olson, McHenry	

Absent and not voting:

Bilden	Greiser	Nelson, Renville
Braun	Guenther	Semerad
Bridston	Nelson, McKenzie	Stucke

So the bill passed and the title was agreed to.

Senator Day 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 HOUSE

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.

Senator Young moved that the President appoint a Conference Committee to meet with a like Committee from the House on House Bill No. 233, which motion prevailed and the President appointed as such committee, Senators Page, Lofthus and Thatcher.

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.

Senator Watt moved that the President appoint the same Conference Committee to meet with a like Committee from the House on Senate Bill No. 68, which motion prevailed and the President appointed as such committee, Senators O'Brien, Ginter and Watt.

Senator Young moved that after the signing of bills, the Senate recess until nine o'clock Saturday morning, which motion prevailed.

SIGNING OF BILLS

The Secretary announced that the President was about to sign:

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. 16
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
House Concurrent Resolution "S"
House Concurrent Resolution "T"
House Concurrent Resolution "1-C"

And the President signed the same in the presence of the Senate.

And the Senate stood recessed pursuant to the motion of Senator Young.

W. J. TROUT, Secretary.

SIXTIETH DAY

Bismarck, March 5, 1943

The Senate convened at 9:00 a. m., pursuant to motion of Senator Young, with President Pro Tem Brunsdale presiding.

The presiding officer announced that the Senate would be on the fifth order of business for the purpose of reading standing committee reports.

REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on Enrollment and En-grossment respectfully report that they have examined the following bill:

Senate Bill No. 1.

And find the same correctly enrolled.

W. R. BOND, Chairman.

Senator Bond moved that the report be adopted, which motion prevailed, and the report was adopted.

Mr. President: Your Committee on Enrollment and En-grossment respectfully report that they have examined the following bills:

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.

And find the same correctly Enrolled.

W. R. BOND, Chairman.

Senator Bond moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Enrollment and En-grossment respectfully report that they have examined the following resolution:

Senate Concurrent Resolution "1-L."

And find the same correctly engrossed.

W. R. BOND, Chairman.

Senator Bond moved that the report be adopted, which motion prevailed, and the report was adopted.

MESSAGES TO THE HOUSE

Senate Chamber

Bismarck, March 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. 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. 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 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.

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.

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. 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

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 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. 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 a 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 "I-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.

MESSAGES FROM THE HOUSE

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, as follows:

W. M. SMART, Chief Clerk.

Amendments to 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."

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 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 had passed unchanged.

W. M. SMART, Chief Clerk.

Senator Young moved that the Senate do concur in the House amendments to Senate Bill No. 59, which motion prevailed.

Senator Young moved that the rules be suspended and Senate Bill No. 59 be placed on Second Reading and Final Passage, as amended, which motion prevailed.

SECOND READING OF SENATE BILLS

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 had been read.

ROLL CALL

The question being on the final passage of the bill, as amended by the House, the roll was called and there were ayes, 29; nays, 0; absent and not voting, 20.

Those voting in the affirmative were:

Adam	Kehoe	Porter
Bond	Lynch	Rue
Brant	Morgan, Walsh	Schrock
Brunsdale	Morgan, Richland	Semerad
Drew	Nelson, McKenzie	Stucke

Flatt	Oksendahl	Thatcher
Foss	Olson, Barnes	Troxel
Ginter	Olson, McHenry	Watt
Hoenck	Olson, Mountrail	Young
Kamrath	Page	
Absent and not voting:		
Beaton	Greiser	Nelson, Renville
Bilden	Guenther	Nordhogen
Blank	Lavik	O'Brien
Braun	Lofthus	Raschko
Bridston	Nelson, Dickey	Solberg
Day	Nelson, Griggs-	Streibel
Feton	Steele	Wog

So the bill passed and the title was agreed to.

Senator Young 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.

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.

Was read.

Senator Young moved that the rules be suspended and that House Concurrent Resolution "1-L" be placed on second reading and final passage, which motion prevailed.

Senator Young moved that House Concurrent Resolution "1-L" be adopted.

Senator Watt moved a substitute motion that House Concurrent Resolution "1-L" be indefinitely postponed, which motion prevailed.

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.

Was read.

Senator Day moved that the rules be suspended and that House Concurrent Resolution "1-M" be indefinitely postponed, which motion prevailed.

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.

Was read.

Senator Young moved that the rules be suspended and that House Concurrent Resolution "1-O" be indefinitely postponed, which motion prevailed.

SECOND READING OF HOUSE BILLS

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 had been read.

ROLL CALL

The question being on the final passage of the bill, as

amended, the roll was called and there were ayes, 32; nays, 2; absent and not voting, 15.

Those voting in the affirmative were:

Adam	Hoenck	Olson, Mountrail
Blank	Kamrath	Porter
Bond	Kehoe	Rue
Brant	Lavik	Schrock
Brunsdale	Lynch	Semerad
Day	Morgan, Walsh	Solberg
Drew	Morgan, Richland	Stucke
Feton	Nelson, McKenzie	Troxel
Flatt	Oksendahl	Wog
Foss	Olson, Barnes	Young
Ginter	Olson, McHenry	

Those voting in the negative were:

Bilden Watt

Absent and not voting:

Beaton	Nelson, Dickey	O'Brien
Braun	Nelson, Griggs-	Page
Bridston	Steele	Raschko
Greiser	Nelson, Kenville	Streibel
Guenther	Nordhousen	Thatcher
Lofthus		

So the bill passed and the title was agreed to.

Senator Morgan of Richland 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.

Senator Watt: "Mr. President, I want to explain my vote. If we couldn't give the sheep owners in the eastern part of the state, protection from dogs, I don't see why sheep owners in the western part of the state should have protection from coyotes. I vote 'No'."

Senator Watt moved that the Senate do not concur in the House amendments to Senate Bill No. 2, which motion prevailed.

Senator Watt moved that the Presiding Officer appoint a Conference Committee to meet with a like Committee from the House on Senate Bill No. 2, which motion prevailed and the Presiding Officer appointed as such committee, Senators Rue, Streibel and Foss.

Senator Watt moved that the Presiding Officer appoint a new Conference Committee to meet with a like Committee from the House on House Bill No. 110, which motion prevailed and the Presiding Officer appointed as such committee, Senators Bridston, Solberg and Wog.

Senator Solberg moved that the Senate do not concur in the House Amendments to Senate Concurrent Resolution "H", which motion prevailed.

Senator Solberg moved that the Presiding Officer appoint a Conference Committee to meet with a like Committee from the House on Senate Concurrent Resolution "H", which motion prevailed and the Presiding Officer appointed as such committee, Senators Wog, Raschko and Lavik.

A call of the Senate was requested by Senator Brant, which was sustained.

Senator Solberg moved that Senators Guenther and Nelson of Dickey be excused because of illness, which motion prevailed.

The roll was called on the call of the Senate and the following Senators were absent: Senators Braun, Bridston, Flatt, Foss, Greiser, Nelson of Griggs-Steele, Nelson of Renville, Nordhousen, O'Brien, Raschko and Streibel.

Senator Stucke moved that the Call of the Senate be dispensed with, which motion prevailed.

The Presiding Officer announced that the Senate would be on the sixth order of business for the reading of Conference Committee reports.

REPORTS OF SELECT COMMITTEES

The Conference Committee on House Bill No. 233 made the following report:

Mr. President: 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 Senate:
FRANKLIN PAGE
R. R. LOFTHUS
WM. A. THATCHER

For the House:
IVAR DROVDAHL
C. F. ARNDT
L. K. MORLAND

Senator Page moved that the report be adopted, and the Conference Committee be discharged, which motion prevailed.

The Conference Committee on House Bill 119 made the following report:

Mr. Speaker: Your Conference Committee to whom was referred House Bill 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 Senate:

FRANKLIN PAGE
WM. A. THATCHER
R. R. LOFTHUS

For the House:

L. K. MORLAND
W. H. SHURE

Senator Page moved that the report be adopted, and that the Conference Committee be discharged, which motion prevailed.

MESSAGES FROM THE HOUSE

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-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.

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 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, as follows:

W. M. SMART, Chief Clerk.

Amendments to 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.

Amendments to 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”.

Amendments to 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.”

Amendment to 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.”

Amendment to 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.

Senator Young moved that the Senate do not concur in the House amendments to Senate Bill No. 8, which motion prevailed.

Senator Young moved that the presiding officer appoint a conference committee to meet with a like committee from the House on Senate Bill No. 8, which motion prevailed and the presiding officer appointed as such committee, Senators Young, Streibel and Kehoe.

Senator Young moved that the Senate do concur in the House amendments to Senate Bill No. 140, which motion prevailed.

Senator Young moved that the rules be suspended and Senate Bill No. 140 be placed on Second Reading and Final Passage, as amended by the House, which motion prevailed.

SECOND READING OF SENATE BILLS

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 had been read.

ROLL CALL

The question being on the final passage of the bill, as

amended by the House, the roll was called and there were ayes, 40; nays, 0; absent and not voting, 9.

Those voting in the affirmative were:

Adam	Kehoe	Page
Beaton	Kamrath	Porter
Bilden	Lavik	Raschko
Blank	Lofthus	Schrock
Bond	Lynch	Semerad
Brant	Morgan, Richland	Solberg
Braun	Nelson, McKenzie	Stucke
Bridston	Nelson, Renville	Thatcher
Brunsdale	Nordhougen	Troxel
Day	O'Brien	Watt
Drew	Oksendahl	Wog
Feton	Olson, Barnes	Young
Ginter	Olson, McHenry	
Hoencck	Olson, Mountrail	
Absent and not voting:		
Flatt	Morgan, Walsh	Rue
Foss	Nelson, Dickey	Streibel
Greiser	Nelson, Griggs-	
Guenther	Steele	

So the bill passed and the title was agreed to.

Senator Young 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.

MESSAGES TO THE HOUSE

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 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, Streibel 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.

Senator Watt moved that the Senate do concur in the House amendments to Senate Bill No. 7, which motion prevailed.

Senator Watt moved that the rules be suspended and Senate Bill No. 7 be placed on Second Reading and Final Passage, as amended by the House, which motion prevailed.

SECOND READING OF SENATE BILLS

Senate Bill No. 7. A Bill for an Act Making an Appropriation for the Purpose of Operating and Maintaining the State Bonding Fund.

Which had been read.

ROLL CALL

The question being on the final passage of the bill, as amended by the House, the roll was called and there were ayes, 41; nays, 0; absent and not voting, 8.

Those voting in the affirmative were:

Adam	Kamrath	Olson, Mountrail
Beaton	Kehoe	Page
Bilden	Lavik	Porter
Blank	Lofthus	Raschko
Bond	Lynch	Rue
Brant	Morgan, Walsh	Schrock
Braun	Morgan, Richland	Semerad
Brunsdale	Nelson, McKenzie	Solberg

Day	Nelson, Renville	Stucke
Drew	Nordhougen	Thatcher
Feton	O'Brien	Troxel
Flatt	Oksendahl	Watt
Ginter	Olson, Barnes	Young
Hoenck	Olson, McHenry	
Absent and not voting:		
Bridston	Nelson, Dickey	Wog
Foss	Nelson, Griggs-	
Greiser	Steele	
Guenther	Streibel	

So the bill passed and the title was agreed to.

Senator Watt moved that the vote by which Senate Bill No. 7 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senator Watt moved that the Senate do concur in the House amendments to Senate Bill No. 4, which motion prevailed.

Senator Watt moved that the rules be suspended and Senate Bill No. 4 be placed on Second Reading and Final Passage, as amended by the House, which motion prevailed.

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.

Which had been read.

ROLL CALL

The question being on the final passage of the bill, as amended by the House, the roll was called and there were ayes, 39; nays, 0; absent and not voting, 10.

Those voting in the affirmative were:

Adam	Hoenck	Olson, McHenry
Beaton	Kamrath	Olson, Mountrail
Bilden	Kehoe	Page
Blank	Lavik	Porter
Bond	Lofthus	Raschko
Brant	Lynch	Rue
Braun	Morgan, Richland	Schrock
Brunsdale	Nelson, McKenzie	Stucke
Day	Nelson, Renville	Semerad
Drew	Nordhougen	Thatcher
Feton	O'Brien	Troxel
Flatt	Oksendahl	Watt
Ginter	Olson, Barnes	Young

Absent and not voting:

Bridston	Morgan, Walsh	Solberg
Foss	Nelson, Dickey	Streibel
Greiser	Nelson, Griggs-	Wog
Guenther	Steele	

So the bill passed and the title was agreed to.

Senator Watt moved that the vote by which Senate Bill No. 4 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senator Watt moved that the Senate do not concur in the House amendments to Senate Bill No. 6, which motion prevailed.

Senator Watt moved that the Presiding Officer appoint a Conference Committee to meet with a like Committee from

the House on Senate Bill No. 6, which motion prevailed and the Presiding Officer appointed as such committee, Senators Stucke, Rue and Foss.

Senator Young moved that the Governor be requested to return Senate Bill No. 54, for the purpose of amending, which motion prevailed.

The Presiding Officer announced that the Governor had returned Senate Bill No. 54.

Senator Young moved that the vote by which Senate Bill No. 54 was passed be reconsidered, which motion prevailed.

Senator Young moved that Senate Bill No. 54 be amended as follows:

In line 2, Section 1, change the figures "1941" to "1939", which motion prevailed.

Senator Young moved that the rules be suspended and that Senate Bill No. 54 be considered properly re-engrossed and placed on Second Reading and Final Passage, as amended, which motion prevailed.

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 had been read.

ROLL CALL

The question being on the final passage of the bill, as amended on the enrolled bill, the roll was called and there were ayes, 39; nays, 0; absent and not voting, 10.

Those voting in the affirmative were:

Adam	Kamrath	Page
Bilden	Kehoe	Porter
Blank	Lavik	Raschko
Bond	Lofthus	Rue
Brant	Lynch	Schrock
Braun	Morgan, Richland	Semerad
Brunsdale	Nelson, McKenzie	Solberg
Day	Nordhougen	Streibel
Drew	O'Brien	Stucke
Flatt	Oksendahl	Thatcher
Foss	Olson, Barnes	Troxel
Ginter	Olson, McHenry	Watt
Hoenck	Olson, Mountrail	Young
Absent and not voting:		
Beaton	Morgan, Walsh	Nelson, Renville
Bridston	Nelson, Dickey	Wog
Feton	Nelson, Griggs-	
Greiser	Steele	
Guenther		

So the bill passed and the title was agreed to.

Senator Young moved that the vote by which Senate Bill No. 54 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senator Young moved that Senate Bill No. 54 be messaged to the House immediately, which motion prevailed.

MESSAGE TO THE HOUSE

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.

Senator Young moved that the Senate do concur in the House amendments to Senate Bill No. 149, which motion prevailed.

Senator Young moved that the rules be suspended and Senate Bill No. 149 be placed on Second Reading and Final Passage as amended by the House, which motion prevailed.

SECOND READING OF SENATE BILLS

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.

Which had been read.

ROLL CALL

The question being on the final passage of the bill, as amended by the House, the roll was called and there were ayes, 39; nays, 0; absent and not voting, 10.

Those voting in the affirmative were:

Adam	Kehoe	Olson, Mountrail
Bilden	Lavik	Page
Blank	Lofthus	Porter
Bond	Lynch	Rue
Brant	Morgan, Richland	Schrock
Braun	Nelson, Griggs-	Semerad
Brunsdale	Steele	Solberg
Day	Nelson, McKenzie	Streibel
Drew	Nordhogen	Stucke
Flatt	O'Brien	Thatcher
Foss	Oksendahl	Troxel
Ginter	Olson, Barnes	Watt
Hoenck	Olson, McHenry	Young
Kamrath		

Absent and not voting:

Beaton	Guenther	Nelson, Renville
Bridston	Morgan, Walsh	Raschko
Feton	Nelson, Dickey	Wog
Greiser		

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

Senator Nelson of McKenzie moved that the vote by which Senate Bill No. 149 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senator Day moved that the Senate do not concur in the House amendments to Senate Bill No. 107, which motion prevailed.

Senator Day moved that the Presiding Officer appoint a Conference Committee to meet with a like Committee from the House on Senate Bill No. 107, which motion prevailed and

the Presiding Officer appointed as such committee, Senators Brant, Day and Lynch.

Senator Morgan of Walsh moved that the Senate do not concur in the House amendments to Senate Bill No. 199, and that a Conference Committee which acted on Senate Bill No. 119 be appointed as a Conference Committee on Senate Bill No. 199, which motion prevailed.

The Presiding Officer appointed as such committee, Senators Morgan of Walsh, Beaton and Feton.

Senator Morgan of Walsh moved that the Senate do not concur in the House amendments to Senate Bill No. 202, and that the Conference Committee which acted on Senate Bill No. 119 be appointed as a Conference Committee on Senate Bill No. 202, which motion prevailed.

The Presiding Officer appointed as such committee: Senators Morgan of Walsh, Beaton and Feton.

MESSAGES TO THE HOUSE

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 refused to concur 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 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.

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 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 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.

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.

Senator Page moved that the Senate do now recess subject to the call of the chair, which motion prevailed.

The Senate reconvened at the call of the chair.

The presiding officer announced that the Senate would be on the fourteenth order of business for the signing of bills.

SIGNING OF BILLS

The Secretary announced that the President Pro Tem was about to sign:

- Senate Bill No. 1.
- 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.

And the President Pro Tem signed the same in the presence of the Senate.

MESSAGE TO THE HOUSE

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 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 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.

REPORTS OF SELECT COMMITTEES

The Conference Committee on House Bill No. 110 made the following report:

Mr. President: 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 "\$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.

For the Senate:

J. B. BRIDSTON
GUST WOG
IVER SOLBERG

For the House:

WALTER BUBEL
BERNT ANDERSON
E. J. LANGLEY

Senator Watt moved that the report be not adopted and that a new Conference Committee be appointed, which motion prevailed.

The presiding officer appointed as such committee Senators Flatt, Olson of Mountrail and Raschko.

The Conference Committee on Senate Bill No. 119 made the following report:

Mr. President: 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 Senate:

RILIE R. MORGAN
FRANK H. BEATON
G. I. FETON

For the House:

H. W. McINNES
DONNELL HAUGEN
C. H. HOFSTRAND

Senator Morgan of Walsh moved that the report be adopted and the Conference Committee be discharged, which motion prevailed.

Senator Day moved that the rules be suspended and that Senate Bill No. 119 be considered properly re-engrossed and placed on Second Reading and Final Passage, as amended by the Conference Committee, 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.

Which had been read.

ROLL CALL

The question being on the final passage of the bill, as amended by the Conference Committee, the roll was called and there were ayes, 36; nays, 1; absent and not voting, 12.

Those voting in the affirmative were:

Adam	Foss	Olson, Barnes
Beaton	Ginter	Olson, McHenry
Bilden	Hoenck	Olson, Mountrail
Blank	Kamrath	Porter
Bond	Lofthus	Raschko
Brant	Lynch	Rue
Braun	Morgan, Walsh	Schrock
Brunsdale	Morgan, Richland	Semerad
Day	Nelson, Dickey	Solberg
Drew	Nelson, McKenzie	Stucke
Feton	O'Brien	Thatcher
Flatt	Oksendahl	Young

Those voting in the negative were:

Kehoe

Absent and not voting:

Bridston	Nelson, Renville	Troxel
Greiser	Nordhogen	Watt
Guenther	Page	Wog
Lavik	Streibel	
Nelson, Griggs-		
Steele		

So the bill passed and the title was agreed to.

Senator Porter 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.

Senator Morgan of Walsh moved that the Senate rescind its action whereby it refused to concur in the House amendments in Senate Bill No. 199, which motion prevailed.

Senator Morgan of Walsh moved that the Senate do concur in the House amendments to Senate Bill No. 199, which motion prevailed.

Senator Morgan of Walsh moved that the Conference Committee on Senate Bill No. 199 be discharged, which motion prevailed.

Senator Morgan of Walsh moved that the rules be suspended and Senate Bill No. 199 be placed on Second Reading and Final Passage, as amended by the House, which motion prevailed.

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 had been read.

ROLL CALL

The question being on the final passage of the bill, as amended by the House, the roll was called and there were ayes, 40; nays, 0; absent and not voting, 9.

Those voting in the affirmative were:

Adam	HoencK	Oksendahl
Beaton	Kamrath	Olson, Barnes
Bilden	Kehoe	Olson, McHenry
Blank	Lavik	Olson, Mountrail
Bond	Lofthus	Porter
Brant	Lynch	Raschko
Braun	Morgan, Walsh	Rue
Brunsdale	Morgan, Richland	Schrock
Day	Nelson, Dickey	Semerad
Drew	Nelson, Griggs-	Solberg
Feton	Steele	Stucke
Flatt	Nelson, McKenzie	Thatcher
Foss	Nordhougen	Watt
Ginter	O'Brien	
Absent and not voting:		
Bridston	Nelson, Renville	Troxel
Greiser	Page	Wog
Guenther	Streibel	Young

So the bill passed and the title was agreed to.

Senator Morgan of Walsh moved that the vote by which Senate Bill No. 199 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senator Morgan of Walsh moved that the Senate rescind its action whereby it refused to concur to the House amendments to Senate Bill No. 202, which motion prevailed.

Senator Morgan of Walsh moved that the Senate do concur

in the House amendments to Senate Bill No. 202, which motion prevailed.

Senator Morgan of Walsh moved that the Conference Committee on Senate Bill No. 202 be discharged, which motion prevailed.

Senator Morgan of Walsh moved that the rules be suspended and Senate Bill No. 202 be placed on Second Reading and Final Passage, as amended by the House, which motion prevailed.

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 had been read.

ROLL CALL

The question being on the final passage of the bill, as amended by the House, the roll was called and there were ayes, 41; nays, 0; absent and not voting, 8.

Those voting in the affirmative were:

Adam	Ginter	Oksendahl
Beaton	Hoenck	Olson, Barnes
Bilden	Kamrath	Olson, McHenry
Blank	Kehoe	Olson, Mountrail
Bond	Lofthus	Porter
Brant	Lynch	Raschko
Braun	Morgan, Walsh	Rue
Bridston	Morgan, Richland	Schrock
Brunsdale	Nelson, Dickey	Semerad
Day	Nelson, Griggs-	Solberg
Drew	Steele	Thatcher
Feton	Nelson, McKenzie	Stucke
Flatt	Nordhougen	Young
Foss	O'Brien	Watt

Absent and not voting:

Greiser	Nelson, Renville	Troxel
Guenther	Page	Wog
Lavik	Streibel	

So the bill passed and the title was agreed to.

Senator Porter moved that the vote by which Senate Bill No. 202 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

MESSAGES FROM THE HOUSE

House of Representatives
Bismarck, March 5, 1943

Mr. President: 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.
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 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 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, as follows:

W. M. SMART, Chief Clerk.

Amendment to Senate Bill No. 139.

In line 143 after the word "of" strike out "Five Thousand and no/100 (\$5,000.00)" and insert in lieu thereof "Two Thousand Five Hundred and no/100 (\$2,500.00)".

MESSAGES TO THE HOUSE

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 Pro Tem has appointed as a new Conference Committee, Senators Flatt, Olson of Mountrail, and Raschko.

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 adopted the report of the Conference Committee on Senate Bill No. 119.

Very respectfully,
W. J. TROUT, Secretary.

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.

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.

Which had been read.

Senator Olson of Mountrail moved that further consideration of House Bill No. 169 be indefinitely postponed, which motion was declared lost.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 23; nays, 20; absent and not voting, 6.

Those voting in the affirmative were:

Bond	Kehoe	O'Brien
Brant	Lavik	Olson, Barnes
Bridston	Lofthus	Porter
Day	Morgan, Walsh	Raschko
Feton	Morgan, Richland	Schrock
Flatt	Nelson, Griggs-	Watt
Foss	Steele	Wog
Hoenck	Nordhougen	Young

Those voting in the negative were:

Adam	Ginter	Olson, Mountrail
Beaton	Kamrath	Page
Rilden	Lynch	Rue
Blank	Nelson, Dickey	Semerad
Braun	Nelson, McKenzie	Stucke
Brunsdale	Oksendahl	Thatcher
Drew	Olson, McHenry	

Absent and not voting:

Greiser	Nelson, Renville	Streibel
Guenther	Solberg	Troxel

So the bill was declared lost for lack of a constitutional majority.

Senator Page moved that the vote by which House Bill No. 169 was lost be reconsidered and the motion to reconsider be laid on the table, which motion was declared lost.

Senator Bridston moved that the Senate do not concur in the House Amendments to Senate Bill No. 139, which motion prevailed.

Senator Bridston moved that the President appoint a Conference Committee to meet with a like Committee from the House on Senate Bill No. 139, which motion prevailed and the President appointed as such committee, Senators Young, Blank and Drew.

Senator O'Brien reported that the Conference Committee appointed on Senate Bill No. 68 cannot agree.

Senator O'Brien moved that the Conference Committee on Senate Bill No. 68 be discharged, which motion prevailed.

Senator O'Brien moved that the President appoint a new Conference Committee to meet with a like Committee from the House on Senate Bill No. 68, which motion prevailed and the President appointed as such committee, Senators: Bridston, Blank and Flatt.

MESSAGE TO THE HOUSE

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.

MESSAGES FROM THE HOUSE

House of Representatives
Bismarck, March 5, 1943

Mr. Speaker: 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.

House of Representatives
Bismarck, March 5, 1943

Mr. Speaker: 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.

Senator Flatt moved that the Senate reconsider the action by which House Concurrent Resolution "1-H" was adopted, which motion prevailed.

Senator Flatt moved that the Senate concur in the amendment made by the House in House Concurrent Resolution "1-H," which motion prevailed.

Senator Flatt moved that the Senate adopt House Concurrent Resolution "1-H," which motion prevailed and House Concurrent Resolution "1-H" was declared adopted.

Senator Young requested that he be released from the Conference Committee on Senate Bill No. 139, as he is on the Conference Committee on Senate Bill No. 8, which request was granted, and the Presiding Officer appointed Senator Bridston to serve as a member of the Conference Committee on Senate Bill No. 139.

Senator Morgan of Richland: "Mr. President and Gentlemen of the Senate: Senate Bill No. 140 provides for a Post-war Planning Board. It also provides that two members of the House and two members of the Senate who shall be farmers, shall be appointed upon that board. We have as a member of this body, a young man who has proven himself a successful farmer as well as a successful legislator. At this time, Mr. President, and Gentlemen of the Senate, it gives me great pleasure to place in nomination the name of J. L. Flatt, of Ransom county as a member of the Post-war Planning Board. I move the nomination of Senator J. L. Flatt."

Senator Stucke: "Mr. President and Gentlemen of the

Senate: "I have the great pleasure of nominating Senator Hjalmer Nelson of McKenzie county as our choice for a member of the Post-war Planning Board. He is more than well qualified and able and he has agreed to accept and tells us that he will use his best efforts to do whatever he can in the position to which he has been chosen. I move the nomination of Senator Hjalmer Nelson."

ROLL CALL

The roll was called on the nomination of Senators J. L. Flatt and Hjalmer Nelson as members of the Post-war Planning Board and there were ayes, 39; passed, 1; absent and not voting, 9.

Those voting in the affirmative were:

Adam	Guenther	Olson, Barnes
Bilden	Hoenck	Olson, McHenry
Blank	Kehoe	Olson, Mountrail
Bond	Lavik	Porter
Brant	Lofthus	Raschko
Braun	Lynch	Rue
Bridston	Morgan, Walsh	Schrock
Brunsdale	Morgan, Richland	Solberg
Day	Nelson, Dickey	Streibel
Drew	Nelson, Renville	Stucke
Feton	Nordhogen	Thatcher
Foss	O'Brien	Watt
Ginter	Oksendahl	Wog

Absent and not voting:

Beaton	Nelson, McKenzie	Troxel
Greiser	Page	Young
Kamrath	Semerad	
Nelson, Griggs-		
Steele		

Passed:

Flatt

So Senator J. L. Flatt and Senator Hjalmer Nelson were named as members of the Post-war Planning Board.

MESSAGE TO THE HOUSE

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 House Concurrent Resolution "1-H" and returns the same herewith.

Very respectfully,

W. J. TROUT, Secretary.

REPORT OF SELECT COMMITTEE

The Conference Committee on Senate Bill No. 6 made the following report:

Mr. President: Your Conference Committee to whom was referred Senate Bill No. 6, have had the same under consideration and recommend that the Senate do agree to the House amendments.

For the Senate:

E. C. STUCKE
MILTON RUE
P. L. FOSS

For the House:

M. T. LILLEHAUGEN
M. W. GACKLE
HARRY CARLSON

Senator Stucke moved that the report be adopted and the Conference Committee be discharged, which motion prevailed.

Senator Stucke moved that the rules be suspended and Senate Bill No. 6 be placed on Second Reading and Final Passage, as amended by the House, which motion prevailed.

SECOND READING OF SENATE BILLS

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 by the House, the roll was called and there were ayes, 34; nays, 0; absent and not voting, 15.

Those voting in the affirmative were:

Adam	Hoenck	Olson, Barnes
Beaton	Kamrath	Olson, McHenry
Bilden	Lavik	Olson, Mountrail
Blank	Lofthus	Page
Brant	Lynch	Porter
Braun	Morgan, Walsh	Raschko
Brunsdale	Nelson, Dickey	Rue
Feton	Nelson, Griggs-	Solberg
Flatt	Steele	Stucke
Foss	Nordhougen	Thatcher
Ginter	O'Brien	Watt
Guenther	Oksendahl	

Absent and not voting:

Bond	Kehoe	Semerad
Bridston	Morgan, Richland	Streibel
Day	Nelson, McKenzie	Troxel
Drew	Nelson, Renville	Wog
Greiser	Schrock	Young

So the bill passed and the title was agreed to.

Senator Porter moved that the vote by which Senate Bill No. 6 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

REPORT OF SELECT COMMITTEE

The Conference Committee on House Concurrent Resolution "1-A" made the following report:

Mr. President: Your Conference Committee to whom was referred House Concurrent Resolution "1-A," have had the same under consideration and recommend that the same be amended as follows:

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 Senate:

A. N. LAVIK
R. R. LOFTHUS
CHAS. A. GINTER

For the House:

BRYNHILD HAUGLAND
M. W. GACKLE

Senator Lavik moved that the report be adopted and the Conference Committee be discharged, which motion prevailed and the report was adopted.

Senator Lavik moved that the rules be suspended and House Concurrent Resolution "1-A" be placed on Second Reading and Final Passage, as amended, which motion prevailed.

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 Acts Provided for Embargo Against the Importation of Fresh and Frozen Meats from Countries Known to be Infested with Foot and Mouth Disease.

Was read the second time.

Senator Lavik moved that House Concurrent Resolution "1-A" be adopted, which motion prevailed and House Concurrent Resolution "1-A" was declared adopted.

REPORT OF STANDING COMMITTEE

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bill:

Senate Bill No. 56.

And find the same correctly Enrolled.

W. R. BOND, Chairman.

Senator Bond moved that the report be adopted, which motion prevailed and the report was adopted.

Senator Morgan of Richland moved that the Senate refuse to return Senate Bill No. 56 to the House, which motion prevailed.

SIGNING OF BILLS

The Secretary announced that the President Pro Tem was about to sign:

Senate Bill No. 56.

And the President Pro Tem signed the same in the presence of the Senate.

MESSAGES TO THE HOUSE

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.

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.

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.

MESSAGES FROM THE HOUSE

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.

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.

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.

MESSAGES TO THE HOUSE

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.

Senator Morgan of Walsh moved that the Senate do concur in the House amendments to Senate Bill No. 169, which motion prevailed.

Senator Morgan of Walsh moved that the rules be suspended and Senate Bill No. 169 be placed on Second Reading and Final Passage, as amended by the House, which motion prevailed.

SECOND READING OF SENATE BILLS

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.

Which had been read.

ROLL CALL

The question being on the final passage of the bill, as amended by the House, the roll was called and there were ayes, 36; nays, 0; absent and not voting, 13.

Those voting in the affirmative were:

Adam	Lavik	Olson, McHenry
Beaton	Lofthus	Olson, Mountrail
Bond	Lynch	Page
Brunsdale	Morgan, Walsh	Porter
Day	Morgan, Richland	Raschko
Feton	Nelson, Dickey	Rue
Flatt	Nelson, Griggs-	Schrock
Foss	Steele	Semerad
Ginter	Nordhougen	Streibel
Greiser	O'Brien	Stucke
Guenther	Oksendahl	Thatcher
Hoenck	Olson, Barnes	Wog
Kamrath		

Absent and not voting:

Bilden	Drew	Solberg
Blank	Kehoe	Troxel
Brant	Nelson, McKenzie	Watt
Braun	Nelson, Renville	Young
Bridston		

So the bill passed and the title was agreed to.

Senator Morgan of Walsh moved that the vote by which Senate Bill No. 169 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

MESSAGE TO THE HOUSE

Senate Chamber
Bismarck, March 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.

Senator Braun moved that the Senate do not concur in the House amendments to Senate Concurrent Resolution "1-A", which motion prevailed.

Senator Braun moved that the Presiding Officer appoint a Conference Committee to meet with a like committee from the House, on Senate Concurrent Resolution "1-A", which motion prevailed, and the President appointed as such committee, Senators Braun, Nordhougen, Raschko.

Senator Morgan of Richland moved that a Conference Committee serving on House Bill No. 9 be also appointed to act as a Conference Committee on House Bill No. 47, which motion prevailed.

Senator Nordhougen moved that the Senate do now recess for fifteen minutes, which motion prevailed and the Senate stood recessed.

The Senate re-convened at the conclusion of the fifteen minute recess.

Senator Braun moved that the Senate rescind the action taken on Senate Concurrent Resolution "1-A", which motion prevailed.

Senator Braun moved that the Senate concur in the House amendments to Senate Concurrent Resolution "1-A", which motion prevailed.

Senator Braun moved that the rules be suspended and that Senate Concurrent Resolution "1-A" be considered properly re-engrossed and placed on Second Reading and Final Passage as amended by the House, which motion prevailed.

SECOND READING OF SENATE CONCURRENT RESOLUTION

Senate Concurrent Resolution "1-A".

Which had been read.

Senator Braun moved that Senate Concurrent Resolution "1-A" be adopted as amended by the House, which motion prevailed and Senate Concurrent Resolution "1-A" was declared adopted.

Senator Morgan of Richland moved that the Senate do concur in the House amendments to Senate Bill No. 208, which motion prevailed.

Senator Morgan of Richland moved that the rules be suspended and Senate Bill No. 208 be placed on Second Reading and Final Passage, as amended, which motion prevailed.

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. Which had been read.

ROLL CALL

The question being on the final passage of the bill, as amended by the House, the roll was called and there were ayes, 31; nays, 0; absent and not voting, 18.

Those voting in the affirmative were:

Adam	Greiser	Oksendahl
Beaton	Guenther	Olson, Barnes
Bilden	Kehoe	Olson, McHenry
Brant	Lavik	Raschko
Braun	Lynch	Rue

Bridston	Morgan, Walsh	Schrock
Brunsdale	Morgan, Richland	Semerad
Day	Nelson, Griggs-	Solberg
Flatt	Steele	Stucke
Foss	Nordhougen	Thatcher
Ginter	O'Brien	

Absent and not voting:

Blank	Lofthus	Porter
Bond	Nelson, Dickey	Streibel
Drew	Nelson, McKenzie	Troxel
Feton	Nelson, Renville	Watt
Hoenck	Olson, Mountrail	Wog
Kamrath	Page	Young

So the bill passed and the title was agreed to.

Senator Morgan of Walsh 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.

MESSAGES FROM THE HOUSE

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.

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.

MESSAGES TO THE HOUSE

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. 208.

Very respectfully,
W. J. TROUT, Secretary.

REPORTS OF SELECT COMMITTEES

The Conference Committee on Senate Bill No. 2 made the following report:

Mr. Speaker: 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".

For the Senate:

MILTON RUE

P. L. FOSS

R. M. STREIBEL

For the House:

BRYNHILD HAUGLAND

ARLAN STAIR

LEO STICKA

Senator Rue moved that the report be adopted and the committee be discharged, which motion prevailed.

Senator Braun moved that further action on Senate Bill No 2 be delayed one hour, which motion prevailed.

The Conference Committee on Senate Bill No. 139 made the following report:

Mr. President: 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 Senate:

J. B. BRIDSTON

P. W. BLANK

G. F. DREW

For the House:

WALTER BUBEL

JOHN L. FLECK

JOHN COGLAN

Senator Bridston moved that the report be adopted and the committee be discharged, which motion prevailed and the report was adopted.

The Conference Committee on Senate Concurrent Resolution "H" made the following report:

Mr. President: 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 Senate:

GUST WOG

A. N. LAVIK

M. J. RASCHKO

For the House:

C. H. HOFSTRAND

EDWIN L. BAGGE

C. T. OLSON

Senator Lavik moved that the report be adopted and the Committee be discharged, which motion prevailed and the report was adopted.

MESSAGE FROM THE HOUSE

House of Representatives

Bismarck, March 5, 1943

Mr. President: I have the honor to transmit:

House Concurrent Resolution "1-S."

Which the House has passed and your favorable consideration is requested.

W. M. SMART, Chief Clerk.

Senator Bridston requested a call of the Senate, which request was sustained.

Senator Stucke moved that Senator Troxel be excused because of illness in the family, which motion prevailed.

Senator Stucke moved that the call of the Senate be dispensed with, which motion prevailed.

Senator Drew moved that the vote by which House Bill No. 169 was lost be reconsidered, which motion prevailed.

Senator Drew moved that the rules be suspended and House Bill No. 169 be 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.

Which had been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 26; nays, 20; absent and not voting, 3.

Those voting in the affirmative were:

Bond	Guenther	Nordhousen
Brant	Hoencck	O'Brien
Bridston	Kehoe	Olson, Barnes
Day	Lavik	Porter
Drew	Lofthus	Raschko
Feton	Morgan, Walsh	Schrock
Flatt	Morgan, Richland	Watt
Foss	Nelson, Griggs-	Wog
Greiser	Steele	Young

Those voting in the negative were:

Adam	Kamrath	Rue
Beaton	Lynch	Semerad
Bilden	Nelson, Dickey	Solberg
Blank	Nelson, Renville	Streibel
Braun	Oksendahl	Stucke
Brunsdale	Olson, McHenry	Thatcher
Ginter	Olson, Mountrail	

Absent and not voting:

Nelson, McKenzie	Page	Troxel
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So the bill passed and the title was agreed to.

Senator Bridston 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 HOUSE

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.

MESSAGE FROM THE HOUSE

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.

FIRST READING OF HOUSE CONCURRENT
RESOLUTIONS

House Concurrent Resolution "1-S."

Senator Flatt moved that House Concurrent Resolution "1-S" be amended as follows:

Wherever the figures "twenty-five" appear the figure "one thousand" be inserted and wherever the figure "fifteen" appears, the figures "five hundred" be inserted, which motion was declared lost.

Senator Rue moved that House Concurrent Resolution "1-S" be indefinitely postponed, which motion prevailed.

Senator Rue moved that the vote by which House Concurrent Resolution "1-S" was indefinitely postponed be reconsidered and the motion to reconsider be laid on the table, which motion was declared carried.

MESSAGES TO THE HOUSE

Senate Chamber
Bismarck, March 5, 1943

Mr. Speaker: I have the honor to return:
House Concurrent Resolution "1-S."

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. 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.

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.

Which had been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 37; nays, 5; absent and not voting, 7.

Those voting in the affirmative were:

Adam	Ginter	O'Brien
Beaton	Guenther	Oksendahl
Bilden	Hoenck	Olson, Barnes
Blank	Lavik	Olson, McHenry
Bond	Lofthus	Porter
Brant	Lynch	Rue
Braun	Morgan, Walsh	Schrock
Bridston	Morgan, Richland	Semerad
Brunsdale	Nelson, Dickey	Solberg
Day	Nelson, Griggs-	Streibel
Drew	Steele	Stucke
Fetqn	Nelson, McKenzie	Wog
Foss	Nordhougen	

Those voting in the negative were:

Greiser	Nelson, Renville	Watt
Kehoe	Thatcher	

Absent and not voting:

Flatt	Page	Troxel
Kamrath	Raschko	Young
Olson, Mountrail		

So the bill passed and the title was agreed to.

Senator Morgan of Walsh 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.

SECOND READING OF HOUSE CONCURRENT RESOLUTION

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.

Senator Day moved that further consideration of House Concurrent Resolution "K" be indefinitely postponed, which motion prevailed.

Senator Morgan of Walsh moved that the President appoint a new Conference Committee to meet with a like committee from the House on Senate Bill No. 2, which motion prevailed and the President appointed as such committee, Senators Blank, Braun and Day.

Senator Thatcher moved that the President appoint a

Conference Committee to meet with a like committee from the House on House Bill No. 50, which motion prevailed and the President appointed as such committee, Senators, Thatcher, Oksendahl and Olson of Barnes.

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.

Which had been read.

ROLL CALL

The question being on the final passage of the bill, as amended by the Conference Committee, the roll was called and there were ayes, 29; nays, 15; absent and not voting, 5.

Those voting in the affirmative were:

Adam	Greiser	O'Brien
Beaton	Guenther	Olson, McHenry
Bilden	Lavik	Schrock
Blank	Lofthus	Semerad
Bond	Lynch	Solberg
Brant	Morgan, Richland	Streibel
Braun	Nelson, Dickey	Stucke
Day	Nelson, McKenzie	Thatcher
Drew	Nelson, Renville	Young
Ginter	Nordhogen	

Those voting in the negative were:

Bridston	Morgan, Walsh	Page
Brunsdale	Nelson, Griggs-	Porter
Feton	Steele	Rue
Foss	Oksendahl	Watt
Hoenck	Olson, Barnes	Wog
Kehoe		

Absent and not voting:

Flatt	Olson, Mountrail	Troxel
Kamrath	Raschko	

So the bill passed and the title was agreed to.

Senator Thatcher 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 transmit:

House Concurrent Resolution "1-T."

Which the House has passed and your favorable consideration is requested.

W. M. SMART, Chief Clerk.

PETITIONS AND COMMUNICATIONS

Senator Streibel moved that the communication received by Senator Nordhogen from John J. Muri be printed in the

Journal in its present form, which motion prevailed.

York Jan 6 1943

COMPLAINT

MR. ORIS NORHAUGEN
BISMARCK

Dear Sir:

We have a Difficult time to get what we got to have from the Benson County Welfare Board at minnewaukan north Dakota, I want you to take it up, and have it present to the Legislative, or senat.

we is Depressed an Health, in account of Poor Leving, that take us 2 ton of Coal pr. month that cost somvere around \$10. 00, than i ove for milk \$9.00, for tax \$3. and 12 ¢ a month, So Came prappety tax \$3.80¢. for CEROCINE for Lamp and stove 10 * Galons pr. month, the Seblius Brother Store have \$36. 00. comeing, no Credit there no moore. and for 2 ton of Coall \$ 10. 00. 3 yeares ago Chara sweetLand Executive secretary, of Benson county come to the Sebelius Store et york, and ask them to let me have som Credit, shi will se to it so thi will get there money, Wen the time kome to paid up, shi Left ol for me to pead for that was a smart trik up an me,

JN 1900 i have to be Aperetet an, one for gravel in the cedny and one For Apendysetys, i have Bing forset ougt to work to make Leving and Borsted my opereting catt, and Doktors kant operat for that axapt killing me? . thats a qvite responcebelty. i cant due any work no moore.

J. John J. muri, will Be 79 yeares old The 17 of March 1943, and may wife Will be, Johanna G. Muri, 83 yeares old the 23 of August 1943, In 1928 the 1st of November my wife Have a OTOMOBIL AXIDANT, HASE THE NOSE COTT OF, AND THE FESE SLESSED AND WAS NOT AXPEKTET TO LIFE, and shi have Biing Porly Ever sens. For 3 yeares ago may old Age Asisten was \$ 20.00 pr. Month, and my wife have \$ 13.00 pr.month, so thi kott me daun to \$ 13.00, so is to get me ougt to work agen,

Jn this Coold wether i was ougt of coall for 2 Days, i have 4, roten tise to Born, and wi due nat have Badklosses to kip woorm an. take this in to CONSIDERATION.

YOURES TRULY

JOHN J. MURI
YORK NORTH DAKOTA

REPORT OF SELECT COMMITTEE

The Conference Committee on House Bill No. 9 made the following report:

Mr. President: 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 Senate:

H. R. MORGAN
CHAS A. GINTER
W. H. PORTER

For the House:

CORNELIUS BYMERS
HARRY STORMON
TONY STARCK

Senator Morgan of Richland moved that the report be adopted and the committee discharged, which motion prevailed and the report was adopted.

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.

Which had been read.

ROLL CALL

The question being on the final passage of the bill, as amended by Conference Committee, the roll was called and there were ayes, 40; nays, 2; absent and not voting, 7.

Those voting in the affirmative were:

Adam	Hoenck	Olson, McHenry
Beaton	Lavik	Olson, Mountrail
Bilden	Lofthus	Porter
Bond	Lynch	Raschko
Brant	Morgan, Walsh	Rue
Braun	Morgan, Richland	Schrock
Bridston	Nelson, Dickey	Semerad
Brunsdale	Nelson, McKenzie	Solberg
Day	Nelson, Renville	Streibel
Drew	Nordhougen	Stucke
Feton	O'Brien	Thatcher
Foss	Oksendahl	Wog
Ginter	Olson, Barnes	Young
Greiser		

Those voting in the negative were:

Kehoe	Nelson, Griggs-
	Steele

Absent and not voting:

Blank	Kamrath	Troxel
Flatt	Page	Watt
Guenther		

So the bill passed and the title was agreed to.

Senator Morgan of Richland 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.

MESSAGE 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.

REPORT OF SELECT COMMITTEE

Mr. President: 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 Senate:

H. R. MORGAN
CHAS. A. GINTER
W. H. PORTER

For the House:

CORNELIUS BYMERS
HARRY STORMON
TONY STARCK

Senator Morgan of Richland moved that the report be adopted, and the committee be discharged, which motion prevailed and the report was adopted.

SECOND READING OF HOUSE BILLS

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 by the House, the roll was called and there were ayes, 41; nays, 0; absent and not voting, 8.

Those voting in the affirmative were:

Adam	Kehoe	Olson, Barnes
Beaton	Lavik	Olson, McHenry
Bilden	Lofthus	Page
Bond	Lynch	Porter
Braun	Morgan, Walsh	Raschko
Bridston	Morgan, Richland	Rue
Brunsdale	Nelson, Dickey	Schrock
Day	Nelson, Griegs-	Semerad
Drew	Steele	Solberg
Feton	Nelson, McKenzie	Streibel
Foss	Nelson, Renville	Stucke
Ginter	Nordhougen	Thatcher
Greiser	O'Brien	Watt
Hoencck	Oksendahl	Wog

Absent and not voting:

Blank	Guenther	Troxel
Brant	Kamrath	Young
Flatt	Olson, Mountrail	

So the bill passed and the title was agreed to.

Senator Morgan of Richland 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.

MESSAGE FROM THE HOUSE

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.

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, 38; nays, 3; absent' and not voting, 8.

Those voting in the affirmative were:

Adam	Hoenck	Olson, Barnes
Beaton	Kehoe	Olson, Mountrail
Bilden	Lavik	Page
Bond	Lofthus	Porter
Braun	Lynch	Raschko
Bridston	Morgan, Walsh	Rue
Brunsdale	Nelson, Dickey	Schrock
Day	Nelson, Griggs-	Semerad
Drew	Steele	Solberg
Feton	Nelson, McKenzie	Streibel
Flatt	Nordhougen	Stucke
Foss	O'Brien	Watt
Ginter	Oksendahl	Wog

Those voting in the negative were:

Greiser	Nelson, Renville	Olson, McHenry
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Absent and not voting:

Blank	Kamrath	Troxel
Brant	Morgan, Richland	Young
Guenther	Thatcher	

So the bill passed and the title was agreed to.

Senator Morgan of Richland 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.

MESSAGES TO THE HOUSE

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. 9.

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.

SECOND READING OF SENATE CONCURRENT
RESOLUTION

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 final passage of the Concurrent Resolution, as amended by the House, the roll was called and there were ayes, 36; nays, 0; absent and not voting, 13.

Those voting in the affirmative were:

Adam	Lavik	Olson, Mountrail
Beaton	Lofthus	Paœe
Bond	Lynch	Porter
Brant	Morgan, Walsh	Rue
Bridston	Morgan, Richland	Schrock
Brunsdale	Nelson, Dickey	Semerad
Drew	Nelson, Griggs-	Solberg
Flatt	Steele	Streibel
Foss	Nelson, Renville	Stucke
Ginter	Nordhougen	Watt
Greiser	O'Brien	Wog
Hoenck	Olson, McHenry	Young
Kehoe		

Absent and not voting:

Bilden	Guenther	Olson, Barnes
Blank	Kamrath	Raschko
Braun	Nelson, McKenzie	Thatcher
Day	Oksendahl	Troxel
Feton		

So the Concurrent Resolution was declared adopted.

Senator Young moved that the vote by which Senate Concurrent Resolution "H" was adopted 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. 8 made the following report:

Mr. President: 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 of the engrossed bill, strike out the figures "\$1,500.00" and insert in lieu thereof the figures "\$5,500.00".

In line 46 of the House amendments, strike out the figures "\$34,700.00" and insert in lieu thereof the figures, "\$47,700.00".

And we further recommend the adoption of the balance of the House amendments.

For the Senate:

M. R. YOUNG
R. M. STREIBEL
J. J. KEHOE

For the House:

W. E. SELLENS
VERNON M. JOHNSON
F. J. GRAHAM

Senator Young moved that the report be adopted and the Conference Committee be discharged, which motion prevailed and the report was adopted.

Senatro Young moved that the rules be suspended and that Senate Bill No. 8 be considered properly re-engrossed and placed on Second Reading and Final Passage, as amended by the Conference Committee, 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 by Conference Committee, the roll was called and there were ayes, 38; nays, 0; absent and not voting, 11.

Those voting in the affirmative were:

Adam	Hoeneck	Olson, Mountrail
Beaton	Kehoe	Page
Bond	Lavik	Porter
Brant	Lofthus	Raschko
Braun	Lynch	Rue
Eridston	Morgan, Walsh	Schrock
Brunsdale	Morgan, Richland	Semerad
Day	Nelson, Dickey	Solberg
Drew	Nelson, Griggs-	Streibel
Flatt	Steele	Stucke
Foss	Nordhougen	Watt
Ginter	O'Brien	Wog
Greiser	Olson, McHenry	Young

Absent and not voting:

Bilden	Kamrath	Olson, Barnes
Blank	Nelson, McKenzie	Thatcher
Feton	Nelson, Renville	Troxel
Guenther	Oksendahl	

So the bill passed and the title was agreed to.

Senator Young moved that the vote by which Senate Bill No. 8 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 House Bill No. 110 made the following report:

Mr. President: 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 recommend that a new committee be appointed and this committee be discharged.

For the Senate:

J. P. FLATT
M. J. RASCHKO
AXEL OLSON

For the House:

WALTER BUBEL
BERNT ANDERSON
E. J. LANGLEY

Senator Flatt moved that the report be adopted, which motion prevailed and the report was adopted.

Senator Bridston moved that the President appoint a new Conference Committee to meet with a like committee from the House on House Bill No. 110.

And the President appointed as such committee, Senators Rue, Bridston, Stucke.

FIRST READING OF HOUSE CONCURRENT RESOLUTION

House Concurrent Resolution "1-T".

Was read the first time.

Senator Page moved that the rules be suspended and that House Concurrent Resolution "1-T" be amended as follows:

In the ninth line of the first page of the engrossed bill, strike out the colon, insert a comma and the language, "the Senate concurring therein:"

And ninth line, second page after the word "Assembly" insert the language, "The Senate concurring therein", which motion prevailed.

Senator Page moved that the rules be suspended and that House Concurrent Resolution "1-T" be placed on second Reading and Final Passage as amended, which motion prevailed.

SECOND READING OF HOUSE CONCURRENT RESOLUTION

House Concurrent Resolution "1-T".

Was read the second time.

ROLL CALL

The question being on the final passage of the Resolution,

as amended, the roll was called and there were ayes, 35; nays, 0; absent and not voting, 14.

Those voting in the affirmative were:

Adam	Greiser	Olson, McHenry
Beaton	Hoenck	Olson, Mountrail
Blank	Kehoe	Page
Bond	Lavik	Porter
Bridston	Lofthus	Raschko
Brunsdale	Morgan, Walsh	Schrock
Day	Morgan, Richland	Semerad
Drew	Nelson, Dickey	Solberg
Feton	Nelson, Griggs-	Streibel
Flatt	Steele	Stucke
Foss	Nelson, Renville	Wog
Ginter	O'Brien	Young

Absent and not voting:

Bilden	Lynch	Rue
Brant	Nelson, McKenzie	Thatcher
Braun	Nordhougen	Troxel
Guenther	Oksendahl	Watt
Kamrath	Olson, Barnes	

So the Concurrent Resolution was declared adopted,

Senator Streibel moved that the vote by which House Concurrent Resolution "1-T" was adopted be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

MESSAGES TO THE HOUSE

Senate Chamber
Bismarck, March 5, 1943

Mr. Speaker: I have the honor to return:
House Concurrent Resolution "1-T".
Which the Senate has amended.

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, 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 Senate has adopted the report of the Conference Committee on Senate Bill No. 8.

Very respectfully,
W. J. TROUT, Secretary.

Senator Young moved that the Senate do now recess to the call of the Chair, which motion prevailed and the Senate stood recessed.

The Senate convened at the call of the chair pursuant to the motion of Senator Young.

The Presiding Officer announced that the Senate would

be on the sixth order of business for the reading of Select Committee reports.

MESSAGE 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. Klaut, Special Investigating Commissioner.

Which the House has passed unchanged.

W. M. SMART, Chief Clerk.

REPORT OF SELECT COMMITTEE

Mr. President: 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 Senate:

MELVIN OLSON
KNUTE OKSENDAHL
WM. A. THATCHER

For the House:

M. S. AKER
A. J. SANDNESS
RAY SCHNELL

Senator Thatcher moved that the report be adopted and the Conference Committee be discharged, which motion prevailed and the report was adopted.

Senator Thatcher moved that the rules be suspended and that House Bill No. 50 be 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.

Which had been read.

ROLL CALL

The question being on the final passage of the bill, as amended by the Conference Committee, the roll was called and there were ayes, 38; nays, 0; absent and not voting, 11.

Those voting in the affirmative were:

Adam Kamrath Olson, McHenry

Beaton	Kehoe	Olson, Mountrail
Bilden	Lofthus	Page
Bond	Lynch	Porter
Brant	Morgan, Walsh	Raschko
Brunsdale	Nelson, Griggs-	Rue
Day	Steele	Semerad
Drew	Nelson, McKenzie	Solberg
Feton	Nelson, Renville	Streibel
Flatt	Nordhogen	Stucke
Foss	O'Brien	Thatcher
Ginter	Oksendahl	Watt
Hoenck	Olson, Barnes	Wog
Absent and not voting:		
Blank	Guenther	Schrock
Braun	Lavik	Troxel
Bridston	Morgan, Richland	Young
Greiser	Nelson, Dickey	

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

Senator Oksendahl 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. President: 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 Senate:
 E. H. BRANT
 R. D. LYNCH
 CARROLL E. DAY

For the House:
 W. M. CROCKETT
 GEO. H. SAUMUR
 JOHN R. FLECK

Senator Brant moved that the report be adopted and the Conference Committee be discharged, which motion prevailed and the report was adopted.

Senator Brant moved that the rules be suspended and that Senate Bill No. 107 be considered properly re-engrossed and placed on Second Reading and Final Passage, as amended, which motion prevailed.

SECOND READING OF SENATE BILLS

Senate Bill No. 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 had been read.

ROLL CALL

The question being on the final passage of the bill, as amended by the Conference Committee, the roll was called and there were ayes, 41; nays, 0; absent and not voting, 8.

Those voting in the affirmative were:

Adam	Kamrath	Olson, McHenry
Beaton	Kehoe	Olson, Mountrail
Bilden	Lofthus	Page
Bond	Lynch	Porter
Brant	Morgan, Walsh	Raschko
Braun	Morgan, Richland	Rue
Brunsdale	Nelson, Griggs-	Semerad
Day	Steele	Solberg
Drew	Nelson, McKenzie	Streibel
Feton	Nelson, Renville	Stucke
Flatt	Nordhougen	Thatcher
Foss	O'Brien	Watt
Ginter	Oksendahl	Wog
Hoenck	Olson, Barnes	Young

Absent and not voting:

Blank	Guenther	Schrock
Bridston	Lavik	Troxel
Greiser	Nelson, Dickey	

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

Senator Brant 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.

MESSAGES FROM THE GOVERNOR

State of North Dakota
OFFICE OF THE GOVERNOR

Bismarck, March 5, 1943

To the Senate of the State of North Dakota.

This is to notify you that I have approved the following Senate Bills:

Senate Bill No. 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. 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. 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. 147. A Bill for an Act Making an Appropriation for the Purpose of Paying for Oleomargarine Stamps.

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. 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. 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. 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. 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. 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. 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. 11. A Bill for an Act Making an Appropriation for the Enforcement and Administration of the Attorney General Licensing Department.

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. 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. 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. 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. 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.

And the same have been filed with the Secretary of State.
JOHN MOSES, Governor.

State of North Dakota
OFFICE OF THE GOVERNOR

Bismarck, March 5, 1943

To the Senate of the State of North Dakota:

This is to notify you that I have approved the following Senate Bill:

Senate Bill No. 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.

And the same has been filed with the Secretary of State.
JOHN MOSES, Governor.

State of North Dakota
OFFICE OF THE GOVERNOR

Bismarck, March 5, 1943

To the Senate of the State of North Dakota:

This is to notify you that I have approved the following Senate Bills:

Senate Bill No. 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. 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.

And the same have been filed with the Secretary of State.
JOHN MOSES, Governor.

Senator Bond moved that the Conference Committee on House Bill No. 10 be discharged, which motion prevailed.

Senator Bond moved that the Conference Committee on House Bill No. 102 be discharged, which motion prevailed.

MESSAGES TO THE HOUSE

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 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 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.

Senator Young moved that the House be requested to return House Bill No. 119 to the Senate, which motion prevailed.

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.

REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

Senate Bill No. 15.
Senate Bill No. 16.
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.

And find the same correctly Enrolled.

W. R. BOND, Chairman.

Senator Bond moved that the report be adopted, which motion prevailed, and the report was adopted.

SIGNING OF BILLS

The Secretary announced that the President Pro Tem was about to sign:

Senate Bill No. 15.
 Senate Bill No. 16.
 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.

And the President Pro Tem signed the same in the presence of the Senate.

MESSAGE TO THE HOUSE

Senate Chamber
 Bismarek, March 5, 1943

Mr. Speaker: I have the honor to transmit:

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 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 SLEECT COMMITTEE

The Conference Committee on Senaté 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 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 Senate:

J. B. BRIDSTON

J. L. FLATT

P. W. BLANK

For the House:

L. L. TWICHELL

GEO. H. SAUMUR

A. W. BENNO

Senator Blank moved that the report be adopted and the Conference Committee be discharged, which motion prevailed and the report was adopted.

Senator Thatcher moved that the rules be suspended and that Senate Bill No. 68 be considered properly re-engrossed and placed on Second Reading and Final Passage, as amended by the Conference Committee, 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.

Which had been read.

ROLL CALL

The question being on the final passage of the bill, as amended by the Conference Committee, the roll was called and there were ayes, 41; nays, 3; absent and not voting, 8.

Those voting in the affirmative were:

Adam	Kamrath	Olson, McHenry
Beaton	Lavik	Olson, Mountrail
Blank	Loffhus	Page
Brant	Lynch	Raschko
Braun	Morgan, Walsh	Rue
Bridston	Morgan, Richland	Schrock
Brunsdale	Nelson, Griggs-	Semerad
Day	Steele	Solberg
Drew	Nelson, McKenzie	Streibel
Feton	Nelson, Renville	Stucke
Flatt	Nordhougen	Thatcher
Foss	O'Brien	Watt
Ginter	Oksendahl	Wog
Hoencik	Olson, Barnes	Young

Those voting in the negative were:

Bond	Kehoe	Porter
Absent and not voting:		
Bilden	Guenther	Troxel
Greiser	Nelson, Dickey	

So the bill passed and the title was agreed to.

Senator Braun 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.

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.

REPORT OF SELECT COMMITTEES

The Conference Committee on House Bill No. 110 made the following report:

Mr. President: 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 Senate:

J. B. BRIDSTON
MILTON L. RUE
E. C. STUCKE

For the House:

BERNT ANDERSON
WALTER BUBEL
LOUIS LEET

Senator Bridston moved that the report be adopted.

Senator Watt made a substitute motion that the report of the Conference Committee on House Bill No. 110 be rejected, which motion lost.

The question now being on the original motion of Senator Bridston that the report of the Conference Committee on House Bill No. 110 be adopted, which motion prevailed.

Senator Bridston moved that the rules be suspended and that House Bill No. 110 be placed on Second Reading and Final Passage as amended by the Conference Committee, which motion prevailed.

SECOND READING OF HOUSE BILLS

House Bill No. 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.

Which had been read.

ROLL CALL

The question being on the final passage of the bill, as amended by the Conference Committee, the roll was called and there were ayes, 30; nays, 15; absent and not voting, 4.

Those voting in the affirmative were:

Adam	Ginter	Olson, McHenry
Beaton	Hoenck	Olson, Mountrail
Bilden	Kamrath	Page
Blank	Lavik	Rue
Braun	Lynch	Schrock
Bridston	Morgan, Walsh	Streibel
Brunsdale	Morgan, Richland	Thatcher
Day	Nelson, McKenzie	Stucke
Drew	Nelson, Renville	Wog
Foss	Oksendahl	Young
Those voting in the negative were:		
Bond	Nelson, Griggs-	Porter
Brant	Steele	Raschko

Feton	Nordhougen	Semerad
Flatt	O'Brien	Solberg
Kehoe	Olson, Barnes	Watt
Lofthus		
Absent and not voting:		
Greiser	Nelson, Dickey	Troxel
Guenther		

So the bill lost.

The Presiding Officer announced: It being an Initiated Measure it requires a two-thirds majority of the members elected.

MESSAGES TO THE HOUSE

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.
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.

Senator Nordhougen moved that the vote by which House Bill No. 110 was lost be reconsidered, which motion prevailed.

MESSAGES FROM THE HOUSE

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.
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.

REPORT OF SELECT COMMITTEE

The Conference Committee on Senate Bill No. 2 made the following report:

Mr. Speaker: 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 Senate:

SEN. P. W. BLANK
SEN. WM. J. BRAUN
SEN. CARROLL DAY

For the House:

REP. STAIR
REP. JOHNSON
REP. HAUGLAND

Senator Braun moved that the report be adopted, and the Conference Committee be discharged, which motion prevailed and the report was adopted.

Senator Braun moved that the rules be suspended and that Senate Bill No. 2 be considered properly re-engrossed and placed on second reading and final passage, as amended, which motion prevailed.

SECOND READING OF SENATE BILLS

Senate Bill No. 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 by the Conference Committee, the roll was called and there were ayes, 39; nays, 4; absent and not voting, 6.

Those voting in the affirmative were:

Adam	Kamrath	Olson, Barnes
Beaton	Lavik	Olson, McHenry
Bilden	Lofthus	Olson, Mountrail
Blank	Lynch	Page
Brant	Morgan, Walsh	Raschko
Braun	Morgan, Richland	Rue
Bridston	Nelson, Griggs-	Schrock
Brunsdale	Steele	Semerad
Drew	Nelson, McKenzie	Solberg
Feton	Nelson, Renville	Streibel
Flatt	Nordhogen	Stucke
Foss	O'Brien	Thatcher
Ginter	Oksendahl	Young
Hoenck		

Those voting in the negative were:

Bond	Kehoe	Porter
Day		

Absent and not voting:

Greiser	Nelson, Dickey	Watt
Guenther	Troxel	Wog

So the bill passed and the title was agreed to.

Senator Braun moved that the vote by which Senate Bill No. 2 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

MESSAGES TO THE HOUSE

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.

Senator Raschko moved that the action taken on the Conference Committee report on House Bill No. 110 be rescinded and that a new Conference Committee be appointed by the Presiding Officer, which motion prevailed.

And the President appointed as such committee Senators Young, Nordhougen and Streibel.

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.

FIRST 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 first time.

Senator Morgan of Walsh moved that the rules be suspended and that House Concurrent Resolution "1-U" be indefinitely postponed, which motion prevailed.

Senator Morgan of Walsh moved that the vote by which House Concurrent Resolution "1-U" was indefinitely postponed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

MESSAGES FROM THE HOUSE

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, 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 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." 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 Speaker has signed.

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. 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."

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 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.

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 transmit:

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 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 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 transmit:

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, Partial Guarantee of Construction Bonds, Maintenance of Existing Dams, 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.
House of Representatives
Bismarck, March 5, 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. 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 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. 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.
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 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 Speaker has signed.

W. M. SMART, Chief Clerk.
House of Representatives,
Bismarck, March 5, 1943

Mr. President: I have the honor to return:

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 Speaker has signed.

W. M. SMART, Chief Clerk.

Senator Young: "Mr. President, the constitution provides that at the beginning and ending of each legislative session the Senate appoint a President Pro Tem. I would like to place in nomination the name of Senator Drew of Ramsey county. His contribution to North Dakota and his own community has been marked. Everything that he has done in this Senate body has been conscientious, and he has done as he believed best. I understand also that in his own community that his practice has not been for money but for services for those whom he served. For this reason he has not accumulated a large fortune, which it would have been possible for him to do. It is a pleasure for me to place in nomination the name of Senator Drew of Ramsey county as President Pro Tem."

Senator Bond: "Mr. President, I am pleased to second the nomination of Senator Drew for President Pro Tem and I wish to say that I have known him for many years and I admire him very, very much."

Senator Watt: "Mr. President, it also gives me great pleasure to second the nomination of Senator Drew. I have served with him in the Senate for many years and found him a good, reliable Senator. He is always in his chair and always right and fair and I am pleased to second his nomination for President Pro Tem for the interim."

The question being on the motion of Senator Young that Senator Drew be named President Pro Tem, the motion was put and declared carried.

Senator Drew: "Mr. President and Gentlemen of the Senate: I am all swelled up by these talks. I didn't know I was such a good Senator. These orators in the Senate can make anything look big, I guess. I am happy to express my appreciation for this honor that has been placed upon me. I don't know—maybe I deserve some of the compliments—I am just a common man. I do the best I can, that is all.

My coming down here attending this Senate is rewarded in the fellowship, friendship and respect that has been shown me in the Senate. It doesn't pay me to come down here. Every year when I go home I think I won't go again, but after two years I get so lonesome that I decide to come back. I don't have to do much to come back—it just seems natural—I am supposed to come. Everyone here has shown me much respect. I have no quarrel with anyone—not even a dispute. No one has ever objected to the way I have voted—I have

said what I wanted to without offending anyone. I have enjoyed the work. It takes me away from home where I would like to be but we can't have everything. If I stayed at home, I couldn't enjoy the benefit and pleasure from the associations that I have made here.

As I look around the Senate I don't see many here that were here the first years I came. There are only four or five, that were here when I first came. Senator Watt was a member; Senator Porter was here the first year and then dropped out but he is back again. He stays young so he will be here for many years. I am getting older so I will have to quit some time.

Anyway, as I said before, my greatest reward is the companionship and fellowship that I have enjoyed since I came here. I don't know how to express myself any further but I think that an old story about a minister fits the case. One of his parishioners presented him with a large jar of pickles which she had put down in wine. He said that he valued the pickles very highly but it was the spirit in which they were given that he valued the most. I want you to know that it is the spirit which you have shown me since I came here that I have enjoyed—it is certainly an honor to be selected for the office of President Pro Tem by the Senators from the various counties. I thank you."

MESSAGE FROM THE HOUSE

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.

Senator Young moved that the action by the Senate on House Bill No. 119 be reconsidered, which motion prevailed.

Senator Young moved that House Bill No. 119 be placed on the calendar for Second Reading and Final Passage, as amended by Conference Committee, 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, after being reconsidered, the roll was called and there were ayes, 42; nays, 2; absent and not voting, 5.

Those voting in the affirmative were:

Adam	Hoenck	Oksendahl
Beaton	Kamrath	Olson, Barnes
Bilden	Kehoe	Olson, McHenry
Blank	Lofthus	Olson, Mountrail

Bond	Lavik	Raschko
Brant	Lynch	Rue
Braun	Morgan, Walsh	Schrock
Bridston	Morgan, Richland	Semerad
Brunsdale	Nelson, Griggs-	Solberg
Day	Steele	Streibel
Drew	Nelson, McKenzie	Stucke
Feton	Nelson, Renville	Thatcher
Flatt	Nordhougen	Watt
Foss	O'Brien	Young
Ginter		

Those voting in the negative were:

Page Porter

Absent and not voting:

Greiser Nelson, Dickey Wog
Guenther Troxel

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

Senator Young moved that the vote by which House Bill No. 119 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 House Bill No. 110 made the following report:

Mr. President: 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 Senate:

M. R. YOUNG

R. M. STREIBEL

ORRIS G. NORDHOUGEN

For the House:

P. G. WESTBY

F. J. GRAHAM

C. T. OLSON

Senator Young moved that the report be adopted and the Conference Committee be discharged, which motion prevailed and the report was adopted.

MESSAGES TO THE HOUSE

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.

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 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.

Senator Young moved that the rules be suspended and that House Bill No. 110 be placed on Second Reading and Final Passage as amended by the Conference Committee report, 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.

Which had been read.

ROLL CALL

The question being on the final passage of the bill, as amended by the Conference Committee, the roll was called and there were ayes, 44; nays, 0; absent and not voting, 5.

Those voting in the affirmative were:

Adam	Hoenck.	Olson, Barnes
Beaton	Kamrath	Olson, McHenry
Bilden	Kehoe	Olson, Mountrail
Blank	Lavik	Page
Bond	Lofthus	Porter
Brant	Lynch	Raschko
Braun	Morgan, Walsh	Rue
Bridston	Morgan, Richland	Schrock
Brunsdale	Nelson, Griggs-	Semerad
Day	Steele	Solberg
Drew	Nelson, McKenzie	Streibel
Feton	Nelson, Renville	Stucke
Flatt	Nordhousen	Thatcher
Foss	O'Brien	Watt

Ginter	Oksendahl	Young
Absent and not voting:		
Greiser	Nelson, Dickey	Wog
Guenther	Troxel	

So the bill passed and the title was agreed to.

Senator Nordhougen 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 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. 169.

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 Conference Committee report on House Bill No. 110.

Very respectfully,
W. M. SMART, Chief Clerk.

REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on Enrollment and En-grossment respectfully report that they have examined the following bills:

Senate Bill No. 122.
Senate Bill No. 5.
Senate Bill No. 12.
Senate Bill No. 19.
Senate Bill No. 20.
Senate Bill No. 21.
Senate Bill No. 22.
Senate Bill No. 37.
Senate Bill No. 55.
Senate Bill No. 77.
Senate Bill No. 102.
Senate Bill No. 169.
Senate Bill No. 175.
Senate Bill No. 176.
Senate Bill No. 179.
Senate Bill No. 186.

And find the same correctly enrolled.

W. R. BOND, Chairman.

Senator Bond moved that the report be adopted, which motion prevailed, and the report was adopted.

Mr. President: Your Committee on Enrollment and En-grossment respectfully report that they have examined the following bills:

Senate Bill No. 7.
Senate Bill No. 53.
Senate Bill No. 59.
Senate Bill No. 95.
Senate Bill No. 119.
Senate Bill No. 127.

Senate Bill No. 140.
 Senate Bill No. 181.
 Senate Bill No. 199.
 Senate Bill No. 202.
 Senate Bill No. 211.
 Senate Concurrent Resolution "1-D".
 Senate Concurrent Resolution "1-G".
 Senate Concurrent Resolution "1-H".
 Senate Concurrent Resolution "1-K".
 Senate Concurrent Resolution "1-J".
 Senate Concurrent Resolution "1-L".

And find the same correctly enrolled.

W. R. BOND, Chairman.

Senator Bond moved that the report be adopted, which motion prevailed, and the report was adopted.

Mr. President: Your Committee on Enrollment and En-grossment respectfully report that they have examined the following bills:

Senate Bill No. 208.
 Senate Bill No. 3.
 Senate Bill No. 4.
 Senate Bill No. 8.
 Senate Bill No. 9.
 Senate Bill No. 10.
 Senate Bill No. 68.
 Senate Bill No. 107.
 Senate Bill No. 149.
 Senate Concurrent Resolution "1-I".

And find the same correctly enrolled.

W. R. BOND, Chairman.

Senator Bond moved that the report be adopted, which motion prevailed, and the report was adopted.

Senator Young moved that the Senate recess subject to the call of the chair, which motion prevailed.

The Senate reconvened by the call of the Chair.

SIGNING OF BILLS

The Secretary announced that the President Pro Tem was about to sign:

Senate Bill No. 5.
 Senate Bill No. 12.
 Senate Bill No. 19.
 Senate Bill No. 20.
 Senate Bill No. 21.
 Senate Bill No. 22.
 Senate Bill No. 37.
 Senate Bill No. 55.
 Senate Bill No. 77.
 Senate Bill No. 102.
 Senate Bill No. 169.
 Senate Bill No. 175.
 Senate Bill No. 176.
 Senate Bill No. 179.
 Senate Bill No. 186.
 Senate Bill No. 122.

And the President Pro Tem signed the same in the presence of the Senate.

MESSAGE TO THE HOUSE

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 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. 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.
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 Pro Tem 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. 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 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 Speaker has signed.

W. M. SMART, Chief Clerk.

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 Acts 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".

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; 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. 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.

SIGNING OF BILLS

The Secretary announced that the President Pro Tem was about to sign:

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.
 House Bill No. 228.
 House Bill No. 229.
 House Bill No. 236.
 House Bill No. 240.
 House Bill No. 245.
 House Concurrent Resolution "O".
 House Concurrent Resolution "1-I."
 House Concurrent Resolution "1-J."

And the President Pro Tem signed the same in the presence of the Senate.

MESSAGE TO THE HOUSE

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, Out-

fitting 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 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. 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.

SIGNING OF BILLS

The Secretary announced that the President Pro Tem was about to sign:

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. 149.
 Senate Bill No. 181.
 Senate Bill No. 199.
 Senate Bill No. 202.
 Senate Bill No. 208.
 Senate Bill No. 211.
 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".

And the President Pro Tem signed the same in the presence of the Senate.

MESSAGE TO THE HOUSE

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 Sal-

aries, 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. Klautd, Special Investigating Commissioner.

Which the President Pro Tem has signed and your signature is respectfully requested.

W. J. TROUT, Secretary.

SIGNING OF BILLS

The Secretary announced that the President Pro Tem was about to sign:

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. 169.
 House Bill No. 184.
 House Bill No. 199.
 House Bill No. 239.
 House Bill No. 244.
 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."/

And the President Pro Tem signed the same in the presence of the Senate.

MESSAGE TO THE HOUSE

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 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-T".

Which the President Pro Tem has signed,

W. J. TROUT, Secretary.

REPORT OF STANDING COMMITTEE

Mr. President: Your Committee on Enrollment and Engraving respectfully report that:

Joint Memorial Resolution "A".

Senate Concurrent Resolution "B".

Senate Concurrent Resolution "H".

Senate Concurrent Resolution "P".

Senate Concurrent Resolution "Q".

Senate Concurrent Resolution "R".

Senate Concurrent Resolution "S".

Senate Concurrent Resolution "1-A".

Senate Concurrent Resolution "1-B".

Senate Concurrent Resolution "1-D".

Senate Concurrent Resolution "1-E".

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".

Were delivered to the Secretary of State for his approval at the hour of 3:00 o'clock March 5, 1943.

W. R. BOND, Chairman.

SIGNING OF BILLS

The Secretary announced that the President Pro Tem was about to sign:

- 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."

And the President Pro Tem signed the same in the presence of the Senate.

MESSAGE TO THE HOUSE

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 Pro Tem has signed and your signature is respectfully requested.

W. J. TROUT, Secretary.

MESSAGES FROM THE HOUSE

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.

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. 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 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 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. Klaudt, Special Investigating Commissioner.

Which the Speaker has signed.

W. M. SMART, Chief Clerk.

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 Conflictng 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 Speaker has signed.

W. M. SMART, Chief Clerk.

REPORTS OF STANDING COMMITTEE

The Committee on Enrollment and Engrossment made the following report:

Mr. President: Your committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

Senate Concurrent Resolution "H".

Senate Concurrent Resolution "P".

Senate Bill No. 6.

Senate Bill No. 139.

Senate Bill No. 154.

Senate Bill No. 2.

Senate Concurrent Resolution "1-A".

And find the same correctly enrolled.

W. R. BOND, Chairman.

Senator Bond moved that the report be adopted, which motion prevailed, and the report was adopted.

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that:

Senate Bill No. 1.

Senate Bill No. 2.

Senate Bill No. 3.

Senate Bill No. 4.

Senate Bill No. 6.

Senate Bill No. 7.

Senate Bill No. 8.

Senate Bill No. 9.

Senate Bill No. 10.
Senate Bill No. 58.
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Senate Bill No. 154.
Senate Bill No. 179.
Senate Bill No. 181.
Senate Bill No. 199.
Senate Bill No. 202.
Senate Bill No. 208.
Senate Bill No. 211.

Were delivered to the Governor for his approval at the hour of 3:00 o'clock p. m., March 5, 1943.

W. R. BOND, Chairman.

Mr. President: Your Committee on Enrollment and En-grossment respectfully report that:

Senate Bill No. 5.
Senate Bill No. 12.
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Senate Bill No. 206.
Senate Bill No. 209.
Senate Bill No. 210.

Were delivered to the Governor for his approval at the hour of 3:00 o'clock p. m., March 5, 1943.

W. R. BOND, Chairman.

Senator Morgan of Walsh moved that the President appoint a committee of three to notify the Governor that the Senate had completed its work and was about to adjourn sine die, which motion prevailed.

And the President appointed as such committee, Senators Morgan of Walsh, Nordhougen and Thatcher.

Senator Young moved that the President appoint a committee of three to notify the House that the Senate had completed its business and was about to adjourn sine die, which motion prevailed.

And the President appointed as such committee: Senators Young, Porter, and Nelson of Renville.

A committee from the House consisting of Representatives Graham, Johnson of Richland and Lillehaugen notified the Senate that the House had completed its business and was about to adjourn sine die.

The Committee appointed to notify the House that the Senate had completed its business and was about to adjourn sine die, reported that they had so notified the House that the Senate had completed its work and was about to adjourn sine die, and requested that they be discharged, which request was granted.

The Committee appointed to notify the Governor that the Senate had completed its business and was about to adjourn sine die, reported that they had so notified the Governor and requested that they be discharged, which request was granted.

MESSAGES FROM THE HOUSE

Mr. President: I have the honor to transmit House Bill No. 87 which the speaker has signed and your signature is respectfully requested.

W. M. SMART, Chief Clerk.

Mr. President: I have the honor to return Senate Concurrent Resolution "W" which the House had indefinitely postponed.

W. M. SMART, Chief Clerk.

Senator Watt moved that the Senate adjourn sine die, which motion prevailed.

And the Senate stood adjourned sine die pursuant to the motion of Senator Watt.

W. J. TROUT, Secretary.

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Referred to Committee on State Affairs.

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.

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Senate Bill No. 2—(Committee on Appropriations)

Referred to Committee on Appropriations.

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. 3—(Committee on Appropriations)

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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.

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Senate Bill No. 4—(Committee on Appropriations)

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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.

Introduction, first reading and reference, 26.
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Senate Bill No. 5—(Committee on Appropriations)

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Senate Bill No. 6—(Committee on Appropriations)

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Senate Bill No. 6. A Bill for an Act Making an Appropriation for the Operation and Maintenance of the State Hail Insurance Department.

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Introduction, first reading and reference, 26.

Reported back, 457.

Amendments, 849.

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Second reading, 479, 858.

To House, 521.

Returned to Senate, 849.

Signed by President, 933.

Sent to Governor, 945.

Senate Bill No. 8—(Committee on Appropriations)

Referred to Committee on Appropriations.

Senate Bill No. 8. A Bill for an Act Making an Appropriation for 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.

Introduction, first reading and reference, 26.

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Other action, 420.

Second reading, 446.

To House, 502, 888.

Returned to Senate, 854.

Signed by President, 933.

Sent to Governor, 945.

Conference Committee, 856.

Conference Committee report, 888.

Senate Bill No. 9—(Committee on Appropriations)

Referred to Committee on Appropriations.

Senate Bill No. 9. A Bill for an Act Making an Appropriation for the 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.

Introduction, first reading and reference, 27.

Reported back, 394.

Other action, 420.

Second reading, 447.

To House, 503.

Returned to Senate, 850.

Signed by President, 933.

Sent to Governor, 945.

Senate Bill No. 10—(Committee on Appropriations)

Referred to Committee on Appropriations.

Senate Bill No. 10. A Bill for an Act Making an Appropriation for the 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.

Introduction, first reading and reference, 27.
 Reported back, 457.
 Second reading, 479.
 To House, 521.
 Returned to Senate, 850.
 Signed by President, 933.
 Sent to Governor, 945.

Senate Bill No. 11—(Committee on Appropriations)

Referred to Committee on Appropriations.

Senate Bill No. 11. A Bill for an Act Making an Appropriation for the Enforcement and Administration of the Attorney General Licensing Department.

Introduction, first reading and reference, 27.
 Reported back, 116.
 Second reading, 131.
 To House, 137.
 Returned to Senate, 571.
 Signed by President, 596.
 Sent to Governor, 787.
 Signed by Governor, 895.

Senate Bill No. 12—(Committee on Appropriations)

Referred to Committee on Appropriations.

Senate Bill No. 12. A Bill for an Act Making an Appropriation for Administration and Expenses for the Liquor Control Act.

Introduction, first reading and reference, 27.
 Reported back, 458.
 Amendments, 777.
 Other action, 798.
 Second reading, 480, 798.
 To House, 521.
 Returned to Senate, 775.
 Signed by President, 922.
 Sent to Governor, 946.

Senate Bill No. 13—(Committee on Appropriations)

Referred to Committee on Appropriations.

Senate Bill No. 13. A Bill for an Act Making an Appropriation for the Salaries and Expenses of the Certification Division.

Introduction, first reading and reference, 27.
 Reported back, 193.
 Second reading, 213.
 To House, 225.
 Returned to Senate, 571.
 Signed by President, 596.
 Sent to Governor, 787.
 Signed by Governor, 895.

Senate Bill No. 14—(Committee on Appropriations)

Referred to Committee on Appropriations.

Senate Bill No. 14. A Bill for an Act Making an Appropriation to Defray the Expenses for the Bee Keepers Act.

Introduction, first reading and reference, 27.
Reported back, 108.
Second reading, 120.
To House, 124.
Returned to Senate, 623.
Signed by President, 631.
Sent to Governor, 787.
Signed by Governor, 895.

Senate Bill No. 15—(Committee on Appropriations)

Referred to Committee on Appropriations.

Senate Bill No. 15. A Bill for an Act Making an Appropriation for Operation and Maintenance of the Auto Transportation Division.

Introduction, first reading and reference, 27.
Reported back, 193.
Amendments, 214, 777.
Other action, 212, 813.
Second reading, 214, 813.
To House, 225.
Returned to Senate, 775.
Signed by President, 898.
Sent to Governor, 946.

Senate Bill No. 16—(Committee on Appropriations)

Referred to Committee on Appropriations.

Senate Bill No. 16. A Bill for an Act Making an Appropriation for Salaries and Expenses of the Scale Inspection Division.

Introduction, first reading and reference, 28.
Reported back, 193.
Amendments, 778.
Other action, 814.
Second reading, 215, 814.
To House, 225.
Returned to Senate, 775.
Signed by President, 898.
Sent to Governor, 946.

Senate Bill No. 17—(Committee on Appropriations)

Referred to Committee on Appropriations.

Senate Bill No. 17. A Bill for an Act Making an Appropriation for Salaries and Expenses of the Livestock Division (Dealers).

Introduction, first reading and reference, 28.
Reported back, 194.
Amendments, 778.
Other action, 824.
Second reading, 215, 824.
To House, 225.
Returned to Senate, 775.
Signed by President, 898.
Sent to Governor, 946.

Senate Bill No. 18—(Committee on Appropriations)

Referred to Committee on Appropriations.

Senate Bill No. 18. A Bill for an Act Making and Appro-

priation for Services and Expenses for the Public Utility Division.

- Introduction, first reading and reference, 28.
- Reported back, 194.
- Second reading, 216.
- To House, 225.
- Returned to Senate, 768.
- Signed by President, 863.
- Sent to Governor, 946.

Senate Bill No. 19—(Committee on Appropriations)

Referred to Committee on Appropriations.

Senate Bill No. 19. A Bill for an Act Making an Appropriation for Salaries and Expenses for the State Seed Department.

- Introduction, first reading and reference, 28.
- Reported back, 164.
- Amendments, 778.
- Other action, 800.
- Second reading, 183, 801.
- To House, 189.
- Returned to Senate, 775.
- Signed by President, 922.
- Sent to Governor, 946.

Senate Bill No. 20—(Committee on Appropriations)

Referred to Committee on Appropriations.

Senate Bill No. 20. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, New Building and Equipment of the School for the Deaf at Devils Lake, North Dakota.

- Introduction, first reading and reference, 28.
- Reported back, 51.
- Amendments, 778.
- Other action, 806.
- Second reading, 61, 806.
- To House, 66.
- Returned to Senate, 775.
- Signed by President, 922.
- Sent to Governor, 946.

Senate Bill No. 21—(Committee on Appropriations)

Referred to Committee on Appropriations.

Senate Bill No. 21. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, Equipment and Miscellaneous Expenses of the State School for the Blind at Bathgate, North Dakota.

- Introduction, first reading and reference, 28.
- Reported back, 52.
- Amendments, 778.
- Other action, 807.
- Second reading, 61, 807.
- To House, 66.
- Returned to Senate, 775.
- Signed by President, 922.
- Sent to Governor, 946.

Senate Bill No. 22—(Committee on Appropriations)

Referred to 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.

Introduction, first reading and reference, 28.

Reported back, 52.

Amendments, 779.

Other action, 808.

Second reading, 61, 808.

To House, 66.

Returned to Senate, 775.

Signed by President, 922.

Sent to Governor, 946.

Senate Bill No. 23—(Committee on Appropriations)

Referred to Committee on Appropriations.

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.

Introduction, first reading and reference, 28.

Reported back, 58.

Second reading, 73.

To House, 77.

Returned to Senate, 768.

Signed by President, 898.

Sent to Governor, 946.

Senate Bill No. 24—(Senators Streibel and Adam)

Referred to Committee on State Affairs.

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.

Introduction, first reading and reference, 28.

Reported back, 108.

Second reading, 120.

To House, 124.

Returned to Senate, 267.

Signed by President, 302.

Signed by Governor, 392.

Senate Bill No. 25—(Committee on Appropriations)

Referred to Committee on Appropriations.

Senate Bill No. 25. A Bill for an Act Making an Appropriation for the Payment of Salaries for Employees of the Grafton State School, and Declaring an Emergency.

Introduction, first reading and reference, 31.

Reported back, 53.

Second reading, 64.

To House, 66.

Returned to Senate, 79.

Signed by President, 85.

Sent to Governor, 91.

Signed by Governor, 281.

Senate Bill No. 26—(Committee on Appropriations)

Referred to Committee on Appropriations.

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.

Introduction, first reading and reference, 31.

Reported back, 68.

Second reading, 79.

To House, 83.

Returned to Senate, 186.

Signed by President, 203.

Sent to Governor, 264.

Senate Bill No. 27—(Committee on Appropriations)

Referred to Committee on Appropriations.

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.

Introduction, first reading and reference, 31.

Reported back, 59.

Second reading, 74.

To House, 75.

Returned to Senate, 186.

Signed by President, 203.

Sent to Governor, 264.

Senate Bill No. 28—(Committee on Appropriations)

Referred to 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.

Introduction, first reading and reference, 31.

Reported back, 68.

Second reading, 80.

To House, 83.

Returned to Senate, 199.

Signed by President, 224.

Sent to Governor, 306.

Signed by Governor, 393.

Senate Bill No. 29—(Committee on Appropriations)

Referred to Committee on Appropriations.

Senate Bill No. 29. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and

Repairs, Equipment and Miscellaneous Expenses of the State Training School, Mandan, North Dakota.

Introduction, first reading and reference, 33.
 Reported back, 68.
 Second reading, 81.
 To House, 85.
 Returned to Senate, 768.
 Signed by President, 863.
 Sent to Governor, 946.

Senate Bill No. 30—(Committee on Appropriations)

Referred to Committee on Appropriations.

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.

Introduction, first reading and reference, 34.
 Reported back, 69.
 Second reading, 81.
 To House, 85.
 Returned to Senate, 768.
 Signed by President, 864.
 Sent to Governor, 946.

Senate Bill No. 31—(Committee on Appropriations)

Referred to Committee on Appropriations.

Senate Bill No. 31. A Bill for an Act Making an Appropriation for the General Maintenance, and Miscellaneous Expenses of the State Hospital for the Insane at Jamestown, North Dakota.

Introduction, first reading and reference, 34.
 Reported back, 59.
 Second reading, 74.
 To House, 77.
 Returned to Senate, 769.
 Signed by President, 864.
 Sent to Governor, 946.

Senate Bill No. 32—(Committee on Appropriations)

Referred to 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.

Introduction, first reading and reference, 34.
 Reported back, 165.
 Second reading, 184.
 To House, 189.
 Returned to Senate, 769.
 Signed by President, 864.
 Sent to Governor, 946.

Senate Bill No. 33—(Committee on Appropriations)

Referred to Committee on Appropriations.

Senate Bill No. 33. A Bill for an Act Making an Appropriation for the General Maintenance and Operation of the

North Dakota Twine and Cordage Plant at the State Penitentiary.

- Introduction, first reading and reference, 34.
- Reported back, 69.
- Second reading, 82.
- To House, 85.
- Returned to Senate, 769.
- Signed by President, 864.
- Sent to Governor, 946.

Senate Bill No. 34—(Committee on Appropriations)

Referred to Committee on Appropriations.

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.

- Introduction, first reading and reference, 34.
- Reported back, 247.
- Other action, 264, 286.
- Second reading, 315.
- To House, 339.
- Returned to Senate, 622.
- Signed by President, 631.
- Sent to Governor, 787.

Senate Bill No. 35—(Senator Troxel)

Referred to Committee on Game and Fish.

Senate Bill No. 35. A Bill for an Act to Repeal Section 10322a51 of Chapter 158 of the Session Laws of 1941.

- Introduction, first reading and reference, 34.
- Reported back, 86, 126.
- Other action, 89.
- Second reading, 141.
- To House, 145.
- Returned to Senate indefinitely postponed, 649.

Senate Bill No. 36—(Senators Page, Raschko, Blank and Lavik)

Referred to Committee on Apportionment.

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.

- Introduction, first reading and reference, 37.
- Reported back, 115.
- Other action, 132.
- Second reading, 132.
- To House, 133.
- Returned to Senate indefinitely postponed, 370.

Senate Bill No. 37—(Senators Stucke and Young)

Referred to Committee on Insurance.

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.

Introduction, first reading and reference, 40.

Reported back, 395.

Other action, 420.

Second reading, 447.

To House, 503.

Returned to Senate, 769.

Signed by President, 922.

Sent to Governor, 946.

Senate Bill No. 38—(Committee on Appropriations)

Referred to 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.

Introduction, first reading and reference, 40.

Reported back, 53.

Second reading, 64.

To House, 66.

Returned to Senate, 186.

Signed by President, 204.

Sent to Governor, 264.

Senate Bill No. 39—(Committee on Appropriations)

Referred to Committee on Appropriations.

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.

Introduction, first reading and reference, 44.

Reported back, 116.

Other action, 133.
 Second reading, 133, 134.
 To House, 137.
 Returned to Senate, 622.
 Signed by President, 631.
 Sent to Governor, 787.
 Signed by Governor, 895.

Senate Bill No. 40—(Senators Morgan of Richland and Braun)

Referred to Committee on Game and Fish.

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
 Introduction, first reading and reference, 49.
 Reported back, 86.
 Second reading, 92.
 To House, 103.
 Returned to Senate, 199.
 Signed by President, 224.
 Sent to Governor, 306.
 Signed by Governor, 392.

Senate Bill No. 41—(Senators Page and Thatcher)

Referred to Committee on Elections.

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.

Introduction, first reading and reference, 56.
 Reported back, 264.
 Second reading, 297.
 To House, 322.
 Returned to Senate, 649.
 Signed by President, 751.
 Sent to Governor, 946.

Senate Bill No. 42—(Committee on Appropriations)

Referred to 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.

Introduction, first reading and reference, 56.
 Reported back, 70.
 Second reading, 82.
 To House, 85.
 Returned to Senate, 199.
 Signed by President, 224.
 Sent to Governor, 306.
 Signed by Governor, 392.

Senate Bill No. 43—(Senator Morgan of Walsh)

Referred to Committee on Public Welfare.

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.

Introduction, first reading and reference, 56.

Reported back, 207, 312.

Other action, 235.

Second reading, 330.

To House, 373.

Returned to Senate indefinitely postponed, 715.

Senate Bill No. 44—(Senator Bond)

Referred to Committee on Tax and Tax Laws.

Senate Bill No. 44. A Bill for an Act to Encourage and Promote the Payment of Personal Property Taxes by Providing for a Rebate on Prepayments; Providing Certain Exceptions; and Declaring an Emergency.

Introduction, first reading and reference, 56.

Reported back indefinitely postponed, 138.

Senate Bill No. 45—(Senators Kehoe, Stucke and Day)

Referred to Committee on Judiciary.

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.

Introduction, first reading and reference, 57.

Reported back, 78, 179.

Amendments, 256.

Other action, 92, 213, 256.

Second reading, 200, 256.

To House, 280.

Returned to Senate indefinitely postponed, 715.

Senate Bill No. 46—(Senator Troxel)

Referred to Committee on Appropriations.

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.

Introduction, first reading and reference, 60.

Reported back, 108.
 Second reading, 121.
 To House, 124.
 Returned to Senate, 622.
 Signed by President, 631.
 Sent to Governor, 787.
 Signed by Governor, 895.

Senate Bill No. 47—(Committee on Tax and Tax Laws)

Referred to Committee on Tax and Tax Laws.

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.

Introduction, first reading and reference, 60.
 Reported back, 104.
 Second reading, 111.
 To House, 115.
 Returned to Senate indefinitely postponed, 646.

Senate Bill No. 48—(Committee on Tax and Tax Laws)

Referred to Committee on Tax and Tax Laws.

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.

Introduction, first reading and reference, 60.
 Reported back, 250.
 Other action, 264, 331.
 Second reading, 364.
 To House, 391.
 Returned to Senate, 769.
 Signed by President, 864.
 Sent to Governor, 946.

Senate Bill No. 49—(Committee on Tax and Tax Laws)

Referred to Committee on Tax and Tax Laws.

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.

- Introduction, first reading and reference, 60.
- Reported back, 105.
- Other action, 112.
- Second reading, 112.
- To House, 113.
- Returned to Senate, 267.
- Signed by President, 302.
- Sent to Governor, 341.
- Signed by Governor, 392.

Senate Bill No. 50—(Senator Morgan of Walsh)

Referred to Committee on Judiciary.

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.

- Introduction, first reading and reference, 60.
- Reported back, 78.
- Second reading, 88.
- To House, 90.
- Returned to Senate, 571.
- Signed by President, 596.
- Sent to Governor, 787.
- Signed by Governor, 895.

Senate Bill No. 51—(Senators Brant and Semerad)

Referred to Committee on Agriculture and Livestock.

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.

- Introduction, first reading and reference, 61.
- Reported back, 194.
- Second reading, 216.
- To House, 225.
- Returned to Senate indefinitely postponed, 669.

Senate Bill No. 52—(Senator Morgan of Walsh)

Referred to Committee on Public Health.

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.

- Introduction, first reading and reference, 73.
- Reported back, 117.
- Amendments, 383.
- Second reading, 134, 383.
- To House, 137.
- Returned to Senate, 370.
- Signed by President, 415.
- Sent to Governor, 506.
- Signed by Governor, 787.

Senate Bill No. 53—(Committee on Game and Fish)

Referred to Committee on Game and Fish.

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.

Introduction, first reading and reference, 86.

Reported back, 108.

Amendments, 717.

Other action, 738.

Second reading, 122, 738.

To House, 124.

Returned to Senate, 717.

Signed by President, 759.

Sent to Governor, 946.

Senate Bill No. 54—(Committee on Judiciary)

Referred to Committee on Tax and Tax Laws.

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.

Introduction, first reading and reference, 87.

Reported back, 251.

Amendments, 860.

Other action, 860, 878.

Second reading, 270, 860.

To House, 304, 861.

Returned to Senate, 622.

Signed by President, 631.

Sent to Governor, 787.

Senate Bill No. 55—(Committee on Game and Fish)

Referred to Committee on Game and Fish.

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.

Introduction, first reading and reference, 87.

Reported back, 108, 138.

Amendments, 779.

Other action, 122, 799.

Second reading, 149, 799.

To House, 155.

Returned to Senate, 775.

Signed by President, 922.

Sent to Governor, 946.

Senate Bill No. 56—(Senators Morgan of Richland and Guenther)

Referred to Committee on Game and Fish.

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.

Introduction, first reading and reference, 87.

Reported back, 108, 418, 440.

Amendments, 779.

Other action, 451, 797, 871, 874.

Second reading, 480, 798.

To House, 521.

Returned to Senate, 775.

Signed by President, 874.

Sent to Governor, 946.

Senate Bill No. 57—(Senators Stucke, Rue and Day)

Referred to Committee on Public Health.

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.

Introduction, first reading and reference, 87.

Reported back, 226, 386.

Other action, 257.

Second reading, 257, 423.

To House, 461.

Returned to Senate indefinitely postponed, 715.

Senate Bill No. 58—(Committee on Public Welfare)

Referred to Committee on Public Welfare.

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.

Introduction, first reading and reference, 91.

Reported back, 146.

Second reading, 161.

To House, 164.

Returned to Senate, 769.

Signed by President, 933.

Sent to Governor, 946.

Senate Bill No. 59—(Senator Young)

Referred to Committee on Judiciary.

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.

Introduction, first reading and reference, 91.

Reported back, 117.

Amendments, 830.

Other action, 850.

Second reading, 135, 850.

To House, 137.

Returned to Senate, 830.

Signed by President, 933.

Sent to Governor, 946.

Senate Bill No. 60—(Senator Young)

Referred to Committee on State Affairs.

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.

Introduction, first reading and reference, 92.

Reported back, 108, 146, 194, 325.

Amendments, 344.

Other action, 153, 217.

Second reading, 344.

To House, 376.

Returned to Senate, 714.

Signed by President, 759.

Sent to Governor, 946.

Senate Bill No. 61—(Committee on Tax and Tax Laws)

Referred to Committee on Tax and Tax Laws.

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.

Introduction, first reading and reference, 105.

Reported back, 180.
 Second reading, 201.
 To House, 205.
 Returned to Senate, 645.
 Signed by President, 751.
 Sent to Governor, 946.

Senate Bill No. 62—(Committee on Tax and Tax Laws)

Referred to Committee on Tax and Tax Laws.

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.

Introduction, first reading and reference, 105.
 Reported back, 139.
 Second reading, 152.
 To House, 155.
 Returned to Senate, 622.
 Signed by President, 631.
 Sent to Governor, 787.
 Signed by Governor, 896.

Senate Bill No. 63—(Senators Stucke, Rue and Day)

Referred to Committee on Public Health.

Senate Bill No. 63. A Bill for an Act to Regulate the Possession, Sale and Distribution of Barbital; Defining Barbital; Limiting the Sale of Barbital to Licensed Pharmacists Upon Prescription; and Providing a Penalty for the Violation of the Provisions of the Act.

Introduction, first reading and reference, 105.
 Withdrawn, 256.

Senate Bill No. 64—(Senators Page and Ginter)

Referred to Committee on State Affairs.

Senate Bill No. 64. A Bill for an Act Amending and Re-enacting Section 1 of Chapter 189 of the Session Laws of 1937, Relating to the Investment of Public Funds in Bonds, Stocks, Certificates of Indebtedness, Notes, Mortgages or Other Evidences of Debt in Which Any Public Funds May Have Been or May Be Invested; and Declaring an Emergency.

Introduction, first reading and reference, 110.
 Reported back indefinitely postponed, 251.

Senate Bill No. 65—(Senators Young and Morgan of Walsh)

Referred to Committee on Appropriations.

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.

Introduction, first reading and reference, 110.

Reported back, 157.
 Second reading, 170.
 To House, 182.
 Returned to Senate, 670.
 Signed by President, 751.
 Sent to Governor, 946.

Senate Bill No. 66—(Senators Thatcher and Streibel)

Referred to Committee on State Affairs.

Senate Bill No. 66. A Bill for an Act to Authorize, Regulate and Control the Handling and Distribution, Sale Possession, Purchase and Dispensing of Merchandising Boards, and the Sale and Exhibition of Goods and Merchandise Through the Merchandising Board, Providing the Method of Taxing and Licensing of Merchandising Boards; and Providing Penalties for Violations of the Provisions of Said Act.

Introduction, first reading and reference, 110.
 Reported back indefinitely postponed, 282.

Senate Bill No. 67—(Senators Porter, Thatcher and Kehoe)

Referred to Committee on Judiciary.

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.

Introduction, first reading and reference, 110.
 Reported back, 117, 195.
 Amendments, 218, 673.
 Other action, 135, 736.
 Second reading, 218, 736.
 To House, 225.
 Returned to Senate, 672.
 Signed by President, 759.
 Sent to Governor, 946.

Senate Bill No. 68—(Senators Young, Stucke, Bridston, Blank, Thatcher and Lavik)

Referred to Committee on Counties.

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.

Introduction, first reading and reference, 110.
 Reported back, 395.
 Amendments, 455, 779.
 Other action, 420.
 Second reading, 455, 900.
 To House, 519.
 Returned to Senate, 775.
 Signed by President, 933.
 Sent to Governor, 946.
 Senate Conference Committee, 794, 844.
 House Conference Committee, 826, 839.
 Conference Committee Report, 899.

Senate Bill No. 69—(Committee on Appropriations)

Referred to Committee on Appropriations.

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.

Introduction, first reading and reference, 118.
 Reported back, 126, 195.
 Other action, 142.
 Second reading, 218.
 To House, 225.
 Returned to Senate, 622.
 Signed by President, 631.
 Sent to Governor, 787.
 Signed by Governor, 896.

Senate Bill No. 70—(Senators Rue, Streibel, Young, Raschko and O'Brien)

Referred to Committee on Tax and Tax Laws.

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.

Introduction, first reading and reference, 118.
 Reported back, 165.
 Amendments, 780.
 Other action, 161, 820.
 Second reading, 185, 820.
 To House, 189.
 Returned to Senate, 776.
 Signed by President, 898.
 Sent to Governor, 946.

Senate Bill No. 71—(Senator Greiser)

Referred to Committee on State Affairs.

Senate Bill No. 71. A Bill for an Act to Repeal Chapter 139 of the Session Laws of 1937, as Amended by Chapter 175 of the Session Laws of 1941, Providing for a Highway Patrol and for Drivers' Licenses.

Introduction, first reading and reference, 118.
 Reported back indefinitely postponed, 282.

Senate Bill No. 72—(Senators Olson of Mountrail and Solberg)

Referred to Committee on Banks and Banking.

Senate Bill No. 72. A Bill for an Act to Amend and Re-enact Section 6073 of the 1925 Supplement to the 1913 Compiled Laws of North Dakota, as Amended by Chapter 159 of the Session Laws of 1935, Defining Usury.

Introduction, first reading and reference, 119.

Reported back, 251.

Other action, indefinitely postponed, 252.

Senate Bill No. 73—(Senator Brant)

Referred to Committee on Tax and Tax Laws.

Senate Bill No. 73. A Bill for an Act Amending and Re-enacting Sections 18 and 19 of Chapter 286 of the Session Laws of 1941 Relating to the Terms of Private Sale and Distribution of Proceeds of Land Acquired by the County by Tax Title Proceedings and the Right of the Former Owner to Re-purchase, and Declaring an Emergency.

Introduction, first reading and reference, 119.

Withdrawn, 454.

Senate Bill No. 74—(Senators Morgan of Walsh and Kehoe)

Referred to Committee on Education.

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.

Introduction, first reading and reference, 119.

Reported back, 157.

Second reading, 170.

To House, 182.

Returned to Senate indefinitely postponed, 768.

Senate Bill No. 75—(Senators Kamrath, Stucke and Day)

Referred to Committee on Mines and Minerals.

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.

Introduction, first reading and reference, 119.

Reported back, 195.

Second reading, 219.

To House, 225.

Returned to Senate, 645.

Signed by President, 751.

Sent to Governor, 946.

Senate Bill No. 76—(Senators Kamrath, Stucke and Day)

Referred to Committee on Mines and Minerals.

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.

Introduction, first reading and reference, 119.

Reported back, 195.

Second reading and final passage, 219.

To House, 225.

Returned to Senate, 645.
Signed by President, 751.
Sent to Governor, 946.

Senate Bill No. 77—(Committee on Public Welfare)

Referred to Committee on Public Welfare.

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.

Introduction, first reading and reference, 131.

Reported back, 195, 396.

Amendments, 236, 460.

Other action, 212, 236, 256, 257, 258, 420.

Second reading and final passage, 460.

To House, 519.

Returned to Senate, 770.

Signed by President, 922.

Sent to Governor, 946.

Senate Bill No. 78—(Committee on Appropriations)

Referred to Committee on Appropriations.

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.

Introduction, first reading and reference, 131.

Reported back, 252.

Other action, 364.

Second reading, 270, 368.

To House, 391.

Returned to Senate, 645.

Signed by President, 751.

Sent to Governor, 946.

Senate Bill No. 79—(Committee on Appropriations)

Referred to Committee on Appropriations.

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.

Introduction, first reading and reference, 131.

Reported back, 157.

Second reading, 175.

To House, 182.

Returned to Senate, 571.

Signed by President, 596.

Sent to Governor, 788.
Signed by Governor, 895.

Senate Bill No. 80—(Senators Flatt, Lavik and O'Brien)

Referred to Committee on Public Printing.

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.

Introduction, first reading and reference, 139.

Reported back, 165, 398.

Other action, 185.

Second reading, 424.

To House, 462.

Returned to Senate, 622.

Signed by President, 631.

Sent to Governor, 788.

Signed by Governor, 894.

Senate Bill No. 81—(Senator Page)

Referred to Committee on Judiciary.

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.

Introduction, first reading and reference, 139.

Reported back, 283.

Amendments, 317.

Other action, 316.

Second reading, 316, 317.

To House, 340.

Returned to Senate, indefinitely postponed, 571.

Senate Bill No. 82—(Senators Solberg and Ginter)

Referred to Committee on Tax and Tax Laws.

Senate Bill No. 82. A Bill for an Act to Amend and Re-enact Chapter 59 of the Laws of North Dakota for 1917, as Amended by Chapter 220, Laws of 1919, as Amended by Chapter 298 of the Laws of 1923 (Being Section 2122A of the 1925 Supplement) as Amended by That Initiated Measure Reducing Assessed Valuation Approved by the People on June 29, 1932, Relating to the Basis of Assessment of Homesteads for Taxation Purposes, and to Reduce Such Basis from Fifty Per Cent of the Full and True Value Thereof to Twenty-five Per Cent of the Full and True Value Thereof; Repealing Acts in Conflict Herewith; and Declaring an Emergency.

Introduction, first reading and reference, 139.

Reported back, indefinitely postponed, 252.

Senate Bill No. 83—(Senator Flatt)

Referred to Committee on State Affairs.

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.

Introduction, first reading and reference, 139.
Reported back, 157.
Second reading and final passage, 176.
To House, 182.
Returned to Senate indefinitely postponed, 817.

Senate Bill No. 84—(Committee on Ways and Means)

Referred to Committee on Ways and Means.

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.

Introduction, first reading and reference, 139.
Reported back, 264.
Second reading and final passage, 287.
To House, 322.
Returned to Senate, 649.
Signed by President, 751.
Sent to Governor, 946.

Senate Bill No. 85—(Committee on Ways and Means)

Referred to Committee on Ways and Means.

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.

Introduction, first reading and reference, 140.
Reported back, 265.
Second reading, 287.
To House, 322.
Returned to Senate, 622.
Signed by President, 631.
Sent to Governor, 788.
Signed by Governor, 895.

Senate Bill No. 86—(Committee on Ways and Means)

Referred to Committee on Ways and Means.

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.

Introduction, first reading and reference, 140.
Reported back, 265.
Second reading, 288.
To House, 322.
Returned to Senate, 622.
Signed by President, 631.
Sent to Governor, 788.
Signed by Governor, 896.

Senate Bill No. 87—(Committee on Ways and Means)

Referred to Committee on Ways and Means.

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.

Introduction, first reading and reference, 140.
 Reported back, 265.
 Second reading, 289.
 To House, 322.
 Returned to Senate, 623.
 Signed by President, 631.
 Sent to Governor, 788.
 Signed by Governor, 894.

Senate Bill No. 88—(Committee on Ways and Means)

Referred to Committee on Ways and Means.

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.

Introduction, first reading and reference, 140.
 Reported back, 265.
 Second reading, 289.
 To House, 322.
 Returned to Senate, 623.
 Signed by President, 631.
 Sent to Governor, 788.
 Signed by Governor, 896.

Senate Bill No. 89—(Committee on Ways and Means)

Referred to Committee on Ways and Means.

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.

Introduction, first reading and reference, 140.
 Reported back, 265.
 Second reading, 290.
 To House, 323.
 Returned to Senate, 623.
 Signed by President, 631.
 Sent to Governor, 788.
 Signed by Governor, 895.

Senate Bill No. 90—(Committee on Ways and Means)

Referred to Committee on Ways and Means.

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.

Introduction, first reading and reference, 140.

Reported back, 265.
Amendments, 290.
Second reading and final passage, 290.
To House, 323.
Returned to Senate, 623.
Signed by President, 631.
Sent to Governor, 788.
Signed by Governor, 894.

Senate Bill No. 91—(Committee on Ways and Means)

Referred to Committee on Ways and Means.

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.

Introduction, first reading and reference, 140.
Reported back, 265.
Amendments, 291.
Second reading and final passage, 291.
To House, 323.
Returned to Senate, 715.
Signed by President, 759.
Sent to Governor, 946.

Senate Bill No. 92—(Committee on Ways and Means)

Referred to Committee on Ways and Means.

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.

Introduction, first reading and reference, 141.
Reported back, 265.
Second reading and final passage, 292.
To House, 323.
Returned to Senate, 714.
Signed by President, 759.
Sent to Governor, 946.

Senate Bill No. 93—(Committee on Ways and Means)

Referred to Committee on Ways and Means.

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.

Introduction, first reading and reference, 141.
Reported back, 266.
Second reading and final passage, 292.
To House, 323.
Returned to Senate, 714.
Signed by President, 759.
Sent to Governor, 946.

Senate Bill No. 94—(Committee on Ways and Means)

Referred to Committee on Ways and Means.

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.

Introduction, first reading and reference, 141.
Reported back, 266.
Second reading and final passage, 293.
To House, 323.
Returned to Senate, 714.
Signed by President, 759.
Sent to Governor, 947.

Senate Bill No. 95—(Committee on Appropriations)

Referred to Committee on Appropriations.

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.

Introduction, first reading and reference, 141.
Reported back, 458.
Amendments, 481.
Second reading, 482.
To House, 521.
Returned to Senate, 850.
Signed by President, 933.
Sent to Governor, 946.

Senate Bill No. 96—(Senators Bridston and Day)

Referred to Committee on State Affairs.

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.

Introduction, first reading and reference, 146.
Reported back, 196.
Amendments, 673.
Other action, 690.
Second reading, 220, 691.
To House, 225.
Returned to Senate, 672.
Signed by President, 751.
Sent to Governor, 947.

Senate Bill No. 97—(Committee on Insurance)

Referred to Committee on Insurance.

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.

Introduction, first reading and reference, 146.
Reported back, 227.

Second reading and final passage, 258.
 To House, 280.
 Returned to Senate, 649.
 Signed by President, 751.
 Sent to Governor, 947.

Senate Bill No. 98—(Committee on Insurance)

Referred to Committee on Insurance.

Senate Bill No. 98. A Bill for an Act to Provide for the Classification of Insurance Companies, According to the Lines of Insurance for Which They Are Authorized, and Declaring an Emergency.

Introduction, first reading and reference, 147.
 Withdrawn, 420.

Senate Bill No. 99—(Committee on Insurance)

Referred to Committee on Insurance.

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.

Introduction, first reading and reference, 147.
 Reported back, 227.
 Second reading and final passage, 259.
 To House, 303.
 Returned to Senate, 649.
 Signed by President, 751.
 Sent to Governor, 947.

Senate Bill No. 100—(Committee on Insurance)

Referred to 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.

Introduction, first reading and reference, 147.
 Reported back, 227.
 Second reading and final passage, 259.
 To House, 303.
 Returned to Senate, 650.
 Signed by President, 751.
 Sent to Governor, 947.

Senate Bill No. 101—(Committee on Insurance)

Referred to 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.

Introduction, first reading and reference, 147.
 Reported back, 227.
 Second reading and final passage, 260.
 To House, 303.
 Returned to Senate, 670.

Signed by President, 751.
Sent to Governor, 947.

Senate Bill No. 102—(Committee on Insurance)

Referred to 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.

Introduction, first reading and reference, 147.

Reported back, 228.

Amendments, 780.

Other action, 832.

Second reading, 261, 832.

To House, 304.

Returned to Senate, 776.

Signed by President, 922.

Sent to Governor, 947.

Senate Bill No. 103—(Committee on Insurance)

Referred to 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.

Introduction, first reading and reference, 147.

Reported back, 228.

Second reading and final passage, 261.

To House, 304.

Returned to Senate, 670.

Signed by President, 759.

Sent to Governor, 947.

Senate Bill No. 104—(Senators Rue, Brunsdale and Streibel)

Referred to Committee on Highways.

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.

Introduction, first reading and reference, 147.

Reported back, 312.

Amendments, 331.

Second reading, 331.

To House, 373.

Returned to Senate, 770.

Signed by President, 898.

Sent to Governor, 947.

Senate Bill No. 105—(Senators Braun, Nordhougen and Young)

Referred to Committee on State Affairs.

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.

Introduction, first reading and reference, 148.

Reported back, 196, 252, 440.

Second reading, 472.

Other action, 285.

To House, 520.

Returned to Senate indefinitely postponed, 649.

Senate Bill No. 106—(Senators Braun, Stucke and Foss)

Referred to Committee on State Affairs.

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.

Introduction, first reading and reference, 148.

Reported back, 196, 252.

Amendments, 297.

Second reading, 298.

To House, 323.

Returned to Senate indefinitely postponed, 571.

Senate Bill No. 107—(Senators Bridston, Hoenck and Braun)

Referred to Committee on Tax and Tax Laws.

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.

Introduction, first reading and reference, 148.

Reported back, 180.

Amendments, 828.

Other action, 861.

Second reading and final passage, 201, 893.

To House, 205.

Returned to Senate, 828.

Signed by President, 933.

Sent to Governor, 946.

Senate Conference Committee, 861.

Conference Committee Report, 893.

Senate Bill No. 108—(Senator Wog)

Referred to Committee on State Affairs.

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.

Introduction, first reading and reference, 159.

Reported back, 197.

Second reading, 221.

To House, 225.

Returned to Senate, 770.

Signed by President, 898.

Sent to Governor, 947.

Senate Bill No. 109—(Committee on Ways and Means)

Referred to 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.

Introduction, first reading and reference, 159.

Reported back, 266.

Second reading and final passage, 294.

To House, 323.

Returned to Senate, 714.

Signed by President, 759.

Sent to Governor, 947.

Senate Bill No. 110—(Committee on Ways and Means)

Referred to Committee on Ways and Means.

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.

Introduction, first reading and reference, 159.

Reported back, 266.

Second reading, 294, 809.

Amendments, 294, 780.

Other action, 808.

To House, 323.

Returned to Senate, 776.

Signed by President, 898.

Sent to Governor, 947.

Senate Bill No. 111—(Committee on Ways and Means)

Referred to Committee on Ways and Means.

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.

Introduction, first reading and reference, 160.

Reported back, 266.

Second reading, 295.

To House, 323.

Returned to Senate, 715.

Signed by President, 759.

Sent to Governor, 947.

Senate Bill No. 112—(Committee on Ways and Means)

Referred to Committee on Ways and Means.

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.

Introduction, first reading and reference, 160.

Reported back, 266.

Amendments, 780.

Second reading, 296, 812.

Other action, 812.
 To House, 323.
 Returned to Senate, 776.
 Signed by President, 898.
 Sent to Governor, 947.

Senate Bill No. 113—(Committee on Ways and Means)

Referred to Committee on Ways and Means.

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.

Introduction, first reading and reference, 160.
 Reported back, 266.
 Second reading, 296.
 To House, 323.
 Returned to Senate, 770.
 Signed by President, 864.
 Sent to Governor, 947.

Senate Bill No. 114—(Committee on Ways and Means)

Referred to Committee on Ways and Means.

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.

Introduction, first reading and reference, 160.
 Reported back, 266, 312.
 Other action, 287.
 Second reading, 287, 331.
 To House, 373.
 Returned to Senate, 770.
 Signed by President, 864.
 Sent to Governor, 947.

Senate Bill No. 115—(Committee on Appropriations)

Referred to Committee on State Affairs.

Senate Bill No. 115. A Bill for an Act Requiring and Fixing Hours of Labor Per Week of All State Employees and Providing for Deduction of Salary and Pay, and Providing for Vacations and Sick Leave.

Introduction, first reading and reference, 160.
 Reported back, 398.
 Amendments, 399.
 Second reading, lost, 424.

Senate Bill No. 116—(Committee on Education)

Referred to Committee on Education.

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.

Introduction, first reading and reference, 160.
 Reported back, 253.
 Second reading, 271.
 To House, 304.
 Returned to Senate, 571.
 Signed by President, 596.
 Sent to Governor, 788.
 Signed by Governor, 895.

Senate Bill No. 117—(Committee on Education)

Referred to Committee on Education.

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.

Introduction, first reading and reference, 167.
 Reported back, 253.
 Second reading, 300.
 To House, 323.
 Returned to Senate indefinitely postponed, 790.

Senate Bill No. 118—(Committee on Education)

Referred to 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.

Introduction, first reading and reference, 167.
 Reported back, 253.
 Second reading, 272.
 To House, 304.
 Returned to Senate, indefinitely postponed, 716.

Senate Bill No. 119—(Committee on Education)

Referred to Committee on Education.

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.

Introduction, first reading and reference, 167.
 Reported back, 326, 399.
 Second reading, 465, 866.
 Amendments, 826.
 Other action, 345, 829.
 To House, 520.
 Returned to Senate, 826.
 Signed by President, 933.
 Sent to Governor, 946.
 Senate Conference Committee, 829.
 House Conference Committee, 831.
 Conference Committee Report, 866.

Senate Bill No. 120—(Committee on Appropriations)

Referred to Committee on Appropriations.

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.

Introduction, first reading and reference, 167.

Reported back, 180.

Second reading, 202.

To House, 206.

Returned to Senate, 650.

Signed by President, 751.

Sent to Governor, 947.

Senate Bill No. 121—(Committee on Irrigation and Drainage)

Referred to Committee on Appropriations.

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.

Introduction, first reading and reference, 168.

Reported back, 458.

Amendments, 459, 509.

Second reading, 509.

To House, 521.

Returned to Senate, 770.

Signed by President, 898.

Sent to Governor, 947.

Senate Bill No. 122—(Senators Page, Lofthus, Wog, Brant, Bridston, Lavik)

Referred to Committee on Insurance.

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.

Introduction, first reading and reference, 168.

Reported back, 489.

Amendments, 810.

Second reading, 536, 838.

To House, 541.

Returned to Senate, 809.

Signed by President, 922.

Sent to Governor, 947.

Senate Conference Committee, 814.

House Conference Committee, 826.
Conference Committee Report, 837.

Senate Bill No. 123—(Senators Rue, Feton, Greiser and Lavik)

Referred to Committee on State Affairs.

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.

Introduction, first reading and reference, 168.

Reported back, 283.

Other action, 647.

Second reading, 317, 647.

To House, 340.

Returned to Senate, 624.

Signed by President, 751.

Sent to Governor, 947.

Senate Bill No. 124—(Senators Hoenck, Raschko, Rue and Schrock)

Referred to Committee on Corporations.

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.

Introduction, first reading and reference, 168.

Reported back, 380.

Second reading, 403.

To House, 438.

Returned to Senate, 770.

Signed by President, 864.

Sent to Governor, 947.

Senate Bill No. 125—(Senators Nelson of McKenzie and Bridston)

Referred to Committee on State Affairs.

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.

Introduction, first reading and reference, 180.

Reported back, 197.

Amendments, 222.

Second reading, 222.

To House, 263.

Returned to Senate, 645.

Signed by President, 751.

Sent to Governor, 947.

Senate Bill No. 126—(Senator Foss)

Referred to Committee on State Affairs.

Senate Bill No. 126. A Bill for an Act Defining Auctioneers and Providing for the Compulsory Licensing and Bonding of Auctioneers and Persons Making Auction Sales

Within This State, Fixing License Fees and Amount of Bond and Providing for the Manner of Paying of Fees and Filing Bond and Issuing of Licenses, Regulating the Business of Auctioneers, Repealing Chapter 89 of the Session Laws of

Introduction, first reading and reference, 180.

Reported back, 399.

Amendments, 445, 482, 516.

Other action, 445, 451.

Laid on table, 516.

Senate Bill No. 127—(Senators Page, Lofthus, Wog, Brant, Bridston and Lavik)

Referred to 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.

Introduction, first reading and reference, 181.

Reported back, 488.

Second reading, 540.

To House, 543.

Returned to Senate, 811.

Signed by President, 933.

Sent to Governor, 946.

Senate Bill No. 128—(Senators Page, Lofthus, Wog, Brant, Bridston and Lavik)

Referred to Committee on Insurance.

Senate Bill No. 128. A Bill for an Act to Amend and Re-enact Section 4915 of the 1925 Supplement to Compiled Laws of 1913, Providing for the Filing and Publication of Annual Statements by Insurance Companies Doing Business in the State of North Dakota, and Prohibiting the Insurance Commissioner or Any Other State Officer or Employee from Participating in the Selection of Any Newspaper for Such Publications.

Introduction, first reading and reference, 181.

Reported back indefinitely postponed, 418.

Senate Bill No. 129—(Senators Page, Lofthus, Wog, Brant, Bridston and Lavik)

Referred to 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.

Introduction, first reading and reference, 181.

Reported back, 418.

Second reading, 466.

To House, 520.

Returned to Senate, 811.

Signed by President, 898.

Sent to Governor, 947.

Senate Bill No. 130—(Senator Hoenck)

Referred to Committee on Corporations.

Senate Bill No. 130. A Bill for an Act to Amend and Re-

enact Section 13, Chapter 145, Session Laws of North Dakota, 1937, Relating to Funds of Benevolent Associations, Corporations and Societies, and Providing for the Maintenance of an Expense Fund, a Mortuary Fund, and a Reserve and Emergency Fund, and Repealing All Acts in Conflict Therewith.

Introduction, first reading and reference, 181.
Reported back indefinitely postponed, 381.

Senate Bill No. 131—(Senators Morgan of Richland and Young)

Referred to Committee on Ways and Means.

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.

Introduction, first reading and reference, 181.
Reported back, 418.
Second reading, 466.
To House, 520.
Returned to Senate, 650.
Signed by President, 751.
Sent to Governor, 947.

Senate Bill No. 132—(Senators Morgan of Walsh and Feton)

Referred to Committee on Counties.

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.

Introduction, first reading and reference, 181.
Reported back, 381.
Second reading, 403.
To House, 438.
Returned to Senate, 623.
Signed by President, 631.
Sent to Governor, 788.
Signed by Governor, 896.

Senate Bill No. 133—(Senators Braun, Blank, Bridston, Nordhousen and Young)

Referred to 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.

Introduction, first reading and reference, 182.
Reported back, 363.
Amendments, 404.

Second reading, 404.
 To House, 438.
 Returned to Senate, 670.
 Signed by President, 751.
 Sent to Governor, 947.

Senate Bill No. 134—(Senators Braun, Blank, Bridston, Nordhousen and Young)

Referred to Committee on State Affairs.

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.

Introduction, first reading and reference, 182.
 Reported back, 363.
 Second reading, 407.
 To House, 438.
 Returned to Senate, 770.
 Signed by President, 898.
 Sent to Governor, 947.

Senate Bill No. 135—(Committee on Elections)

Referred to Committee on Elections.

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.

Introduction, first reading and reference, 197.
 Reported back, 283.
 Second reading, 318.
 To House, 340.
 Returned to Senate indefinitely postponed, 716.

Senate Bill No. 136—(Senators O'Brien and Kehoe)

Referred to Committee on Judiciary.

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.

Introduction, first reading and reference, 198.
 Reported back, 228.
 Other action, 257.
 Second reading, 273.
 To House, 304.
 Returned to Senate, 670.
 Signed by President, 751.
 Sent to Governor, 947.

Senate Bill No. 137—(Senator Day)

Referred to 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.

Introduction, first reading and reference, 198.

Reported back, 229.

Second reading, 262.

To House, 304.

Signed by President, 631.

Sent to Governor, 788.

Signed by Governor, 894.

Senate Bill No. 138—(Committee on Judiciary)

Referred to Committee on Judiciary.

Senate Bill No. 138. A Bill for an Act Relating to the Appointment and Qualification of Administrators, Executors and Guardians, and Declaring an Emergency.

Introduction, first reading and reference, 198.

Reported back, 229.

Second reading, lost, 269.

Senate Bill No. 139—(Committee on State Affairs)

Referred to Committee on State Affairs.

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.

Introduction, first reading and reference, 198.

Reported back, 326, 418.

Amendments, 869.

Second reading, 467, 887.

To House, 520.

Returned to Senate, 869.

Signed by President, 941.

Sent to Governor, 946.

Senate Conference Committee, 871.

Conference Committee report, 879.

Senate Bill No. 140—(Committee on State Affairs)

Referred to Committee on State Affairs.

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.

Introduction, first reading and reference, 198.

Reported back, 326, 418.

Amendments, 717.

Other action, 856.

Second reading, 468, 856.
To House, 520.
Returned to Senate, 717.
Signed by President, 933.
Sent to Governor, 946.

Senate Bill No. 141—(Senator Solberg—by request)

Referred to Committee on Military and Indian Affairs.

Senate Bill No. 141. A Bill for an Act Making an Appropriation for the Payment to Officers and Men of the State Guard a Per Diem for Each Day Spent in Drilling, Providing for the Methods of Expenditures and Audit Thereof, and Declaring an Emergency.

Introduction, first reading and reference, 198.
Reported back indefinitely postponed, 381, 459.

Senate Bill No. 142—(Senators Stucke, Olson of Mountrail and Semerad)

Referred to Committee on Public Lands.

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.

Introduction, first reading and reference, 198.
Reported back, 342.
Second reading, 365.
To House, 391.
Returned to Senate, 771.
Signed by President, 864.
Sent to Governor, 947.

Senate Bill No. 143—(Senator Day)

Referred to Committee on Corporations.

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.

Introduction, first reading and reference, 212.
Reported back, 419.
Second reading, 468, 516.
Other action, 506.
To House, 521.
Returned to Senate indefinitely postponed, 670.

Senate Bill No. 144—(Senators Rue, Porter and Kehoe)

Referred to Committee on Highways.

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.

Introduction, first reading and reference, 212.

Reported back, 342.
 Second reading, 366.
 To House, 391.
 Returned to Senate, 771.
 Signed by President, 898.
 Sent to Governor, 947.

Senate Bill No. 145—(Senators Page and Nelson of Dickey)

Referred to Committee on Insurance.

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.

Introduction, first reading and reference, 213.

Reported back, 381.

Second reading, 408.

To House, 438.

Returned to Senate, 771.

Signed by President, 864.

Sent to Governor, 947.

Senate Bill No. 146—(Committee on State Affairs)

Referred to Committee on Corporations.

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.

Introduction, first reading and reference, 213.

Reported back, 284, 440.

Other action, 420, 420.

Second reading, 473.

To House, 520.

Returned to Senate, 714.

Signed by President, 759.

Sent to Governor, 947.

Senate Bill No. 147—(Committee on Appropriations)

Referred to Committee on Appropriations.

Senate Bill No. 147. A Bill for an Act Making an Appropriation for the Purpose of Paying for Oleomargarine Stamps.

Introduction, first reading and reference, 229.

Reported back, 253.

Second reading, 273.

To House, 304.

Returned to Senate, 623.

Signed by President, 631.

Sent to Governor, 788.

Signed by Governor, 894.

Senate Bill No. 148—(Senator Raschko)

Referred to Committee on Tax and Tax Laws.

Senate Bill No. 148. A Bill for an Act to Repeal Sections 2346a1 to 2346a50 Inclusive of the 1925 Supplement of the

Compiled Laws of North Dakota for 1913 as Amended by Chapters 239 and 240 of the Laws of North Dakota for 1929, Chapters 283 and 284 of the Laws of North Dakota for 1931, Chapter 253 of the Laws of North Dakota for 1933, Chapter 241 of the Laws of North Dakota for 1937, Chapter 228 of the Laws of North Dakota for 1939 and Chapter 278 of the Laws of North Dakota for 1941 (The Income Tax Law), and Declaring an Emergency.

Introduction, first reading and reference, 229.

Reported back, 376.

Second reading, lost, 410.

Senate Bill No. 149—(Senator Nelson of McKenzie)

Referred to Committee on Highways.

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.

Introduction, first reading and reference, 229.

Reported back, 312.

Second reading, 332, 861.

Amendments, 780.

Other action, 861.

To House, 373.

Returned to Senate, 776.

Signed by President, 933.

Sent to Governor, 946.

Senate Bill No. 150—(Senator Page)

Referred to Committee on Judiciary.

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.

Introduction, first reading and reference, 229.

Reported back, 283, 326.

Second reading, 345.

To House, 377.

Returned to Senate indefinitely postponed, 768.

Senate Bill No. 151—(Senator Brant)

Referred to Committee on Tax and Tax Laws.

Senate Bill No. 151. A Bill for an Act to Amend and Re-enact Section 20 of Chapter 286 of the Session Laws of 1941, Relating to Cancellation of Taxes in Tax Deed Proceedings and Declaring an Emergency.

Introduction, first reading and reference, 229.

Withdrawn, 454.

Senate Bill No. 152—(Senator Bridston)

Referred to Committee on State Affairs.

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.

Introduction, first reading and reference, 230.

Reported back, 326.

Second reading, 346, 691.

Amendments, 673.
 Other action, 690.
 To House, 377.
 Returned to Senate, 672.
 Signed by President, 751.
 Sent to Governor, 947.

Senate Bill No. 153—(Senators Semerad and Streibel)

Referred to Committee on Warehouse and Grain Grading.

Senate Bill No. 153. A Bill for an Act to Amend and Re-enact Section 7, Chapter 311 of the Session Laws of the State of North Dakota for the Year 1931, Relating to Weights and Measures; Conferring Powers of Peace Officers Upon All Inspectors of Weights and Measures, and Prescribing Penalties for Violation Thereof.

Introduction, first reading and reference, 230.
 Reported back indefinitely postponed, 326.

Senate Bill No. 154—(Committee on State Affairs)

Referred to Committee on Appropriations.

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.

Introduction, first reading and reference, 230.
 Reported back, 312.
 Amendments, 781.
 Second reading, 332, 833.
 Other action, 333, 829.
 To House, 373.
 Returned to Senate, 776.
 Signed by President, 941.
 Sent to Governor, 946.
 Senate Conference Committee, 829.
 House Conference Committee, 831.
 Conference Committee Report, 833.

Senate Bill No. 155—(Senators Stucke and Young)

Referred to Committee on Insurance.

Senate Bill No. 155. A Bill for an Act Amending and Re-enacting Paragraph I of Section 3 of Chapter 251 of the Session Laws of 1939, Vesting Power and Jurisdiction Over, and Supervision of Every Employment, Place of Employment Subject to the Workmen's Compensation Law Where Persons Are or May Be Employed, Vesting in Said Bureau Supervision and Inspection of Steam Boilers, Pressure Vessels, Freight or Passenger Elevators, and Any Other Instrumentality Which in the Opinion of the Board May Create a Hazard, Empowering the Bureau to Fix and Collect Fees for Such Inspection, and Authorizing the Bureau to Provide Standards of Qualifications for Operators of Steam Boilers, to Grant Licenses to Operators, to Fix and Collect Fees Therefor and to Provide Standards of Safety, to Make Rules

and Regulations Relating to Safety, and Exempting from the Operation of the Workmen's Compensation Law Certain Boilers and Pressure Vessels, and Boilers Under the Jurisdiction and Inspection of the United States and Heating Plants Used for Residential Purposes, Providing for the Creation of a Safety Fund, Making an Appropriation of Such Fund.

Introduction, first reading and reference, 230.
Reported back indefinitely postponed, 381.

Senate Bill No. 156—(Senators Streibel and Kehoe)

Referred to Committee on Judiciary.

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.

Introduction, first reading and reference, 230.

Reported back, 450.

Other action, 451, 497.

Second reading, 531.

To House, 542.

Returned to Senate, 670.

Signed by President, 759.

Sent to Governor, 947.

Senate Bill No. 157—(Senators Rue and Kehoe)

Referred to Committee on Judiciary.

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.

Introduction, first reading and reference, 230.

Reported back, 313.

Amendments, 334.

Second reading, 334.

To House, 374.

Returned to Senate, 623.

Signed by President, 631.

Sent to Governor, 788.

Signed by Governor, 895.

Senate Bill No. 158—(Senators Day, Brunsdale, Rue, Stucke and Streibel)

Referred to Committee on Judiciary.

Senate Bill No. 158. A Bill for an Act to Amend and Re-

enact Chapter 232, Laws of 1937, as Amended by Chapter 215, Laws of 1939, and Chapter 261, Laws of 1941, in Its Entirety; Providing for the Creation of an Unemployment Compensation Fund; for the Payment of Benefits and Collection of Contributions and the Administration Thereof; for the Accumulation of Such Fund from Contributions Required of Certain Employers; Providing Definitions of Terms Used in This Act. Providing for the Payment of Benefits for the Compensation of Involuntary Unemployment, Fixing the Qualifications and Eligibility for Such Benefit Payments, the Amount and Duration of Such Benefits, Providing for the Disqualification of Persons Claiming Unemployment Benefits and Stating the Basis of Such Disqualifications. Providing for the Hearing of Appeals of Employers and Employees, and the Judicial Review of the Findings on Appeal. Providing for the Rate of Contributions Required of Employers, and Establishing a Reduced Rate of Contributions. Establishing the Method of Determination of Such Reduced Rates; Providing for the Coverage of Employers by Voluntary Election, and Providing for Formal Termination of Coverage Under This Act. Providing for the Establishment of an Unemployment Compensation Division and a State Employment Service, Designating Such Divisions as a Part of the Workmen's Compensation Bureau of the State, and Providing for the Administration of Such Divisions, Including the Establishment of the Duties of the Bureau, the Establishment of a Trust Fund and an Administrative Fund. Authorizing the Bureau to Receive Grants from the Social Security Board or Successor Thereto for Their Administrative Services to the Unemployment Compensation Division. Providing for the Protection of the Rights and Benefits, and Providing Penalties for Violations of This Act. Providing for Reciprocal Arrangements With Other Unemployment Compensation Agencies. Providing for the Preservation and Destruction of Records and Declaring an Emergency.

Introduction, first reading and reference, 230.

Reported back indefinitely postponed, 451.

Senate Bill No. 159—(Senators Page and Olson of Mountrail)

Referred to Committee on State Affairs.

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.

Introduction, first reading and reference, 232.

Reported back, 326.

Second reading, 366.

To House, 391.

Returned to Senate indefinitely postponed, 624.

Senate Bill No. 160—(Senator Olson of Barnes)

Referred to Committee on Temperance.

Senate Bill No. 160. A Bill for an Act Prohibiting the Sale of Intoxicating Beverages in or on Any Premises Located in Any Basement or Below the First Floor of Any Building

or in Premises Located in an Alley; and Providing Penalties.

Introduction, first reading and reference, 238.

Reported back indefinitely postponed, 419.

Senate Bill No. 161—(Senators Brant and Lynch)

Referred to Committee on Agriculture and Livestock.

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.

Introduction, first reading and reference, 238.

Reported back, 327.

Amendments, 465, 475, 673.

Second reading, 475, 699.

Other action, 464, 465, 699.

To House, 520.

Returned to Senate, 672.

Signed by President, 759.

Sent to Governor, 947.

Senate Bill No. 162—(Senators Schrock and Thatcher)

Referred to Committee on Appropriations.

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.

Introduction, first reading and reference, 238.

Reported back, 327.

Second reading, 347.

To House, 377.

Returned to Senate, 671.

Signed by President, 791.

Sent to Governor, 947.

Senate Bill No. 163—(Senators Streibel and Olson of Mountrail)

Referred to Committee on Game and Fish.

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.

Introduction, first reading and reference, 238.

Reported back, 342, 441.

Second reading, 367, 483.

Other action, 383, 451.

To House, 522.

Returned to Senate, indefinitely postponed, 790.

Senate Bill No. 164—(Senator Lofthus)

Referred to Committee on Judiciary.

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.

Introduction, first reading and reference, 239.

Reported back, 400.
 Amendments, 425.
 Second reading, 425.
 To House, 462.
 Returned to Senate indefinitely postponed, 670.

Senate Bill No. 165—(Senators Stucke, Rue, Porter and Olson of Mountrail)

Referred to Committee on State Affairs.

Senate Bill No. 165. A Bill for an Act Amending and Re-enacting Paragraph 4 of Subsection "F" of Section 2 of Chapter 232 of the Session Laws of the State of North Dakota for the Year 1937, Defining the Term "Employer," Including the State of North Dakota in Such Definition, Subsection "G" Section 2 of Chapter 232 of the Session Laws of North Dakota for the Year 1937, Defining the Term "Employee".

Introduction, first reading and reference, 239.
 Reported back indefinitely postponed, 441.

Senate Bill No. 166—(Senators Wog, Flatt, Guenther, Brunsdale, Lavik and Brant)

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.

Introduction, first reading and reference, 239.
 Reported back, 442.
 Amendments, 486, 507.
 Second reading, 486, 507.
 Other action, 507.
 To House, 522.
 Returned to Senate indefinitely postponed, 716.

Senate Bill No. 167—(Senator Braun)

Referred to Committee on State Affairs.

Senate Bill No. 167. A Bill for an Act to Amend and Re-enact Section 4, Chapter 291, of the Session Laws of North Dakota for the Year 1941, Relating to Unfair Trade Practices.

Introduction, first reading and reference, 239.
 Reported back, 442.
 Amendments, 487.
 Other action, 517.
 Second reading, lost, 487.

Senate Bill No. 168—(Committee on Appropriations)

Referred to 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.

Introduction, first reading and reference, 239.
 Reported back, 327.
 Second reading, 347.
 To House, 377.
 Returned to Senate, 671.
 Signed by President, 751.
 Sent to Governor, 947.

Senate Bill No. 169—(Committee on Appropriations)

Referred to Committee on Appropriations.

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.

Introduction, first reading and reference, 239.
 Reported back, 381.
 Amendments, 855.
 Other action, 876.
 Second reading, 420, 876.
 To House, 461.
 Returned to Senate, 854.
 Signed by President, 922.
 Sent to Governor, 947.

Senate Bill No. 170—(Committee on Banks and Banking)

Referred to Committee on Banks and Banking.

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.

Introduction, first reading and reference, 239.
 Reported back, 442.
 Second reading, 473.
 To House, 520.
 Returned to Senate, 671.
 Signed by President, 751.
 Sent to Governor, 947.

Senate Bill No. 171—Committee on Banks and Banking)

Referred to Committee on Banks and Banking.

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.

Introduction, first reading and reference, 240.
 Reported back, 442.
 Amendments, 501.
 Second reading, 501.
 To House, 522.
 Returned to Senate, 671.

Signed by President, 759.
Sent to Governor, 947.

Senate Bill No. 172—(Committee on Banks and Banking)

Referred to Committee on Banks and Banking.

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.

Introduction, first reading and reference, 240.

Reported back, 442.

Second reading, 507.

To House, 531.

Returned to Senate, 671.

Signed by President, 759.

Sent to Governor, 947.

Senate Bill No. 173—(Senator O'Brien—by request)

Referred to Committee on Corporations.

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.

Introduction, first reading and reference, 240.

Reported back, 382.

Second reading, 421.

To House, 461.

Returned to Senate, 771.

Signed by President, 898.

Sent to Governor, 947.

Senate Bill No. 174 — (Senators Nordhogen, Flatt and Lynch)

Referred to Committee on Insurance.

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.

Introduction, first reading and reference, 240.

Reported back, 453.

Second reading, 510.

To House, 522.

Returned to Senate, 715.

Other action, Indefinitely postponed by House, 790.

Senate Bill No. 175—(Senators Lofthus, Solberg, Kehoe, Lavik and Thatcher)

Referred to Committee on Agriculture and Livestock.

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.

Introduction, first reading and reference, 240.

Reported back, 443.

Amendments, 483, 781.

Other action, 451, 800.

Second reading, 483, 800.

To House, 522.

Returned to Senate, 776.

Signed by President, 922.

Sent to Governor, 947.

Senate Bill No. 176—(Senators Drew and Brunsdale)

Referred to Committee on State Affairs.

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.

Introduction, first reading and reference, 241.

Reported back, 364.

Amendments, 826.

Other action, 402, 834.

Second reading, 384, 421, 834.

To House, 461.

Returned to Senate, 826.

Signed by President, 922.

Sent to Governor, 947.

Senate Bill No. 177—(Senator Greiser)

Referred to Committee on Insurance.

Senate Bill No. 177. A Bill for an Act Prohibiting Members of the Legislative Assembly of North Dakota from Soliciting, Receiving, or Accepting Reinsurance from the State Fire and Tornado Fund, or Any Other Insurance Covering or Connected With Any State Departments, Institutions, or Industries or Political Sub-divisions of This State, and Making It Unlawful for the Insurance Commissioner to Publish Annual Statements of Insurance Companies or Other Advertising in Papers in Which Members of the Legislative Assembly Have an Interest, and Declaring an Emergency.

Introduction, first reading and reference, 241.

Reported back, 419.

Second reading, lost, 469.

Senate Bill No. 178—(Senators Bilden, Kehoe and Brant)

Referred to Committee on Highways.

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.

Introduction, first reading and reference, 241.

Reported back, 443.

Amendments, 474.

Second reading, 474.

To House, 520.

Returned to Senate, indefinitely postponed, 790.

Senate Bill No. 179—(Senators Young, Streibel and Kehoe)

Referred to Committee on Public Welfare.

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.

Introduction, first reading and reference, 241.

Reported back, 327.

Second reading, 348.

To House, 377.

Returned to Senate, 771.

Signed by President, 922.

Sent to Governor, 946.

Senate Bill No. 180—(Senators Blank, Thatcher, Lofthus, Page and Lynch)

Referred to Committee on Tax and Tax Laws.

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.

Introduction, first reading and reference, 241.

Reported back, 419, 498.

Amendments, 533, 674.

Other action, 497, 692.

Second reading, 533, 692.

To House, 542.

Returned to Senate, 672.

Signed by President, 759.

Sent to Governor, 947.

Senate Bill No. 181—(Senators Young, Streibel and Kehoe)

Referred to 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.

Introduction, first reading and reference, 241.
 Reported back, 451.
 Amendments, 782.
 Other action, 836.
 Second reading, 484, 837.
 To House, 522.
 Returned to Senate, 776.
 Signed by President, 933.
 Sent to Governor, 946.
 Senate Conference Committee, 814.
 House Conference Committee, 826.
 Conference Committee Report (See errata sheet).

Senate Bill No. 182—(Senators Young, Streibel and Kehoe)

Referred to Committee on Judiciary.

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.

Introduction, first reading and reference, 242.
 Reported back, 452.
 Amendments, 485.
 Second reading, 485.
 To House, 522.
 Returned to Senate indefinitely postponed, 869.

Senate Bill No. 183—(Committee on State Affairs)

Referred to Committee on State Affairs.

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.

Introduction, first reading and reference, 242.
 Reported back, 327.
 Second reading, 348.
 To House, 377.
 Returned to Senate indefinitely postponed, 768.

Senate Bill No. 184—(Senators Thatcher, Brant, Blank, Young, Rue, Kehoe, Bridston and Morgan of Richland)

Referred to Committee on Highways.

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.

Introduction, first reading and reference, 242.
 Reported back, 313, 419.
 Other action, 335.
 Second reading, 470.
 To House, 520.
 Returned to Senate, 714.
 Signed by President, 759.
 Sent to Governor, 947.

Senate Bill No. 185—(Interim Committee—Senators Streibel and Kehoe)

Referred to Committee on State Affairs.

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.

Introduction, first reading and reference, 242.
 Reported back, 400.
 Second reading, 426.
 To House, 462.
 Returned to Senate, 671.
 Signed by President, 751.
 Sent to Governor, 947.

Senate Bill No. 186—(Interim Committee—Senators Streibel and Kehoe)

Referred to Committee on Banks and Banking.

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.

Introduction, first reading and reference, 242.
 Reported back, 443.
 Second reading, 508.
 To House, 532.
 Returned to Senate, 850.
 Signed by President, 922.
 Sent to Governor, 947.

Senate Bill No. 187—(Committee on Banks and Banking)

Referred to Committee on Banks and Banking.

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.

Introduction, first reading and reference, 243.

Reported back, 443.
 Second reading, 509.
 To House, 532.
 Returned to Senate, 714.
 Signed by President, 759.
 Sent to Governor, 947.

Senate Bill No. 188—(Interim Committee—Senators Streibel and Kehoe)

Referred to Committee on Judiciary.

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.

Introduction, first reading and reference, 243.

Reported back, 313.

Second reading, 349.

To House, 377.

Returned to Senate, 671.

Signed by President, 751.

Sent to Governor, 947.

Senate Bill No. 189—(Interim Committee—Senators Streibel and Kehoe)

Referred to Committee on Judiciary.

Senate Bill No. 189. A Bill for an Act to Provide for Filling Vacancies on the State No-Party Ballots.

Introduction, first reading and reference, 243.

Reported back, 364.

Amendments, 385.

Second reading, 385.

To House, 416.

Returned to Senate indefinitely postponed, 716.

Senate Bill No. 190—(Senators Young, Solberg and Blank)

Referred to Committee on Appropriations.

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.

Introduction, first reading and reference, 243.

Reported back, 327.

Second reading, 349.

To House, 377.

Returned to Senate, 671.

Signed by President, 751.

Sent to Governor, 947.

Senate Bill No. 191—(Senators Streibel and Kehoe)

Referred to Committee on Judiciary.

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.

Introduction, first reading and reference, 244.
 Reported back, 328.
 Second reading, 352.
 To House, 377.
 Returned to Senate indefinitely postponed, 716.

Senate Bill No. 192—(Senator Wog)

Referred to Committee on State Affairs.

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.

Introduction, first reading and reference, 244.
 Reported back, 444.
 Amendments, 782.
 Other action, 527, 795, 816.
 Second reading, 515, 528, 796, lost.
 To House, 532.
 Returned to Senate, 776.

Senate Bill No. 193—(Senator Day)

Referred to Committee on Elections.

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.

Introduction, first reading and reference, 245.
 Reported back, 267.
 Second reading, 300.
 To House, 323.
 Returned to Senate indefinitely postponed, 649.

Senate Bill No. 194—(Senator Thatcher)

Referred to Committee on Judiciary.

Senate Bill No. 194. A Bill for an Act to Amend and Re-enact Section 1 of Chapter 186 of the Session Laws of 1939, Authorizing the Investment of All Trust Funds by the Legal Custodian of Such Funds.

Introduction, first reading and reference, 245.
 Reported back, 400.

Other action, 456, 486.
Second reading, 515.
Indefinitely postponed, 516.

Senate Bill No. 195—(Senator Rue—by request)

Referred to Committee on Judiciary.

Senate Bill No. 195. A Bill for an Act to Amend and Re-enact Section 7 of Chapter 144 of the Session Laws of 1929.

Introduction, first reading and reference, 245.

Reported back indefinitely postponed, 453.

Senate Bill No. 196—(Senators Brunsdale, Kehoe and Day)

Referred to 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.

Introduction, first reading and reference, 245.

Reported back, 313.

Second reading, 353.

To House, 377.

Returned to Senate indefinitely postponed, 670.

Senate Bill No. 197—(Senator O'Brien)

Referred to Committee on Judiciary.

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.

Introduction, first reading and reference, 245.

Reported back, 313.

Second reading, 353.

To House, 378.

Returned to Senate, 646.

Signed by President, 751.

Sent to Governor, 947.

Senate Bill No. 198—(Senator Day)

Referred to Committee on Judiciary.

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.

Introduction, first reading and reference, 343.

Reported back, 400.

Amendments, 427, 428.

Second reading, 428.

To House, 462.

Returned to Senate indefinitely postponed, 854.

Senate Bill No. 199—(Committee on Tax and Tax Laws)

Referred to Committee on Education.

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.

Introduction, first reading and reference, 444.

Reported back, 453.

Amendments, 830.

Other action, 867.

Second reading, 533, 867.

To House, 542.

Returned to Senate, 830.

Signed by President, 933.

Sent to Governor, 946.

Senate Conference Committee, 862.

Concur in House amendments, 867.

Senate Bill No. 200—(Committee on Appropriations)

Referred to Committee on Appropriations.

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.

Introduction, first reading and reference, 444.

Reported back, 459.

Amendments, 678.

Other action, 736.

Second reading, 511, 736.

To House, 532.

Returned to Senate, 672.

Signed by President, 759.

Sent to Governor, 947.

Senate Bill No. 201—(The Interim Committee—Senators Streibel and Kehoe)

Referred to Committee on Public Health.

Senate Bill No. 201. A Bill for an Act Permitting the Issuing of Licenses to Practice Embalming in This State by Reciprocity and to Any Person Who Has Been Actively Engaged in Undertaking in the State for Twenty Years Without an Examination.

Introduction, first reading and reference, 444.

Withdrawn, 454.

Senate Bill No. 202—(The Interim Committee—Senators Streibel and Kehoe)

Referred to Committee on Education.

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.

Introduction, first reading and reference, 444.

Reported back, 453.

Amendments, 831.

Other action, 867.

Second reading, 511, 868.

To House, 532.

Returned to Senate, 830.

Signed by President, 933.

Sent to Governor, 946.
 Senate Conference Committee, 862.
 Concur in House amendments, 867.

Senate Bill No. 203—(Committee on Delayed Bills)

Referred to Committee on Appropriations.

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.

Introduction, first reading and reference, 444.

Reported back, 459.

Amendments, 512.

Other action, 512.

Second reading, 512.

To House, 522.

Returned to Senate, 771.

Signed by President, 898.

Sent to Governor, 947.

Senate Bill No. 204—(Senators Streibel and Kehoe)

Referred to Committee on Judiciary.

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.

Introduction, first reading and reference, 454.

Reported back, 477.

Amendments, 718.

Other action, 736.

Second reading, 517, 736.

To House, 522.

Returned to Senate, 718.

Signed by President, 759.

Sent to Governor, 947.

Senate Bill No. 205—(Senators Streibel and Kehoe)

Referred to Committee on Judiciary.

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.

Introduction, first reading and reference, 454.

Reported back, 477.

Other action, 738.

Second reading, 523, 738.

To House, 532.

Returned to Senate, 718.

Signed by President, 759.

Sent to Governor, 947.

Senate Bill No. 206—(Senator Braun)

Referred to Committee on State Affairs.

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 Cosme-

tologists, and Repealing All Acts or Parts of Acts in Conflict Herewith.

Introduction, first reading and reference, 454.
 Reported back, 489.
 Second reading, 534.
 To House, 542.
 Returned to Senate, 671.
 Signed by President, 759.
 Sent to Governor, 946.

Senate Bill No. 207—(Senators Brant, Brunsdale and Watt)
 Referred to Committee on Judiciary.

Senate Bill No. 207. 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 Mortgage 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 and reference, 454.
 Reported back, 477.
 Amendments, 535.
 Other action, 535, 537.
 Second reading, lost, 539.

Senate Bill No. 208—(The Interim Committee—Senators Streibel and-Kehoe)

Referred to Committee on Judiciary.

Senate Bill No. 208. A Bill for an Act to Amend and Re-enact Section 15-0710 North Dakota Revised Code for 1943.

Introduction, first reading and reference, 460.
 Reported back, 477.
 Amendments, 536, 855.
 Other action, 536, 856, 877.
 Second reading, 539, 877.
 To House, 543.
 Returned to Senate, 854.
 Signed by President, 933.
 Sent to Governor, 947.
 Senate Conference Committee, 856.
 Concur in House amendments, 877.

Senate Bill No. 209—(The Interim Committee—Senators Streibel and Kehoe)

Referred to Committee on Judiciary.

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.

Introduction, first reading and reference, 461.

Reported back, 477.
Amendments, 524, 782.
Other action, 806.
Second reading, 523, 525, 806.
To House, 542.
Returned to Senate, 777.
Signed by President, 898.
Sent to Governor, 947.

Senate Bill No. 210—(Committee on Delayed Bills)

Referred to Committee on Tax and Tax Laws.

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."

Introduction, first reading and reference, 497.
Reported back, 498.
Second reading, 525.
To House, 532.
Returned to Senate, 771.
Signed by President, 864.
Sent to Governor, 947.

Senate Bill No. 211—(Committee on Delayed Bills)

Referred to Committee on Tax and Tax Laws.

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.

Introduction, first reading and reference, 497.
Reported back, 498.
Amendments, 825.
Other action, 835.
Second reading, 526, 835.
To House, 542.
Returned to Senate, 825.
Signed by President, 933.
Sent to Governor, 946.

SENATE RESOLUTIONS

Senate Resolution "A"—(Select Committee on Photographs)

Senate Resolution "A." On Arrangement for Official Photographer for the Senate, a Resolution for the Appropriation of \$185.00 for Payment of a Group Picture, Including Each Member of the Senate, the Presiding Officer, the Desk Force, and the Sergeant-at-Arms.

Other action, 199.

Second reading, 199.

Senate Resolution "B-1"—(Senators Bridston, Page and Solberg)

Referred to Special Senate Investigating Committee.

(Should be Senate Resolution "B")

Introduction, first reading and reference, 233.

Other action, 234.

Adopted, 234.

Senate Resolution "1-C"—(Morgan of Walsh)

(Should be Senate Resolution "C")

Introduction and First Reading, 765.

Second reading and adoption, 766.

Senate Joint Memorial Resolution "A"—Committee on Joint Resolutions)

Memorializing deceased Senators.

Introduction, 537.

Adoption, 538.

Amended, 561.

To House, 604.

Returned to Senate, 714.

Signed by President, 759.

Senate Memorial Resolution "A"—(Presented by Senator Hoenck)

Arthur Fowler.

Adopted, 100.

Signed by President, 107.

Senate Memorial Resolution "B"—(Presented by Senator Oksendahl)

F. T. Gronvold.

Adopted, 100.

Signed by President, 107.

Senate Memorial Resolution "C"—(Presented by Senator Lofthus)

Robert Gardiner.

Adopted, 100.

Signed by President, 107.

Senate Memorial Resolution "D"—(Presented by Senator Lofthus)

C. I. Morkrid.

Adopted, 100.

Signed by President, 107.

Senate Memorial Resolution "E"—(Presented by Senator Greiser)

Paul Kretschmar.

Adopted, 100.

Signed by President, 107.

Senate Memorial Resolution "F"—(Presented by Senator Rue)

C. B. Little.

Adopted, 100.

Signed by President, 107.

Senate Memorial Resolution "G"—(Presented by Senator Hoenck)

W. P. Porterfield.

Adopted, 100.

Signed by President, 107.

Senate Memorial Resolution "H"—(Presented by Senator Flatt)

John Crandall.

Adopted, 100.

Signed by President, 107.

Senate Memorial Resolution "I"—(Presented by Senator Morgan of Walsh)

P. J. Murphy.

Adopted, 100.

Signed by President, 107.

Senate Memorial Resolution "J"—(Presented by Senator Flatt)

George A. Mathews.

Adopted, 100.

Signed by President, 107.

Senate Memorial Resolution "K"—(Presented by Senator Bilden)

J. E. Eastgate.

Adopted, 100.

Signed by President, 107.

Senate Memorial Resolution "L"—(Presented by Senator Stucke)

C. W. McGray.

Adopted, 100.

Signed by President, 107.

Senate Memorial Resolution "M"—(Presented by Senator Thatcher)

Dougal H. McArthur.

Adopted, 100.

Signed by President, 107.

Senate Concurrent Resolution "A"—(Senators Kehoe and Streibel)

Referred to Committee on Tax and Tax Laws.

Senate Concurrent Resolution "A." Authorizing the Commission on Code Revision to Employ Additional Help for the Completion of Its Work and Report to Be Presented to the 28th Legislative Assembly.

Introduction, first reading and reference, 29.

Withdrawn, 57.

Senate Concurrent Resolution "B"—(Senator Bond)

Referred to Committee on Printing.

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.

Introduction, first reading and reference, 38.

Reported back, 165.

Second reading and adoption, 185.

Returned to Senate, 646.

Signed by President, 751.

Sent to Secretary of State, 940.

Senate Concurrent Resolution "C"—(Committee on Employment)

Referred to Committee on State Affairs.

Senate Concurrent Resolution "C." In Regard to Third House Dances and Session in Capitol Corridors.

Introduction, first reading and reference, 41.

Other action, 41.

Second reading, 46.

Returned to Senate, 59.

Senate Concurrent Resolution "D" — (Senators Olson of Mountrail and Olson of McHenry)

Referred to Committee on State Affairs.

Senate Concurrent Resolution "D." Memorializing Congress to Take Action on S 2600 Cited as the "Rubber Supply Act of 1942."

Introduction, first reading and reference, 48.

Reported back, 157.

Other action, 167.

Second reading, 186.

To House, 190.

Returned to Senate, 315.

Signed by President, 338.

Sent to Secretary of State, 380.

Senate Concurrent Resolution "E"—(Senators Thatcher and Young)

Referred to Committee on Judiciary.

Senate Concurrent Resolution "E." A Concurrent Resolution Providing for the Amendment of Sections 45, 53, 55, 56 and 60 of Article 2 of the Constitution of the State of North Dakota, Relating to the Convening of the Legislative Assembly.

Introduction, first reading and reference, 54.
 Reported back, 118, 400.
 Amendments, 427.
 Other action, 135.
 Second reading, indefinitely postponed, 471.

Senate Concurrent Resolution "F"—(Senators Day, Flatt and Nordhousen)

Senate Concurrent Resolution "F." Requesting Federal Authorities to Speed Action on Farm Machinery and Repair Allotments.

Introduction, first reading and reference, 54.
 Other action, 54.
 Adopted, 54.
 To House, 58.
 Returned to Senate, 70.
 Signed by President, 77.
 Sent to Secretary of State, 91.

Senate Concurrent Resolution "G"—(Committee on Employment)

Senate Concurrent Resolution "G." A Concurrent Resolution Providing and Designating Senate and House Employees and Naming and Fixing Their Salaries.

Introduction, first reading and reference, 54.
 Other action, 63.
 Second reading, 63.
 To House, 66.
 Returned to Senate, 84.
 Signed by President, 103.

Senate Concurrent Resolution "H"—(Senators Solberg and Adam)

Referred to Committee on Education.

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.

Introduction, first reading and reference, 63.
 Reported back, 159, 253.
 Amendments, 808, 786.
 Other action, 177.
 Second reading, 274, 888.
 To House, 304.
 Returned to Senate, 777.
 Signed by President, 941.
 Sent to Secretary of State, 940.
 Conference Committee Report, 879.

Senate Concurrent Resolution "I"—(Senators Stucke and Kehoe)

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.

Introduction, first reading and reference, 70.

Second reading, 70.

To House, 73.

Returned to Senate, 79.

Signed by President, 103.

Sent to Governor, 125.

Signed by Governor, 281.

Senate Concurrent Resolution "J"—(Senator Young)

Referred to Committee on Elections.

Senate Concurrent Resolution "J." A Resolution Providing for the Amendment of Section 121 of the Constitution as Amended by Article 37 of the Amendments Thereto Relating to Qualifications of Electors.

Introduction, first reading and reference, 92.

Reported back, 284.

Amendments, 369.

Indefinitely postponed, 369.

Senate Concurrent Resolution "K"—(Olson of Mountrail and Nelson of Renville)

Referred to Committee on State Affairs.

Senate Concurrent Resolution "K." A Concurrent Resolution Providing for the Amendment of Article 54 of the Constitution of the State of North Dakota.

Introduction, first reading and reference, 105.

Reported back, 401.

Second reading, lost, 431.

Senate Concurrent Resolution "L"—(Senators Thatcher, Adam and Solberg)

Referred to Committee on Agriculture and Livestock.

Senate Concurrent Resolution "L." A Concurrent Resolution Memorializing Congress and the President to Take Immediate Steps Toward Production of Synthetic Rubber from Farm Products.

Introduction, first reading and reference, 111.

Reported back, 126.

Second reading, 142.

To House, 145.

Returned to Senate, 269.

Signed by President, 338.

Sent to Secretary of State, 380.

Senate Concurrent Resolution "M"—(Senator Troxel)

Re-referred to Committee on Temperance (from State Affairs).

Senate Concurrent Resolution "M." A Concurrent Resolution Requesting the President of the United States to Take Action Restricting the Manufacture and Sale of Intoxicating Beverages.

Introduction, first reading and reference, 119.

Reported back indefinitely postponed, 165.
Other action, 123.

Senate Concurrent Resolution "N"—(Senators O'Brien and Lavik)

Referred to Committee on State Affairs.

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.

Introduction, first reading and reference, 141.

Reported back, 166.

Second reading, 186.

To House, 190.

Returned to Senate, 570.

Signed by President, 596.

Sent to Secretary of State, 788.

Senate Concurrent Resolution "O"—(Senator Watt)

Senate Concurrent Resolution "O." A Concurrent Resolution Relating to a Building in Bismarck Used by the National Youth Administration Including Machinery, Tools, Etc., and Authorizing the Governor to Receive Such Property for the State, in the Event that the Federal Government Shall Cease to Have Use for Same and that the Board of Administration Shall Direct, Supervise and Control Such Building and Equipment to Be Utilized as Training Center for Inmates of the North Dakota State Work Farm and North Dakota State Training School.

Introduction, first reading and reference, 148.

Withdrawn, 329.

Senate Concurrent Resolution "P"—Senators Blank, Thatcher and Braun)

Referred to Committee on Public Welfare.

Senate Concurrent Resolution "P." A Concurrent Resolution Memorializing Congress and the President to Enact the Townsend Plan.

Introduction, first reading and reference, 168.

Reported back, 197.

Second reading, 223.

To House, 263.

Returned to Senate, 771.

Sent to Secretary of State, 940.

Senate Concurrent Resolution "Q"—(Senators Watt and Bond)

Referred to 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.

Introduction, first reading and reference, 232.

Reported back, 253.

Second reading, 274, 745.

To House, 304.
 Returned to Senate, 646.
 Signed by President, 759.
 Sent to Secretary of State, 940.

Senate Concurrent Resolution "R"—(Senators Watt and Bond)

Referred to Committee on State Affairs.

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.

Introduction, first reading and reference, 232.
 Reported back, 253.
 Second reading, 274, 745.
 To House, 304.
 Returned to Senate, 646.
 Signed by President, 759.
 Sent to Secretary of State, 940.

Senate Concurrent Resolution "S"—(Senators Watt and Bond)

Referred to 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.

Introduction, first reading and reference, 233.
 Reported back, 253.
 Second reading, 275, 745.
 To House, 304.
 Returned to Senate, 646.
 Signed by President, 759.
 Sent to Secretary of State, 940.

Senate Concurrent Resolution "T"—(Senators Solberg and Nelson of Renville)

Referred to Committee on Game and Fish.

Senate Concurrent Resolution "T." A Concurrent Resolution Memorializing Congress to Make No Further Extension of Game Reserves in the State of North Dakota.

Introduction, first reading and reference, 243.
 Reported back, 284.
 Second reading, 319.
 To House, 240.
 Returned to Senate, 623.
 Signed by President, 631.
 Sent to Secretary of State, 788.

Senate Concurrent Resolution "U"—(Senators Nelson of Griggs-Steele and Solberg)

Referred to Committee on State Affairs.

Senate Concurrent Resolution "U." A Concurrent Resolution Requesting Congress to Investigate Labor Unions and Their Activities.

Introduction, first reading and reference, 243.
 Other action, 383.
 Withdrawn, 383.

Senate Concurrent Resolution "V"—(Senators Thatcher and Stucke)

Referred to Committee on Judiciary.

Senate Concurrent Resolution "V." A Concurrent Resolution Providing for the Suspension of the Operation of the Initiated Act Approved June 28th, 1938 Prohibiting Members of the Legislative Assembly from Receiving or Accepting State Employment, and Declaring an Emergency.

Introduction, first reading and reference, 243.

Reported back indefinitely postponed, 328.

Senate Concurrent Resolution "W"—(Senators Bridston and Brunsdale)

Referred to Committee on State Affairs.

Senate Concurrent Resolution "W." A Concurrent Resolution Providing for the Amendment of Section 45 of the Constitution of the State of North Dakota.

Introduction, first reading and reference, 244.

Reported back, 401.

Other action, 575.

Second reading, 431.

To House, 462.

Returned to Senate, indefinitely postponed, 649.

Senate Concurrent Resolution "X"—(Senators Bridston and Brunsdale)

Referred to Committee on State Affairs.

Senate Concurrent Resolution "X." A Concurrent Resolution Providing for the Amendment of Section 32 of the Constitution of the State of North Dakota.

Introduction, first reading and reference, 244.

Reported back, 401.

Second reading, indefinitely postponed, 433.

Senate Concurrent Resolution "Y"—(Senators Bridston and Brunsdale)

Referred to Committee on State Affairs.

Senate Concurrent Resolution "Y." A Concurrent Resolution Providing for the Amendment of Section 26 of the Constitution of the State of North Dakota.

Introduction, first reading and reference, 244.

Reported back, 401.

Second reading, indefinitely postponed, 433.

Senate Concurrent Resolution "Z"—(Senators Bridston and Brunsdale)

Referred to Committee on State Affairs.

Senate Concurrent Resolution "Z." A Concurrent Resolution Providing for the Amendment of Section 82 of the Constitution of the State of North Dakota.

Introduction, first reading and reference, 244.

Reported back, 401.

Second reading, lost, 432.

Senate Concurrent Resolution "1-A"—(Senators Braun and Solberg)

Referred to Committee on Irrigation and Drainage.

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.

Introduction, first reading and reference, 245.
 Reported back, 313.
 Other action, 902, 878.
 Second reading, 335, 902.
 To House, 374.
 Returned to Senate, 672.
 Signed by President, 941.
 Sent to Secretary of State, 940.

Senate Concurrent Resolution "1-B"—(Committee on State Affairs)

Referred to Committee on State Affairs.

Senate Concurrent Resolution "1-B." A Concurrent Resolution Protesting Favoritism for Youth of Japanese Extraction, in the Advantages of Higher Education.

Introduction and first reading, 298.
 Second reading, 300.
 Adoption, 319.
 To House, 340.
 Returned to Senate, 646.
 Signed by President, 751.
 Delivered to Secretary of State, 940.

Senate Concurrent Resolution "1-C"—Senator Braun.

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.

First reading, 408.
 Adoption, 408.
 To House, 438.
 Other action, 446.
 Returned to Senate, indefinitely postponed, 716.

Senate Concurrent Resolution "1-D"—(Committee on Delayed Bills)

Referred to Committee on Ways and Means.

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.

Introduction, first reading and reference, 445.
 Reported back, 477.

Second reading, 526.
 To House, 542.
 Returned to Senate, 771.
 Signed by President, 933.
 Sent to Secretary of State, 940.

Senate Concurrent Resolution "1-E"—(Committee on Delayed Bills)

Referred to Committee on Judiciary.

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.

Introduction, first reading and reference, 445.
 Reported back, 453.
 Amendments, 513.
 Second reading, 513.
 To House, 523.
 Returned to Senate, 646.
 Signed by President, 751.
 Sent to Secretary of State, 940.

Senate Concurrent Resolution "1-F"—(Committee on Delayed Bills)

Referred to Committee on Judiciary.

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.

Introduction, first reading and reference, 445.
 Reported back, 453.
 Other action, 527.
 Second reading, 514.
 To House, 523.
 Returned to Senate, 623.
 Signed by President, 631.
 Sent to Secretary of State, 788.

Senate Concurrent Resolution "1-G"—(Committee on Appropriations)

Referred to Committee on Insurance.

Senate Concurrent Resolution "1-G." Relating to Re-Insurance in the State Bonding Fund.

Introduction, first reading and reference, 465.
 Reported back, 497.
 Second reading, 541.
 To House, 543.
 Returned to Senate, 811.
 Signed by President, 933.
 Sent to Secretary of State, 940.

Senate Concurrent Resolution "1-H"—Senators Kehoe and Streibel)

Referred to Committee on Judiciary.

Senate Concurrent Resolution "1-H." Approving Contracts for the Paper and for Printing and Binding North Dakota Revised Code of 1943.

Introduction, first reading and reference, 565.

Reported back, 566.

Second reading, 571.

To House, 604.

Returned to Senate, 850.

Signed by President, 933.

Sent to Secretary of State, 940.

Senate Concurrent Resolution "1-I"—(Senator Watt)

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.

Introduction and first reading, 697.

Other action, 698.

Second reading and adoption, 744.

Amendments, 744.

To the House, 764.

Returned to Senate, 885.

Signed by President, 934.

Sent to Secretary of State, 940.

Senate Concurrent Resolution "1-J"—Senators Brunsdale and Streibel)

Senate Concurrent Resolution "1-J." Reducing the Number of 1943 Session Laws to Be Published by the Secretary of State.

Introduction and first reading, 698.

Other action, 698.

Second reading and adoption, 745.

To House, 764.

Returned to Senate, 885.

Signed by President, 934.

Sent to Secretary of State, 940.

Senate Concurrent Resolution "1-K"—(Committee on Employment)

Referred to Committee on Appropriations.

Senate Concurrent Resolution "1-K." Relating to Additional Pay to Myrtle Steen for Extra Services Rendered Other Than Committee Clerk.

Introduction and first reading, 764.

Adopted, 765.

To House, 767.

Returned to Senate, 885.

Signed by President, 934.

Sent to Secretary of State, 940.

**Senate Concurrent Resolution "1-L"—(Senators Bridston,
Page and Solberg)**

Referred to Committee on Appropriations.

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.

Introduction and first reading, 767.

Reported back, 783.

Second reading and adoption, 794.

To House, 802.

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- Motions, 49, 76 (2), 102, 223, 286, 300, 347, 400, 432, 439,

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- Committee reports, 116, 284, 312 (2), 313, 342, 442, 443, 577, 582, 606, 650, 732 (2), 733, 741.
- Motions, 4, 312 (2), 313, 342, 443, 474, 485, 578, 582, 606, 634, 650, 732 (2), 733, 741, 783, 796, 816 (2).
- Miscellaneous:
 - Designation of Committee, 20.
 - Conference Committee, 852.
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- Bills and Concurrent Resolutions, 40, 54, 91 (2), 92, 110, 118, 148, 181, 182 (2), 241 (2), 242 (2), 243.
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- Committee reports, 116, 264, 265 (8), 266 (7), 267, 284, 440, 441 (2), 442 (2), 444, 477, 607 (2), 613, 643, 668.
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- Miscellaneous:
 - Designation of Committee, 20.
 - Request Roll Call, 369, 512, 648.
 - Conference Committee, 747, 856, 905.
 - Explanation of Vote, 487, 625, 684.
 - Acceptance speech, 819.
 - Conference Committee report, 823, 889, 919.
 - Nomination speech Interim President Pro Tem, 917.

HOUSE BILLS

House Bill No. 1

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.

Received from House, 405.

First reading and reference, 412.

Reported back, 666.

Amendments, 730.

Second reading, 742, 823.

To House, 743.

Signed by President, 936.

Returned to House, 937.

House Conference Committee, 747.

Senate Conference Committee, 747.

Conference Committee report, 820.

House Bill No. 2

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.

Received from House, 255.

First reading and reference, 275.

Reported back, 328.

Second reading, 355.

To House, 378.

Signed by President, 415.

Returned to House, 436.

House Bill No. 3

Referred to Committee on Appropriations.

House Bill No. 3. A Bill for an Act Making an Appropriation to Provide Funds for the Arrest and Return of Fugitives from Justice.

Received from House, 53.

First reading and reference, 57.

Reported back, 254.

Second reading, 275.

To House, 305.

Signed by President, 362.

Returned to House, 374.

House Bill No. 4

Referred to Committee on Appropriations.

House Bill No. 4. A Bill for an Act Making an Appropriation for the Purpose of Paying Premiums on Bonds of State Officials.

Received from House, 53.
 First reading and reference, 57.
 Reported back, 254.
 Second reading, 275.
 To House, 305.
 Signed by President, 362.
 Returned to House, 374.

House Bill No. 5

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.

Received from House, 90.
 First reading and reference, 105.
 Reported back, 328.
 Second reading, 356.
 To House, 379.
 Signed by President, 555.
 Returned to House, 562.

House Bill No. 6

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.

Received from House, 200.
 First reading and reference, 236.
 Reported back, 328.
 Second reading, 356.
 To House, 378.
 Signed by President, 415.
 Returned to House, 436.

House Bill No. 7

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.

Received from House, 335.
 First reading and reference, 354.
 Reported back indefinitely postponed, 559.
 Other action, 575.

House Bill No. 8

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.

Received from House, 161.
First reading and reference, 162.
Reported back, 566.
Second reading, 586.
To House, 602.
Signed by President, 751.
Returned to House, 755.

House Bill No. 9

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.

Received from House, 529.
First reading and reference, 543.
Reported back, 642.
Second reading, 694, 885.
To House, 700.
Signed by President, 936.
Returned to House, 937.
House Conference Committee, 730.
Senate Conference Committee, 745.
Conference Committee report, 884.

House Bill No. 10

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.

Received from House, 149.
First reading and reference, 153.
Reported back, 577.
Second reading, 614.
To House, 640.
Signed by President, 936.
Returned to House, 937.
House Conference Committee, 662.
Senate Conference Committee, 662.
Conference Committee report, 871.

House Bill No. 11

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.

Received from House, 79.
First reading and reference, 83.
Reported back, 328.
Second reading, 357.
To House, 378.
Signed by President, 415.
Returned to House, 437.

House Bill No. 12

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.

Received from House, 79.
First reading and reference, 83.
Reported back, 254.
Second reading, 276.
To House, 305.
Signed by President, 362.
Returned to House, 374.

House Bill No. 13

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.

Received from House, 335.
First reading and reference, 354.
Reported back, 566.
Second reading, 586.
To House, 602.
Signed by President, 751.
Returned to House, 755.

House Bill No. 14

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.

Received from House, 79.
First reading and reference, 84.
Reported back, 254.
Second reading, 276.
To House, 305.
Signed by President, 362.
Returned to House, 374.

House Bill No. 15

Referred to 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.

Received from House, 53.
First reading and reference, 57.
Reported back, 254.
Second reading, 277.
To House, 305.
Signed by President, 362.
Returned to House, 375.

House Bill No. 16

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.

Received from House, 217.
First reading and reference, 236.
Reported back, 559.
Second reading, 572.
To House, 603.
Signed by President, 844.
Returned to House, 847.

House Bill No. 17

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.

Received from House, 161.
First reading and reference, 162.
Reported back, 328.
Second reading, 357.
To House, 378.
Signed by President, 415.
Returned to House, 437.

House Bill No. 18

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.

Received from House, 335.
First reading and reference, 354.
Reported back indefinitely postponed, 560.
Other action, 575.

House Bill No. 19

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.

Received from House, 335.
First reading and reference, 354.
Reported back indefinitely postponed, 560.
Other action, 575.

House Bill No. 20

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.

Received from House, 335.
First reading and reference, 354.
Reported back indefinitely postponed, 560.
Other action, 575.

House Bill No. 21

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.

Received from House, 335.

First reading and reference, 354.

Reported back indefinitely postponed, 560.

Other action, 575.

House Bill No. 22

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.

Received from House, 335.

First reading and reference, 354.

Reported back indefinitely postponed, 560.

Other action, 575.

House Bill No. 23

Referred to Committee on Appropriations.

House Bill No. 23. A Bill for an Act Making an Appropriation to the North Dakota Firemen's Association.

Received from House, 91.

First reading and reference, 105.

Reported back, 157.

Second reading, 177.

To House, 183.

Signed by President, 224.

Returned to House, 246.

House Bill No. 24

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.

Received from House, 217.

First reading and reference, 236.

Reported back, 328.

Second reading, 358.

To House, 378.

Signed by President, 415.

Returned to House, 437.

House Bill No. 25

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.

Received from House, 118.
 First reading and reference, 136.
 Reported back, 313, 382.
 Amended, 382.
 Second reading, 476.
 To House, 562.
 Signed by President, 631.
 Returned to House, 639.

House Bill No. 26

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.

Received from House, 200.
 First reading and reference, 236.
 Reported back, 577.
 Second reading, 614.
 To House, 635.
 Signed by President, 751.
 Returned to House, 755.

House Bill No. 27

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.

Received from House, 109.
 First reading and reference, 122.
 Other action, 122.
 Second reading, 721.
 To House, 733.
 Signed by President, 930.
 Returned to House, 930.

House Bill No. 28

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.

Received from House, 186.
 First reading and reference, 203.
 Reported back, 566.
 Second reading, 587, 790.
 To House, 601.
 Signed by President, 930.
 Returned to House, 931.
 House Conference Committee, 659.
 Senate Conference Committee, 668.
 Conference Committee report, 790.

House Bill No. 29

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.

Received from House, 106.
First reading and reference, 113.
Reported back, 314.
Second reading, 337.
To House, 374.
Signed by President, 415.
Returned to House, 437.

House Bill No. 30

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.

Received from House, 161.
First reading and reference, 162.
Reported back, 577.
Second reading, 615.
To House, 635.
Signed by President, 751.
Returned to House, 755.

House Bill No. 31

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.

Received from House, 53.
First reading and reference, 57.
Reported back, 328, 682.
Second reading, 721.
To House, 733.
Signed by President, 936.
Returned to House, 937.

House Bill No. 32

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.

Received from House, 53.
First reading and reference, 57.
Reported back, 254.
Second reading, 277.
To House, 305.
Signed by President, 362.
Returned to House, 375.

House Bill No. 33

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.

Received from House, 186.

First reading and reference, 203.

Reported back, 643.

Second reading, 694.

To House, 700.

Signed by President, 930.

Returned to House, 931.

House Bill No. 34

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.

Received from House, 143.

First reading and reference, 152.

Reported back, 329.

Second reading, 358.

To House, 378.

Signed by President, 415.

Returned to House, 437.

House Bill No. 36

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.

Received from House, 79.

First reading and reference, 84.

Reported back, 254.

Second reading, 278.

To House, 305.

Signed by President, 362.

Returned to House, 375.

House Bill No. 37

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.

Received from House, 161.

First reading and reference, 162.

Reported back, 666.

Second reading, 722.

To House, 727.

Signed by President, 930.

Returned to House, 931.

House Bill No. 38

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.

Received from House, 106.
 First reading and reference, 113.
 Reported back, 180.
 Second reading, 223.
 To House, 263.
 Signed by President, 321.
 Returned to House, 324.

House Bill No. 39

Referred to Committee on State Affairs.

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.

Received from House, 118.
 First reading and reference, 123.
 Reported back, 157.
 Second reading, 177.
 To House, 182.
 Signed by President, 224.
 Returned to House, 246.

House Bill No. 41

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.

Received from House, 106.
 First reading and reference, 113.
 Reported back, 157.
 Other action, 161.
 Second reading, 163.
 To House, 163.
 Signed by President, 187.
 Returned to House, 189.

House Bill No. 42

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.

Received from House, 186.
 First reading and reference, 203.
 Reported back, 382.

Amendment, 552.
Second reading, 552.
To House, 563.
Signed by President, 936.
Returned to House, 937.
House Conference Committee, 591.
Senate Conference Committee, 591.
Conference Committee Report, 644.

House Bill No. 43

Referred to Committee on Game and Fish.

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.

Received from House, 529.
First reading and reference, 543.
Re-referred, 566.
Reported back, 666.
Second reading, 722.
To House, 733.
Signed by President, 936.
Returned to House, 937.

House Bill No. 44

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.

Received from House, 405.
First reading and reference, 412.
Reported back, 643.
Second reading, 695.
To House, 700.
Signed by President, 844.
Returned to House, 847.

House Bill No. 45

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.

Received from House, 142.
First reading and reference, 152.
Reported back, 329.
Second reading, 359.
To House, 378.
Signed by President, 415.
Returned to House, 437.

House Bill No. 46

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.

Received from House, 143.
First reading and reference, 152.
Reported back, 329.
Second reading, 360.
To House, 378.
Signed by President, 415.
Returned to House, 437.

House Bill No. 47

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.

Received from House, 530.
First reading and reference, 544.
Reported back, 666.
Other action, 730.
Second reading, 851, 886.
To House, 863.
Signed by President, 936.
Returned to House, 937.
House Conference Committee, 875.
Senate Conference Committee, 876.
Conference Committee report, 886.

House Bill No. 48

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.

Received from House, 268.
First reading and reference, 301.
Reported back, 643.
Second reading, 695.
To House, 700.
Signed by President, 844.
Returned to House, 847.

House Bill No. 49

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.

Received from House, 329.
 First reading and reference, 338.
 Reported back, 339.
 Second reading, 449.
 To House, 502.
 Signed by President, 596.
 Returned to House, 605.

House Bill No. 50

Referred to Committee on Highways.

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.

Received from House, 505.
 First reading and reference, 544.
 Reported back, 740.
 Amendments, 783, 803.
 Other action, 786.
 Second reading, 783, 803, 892.
 To House, 845.
 Signed by President, 936.
 Returned to House, 937.
 House Conference Committee, 875.
 Senate Conference Committee, 883.
 Conference Committee report, 890.

House Bill No. 51

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.

Received from House, 463.
 First reading and reference, 544.
 Reported back indefinitely postponed, 643.
 To House, 701.

House Bill No. 54

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.

Received from House, 125.
 First reading and reference, 136.

Reported back, 138.
Second reading, 153.
To House, 155.
Signed by President, 187.
Returned to House, 189.

House Bill No. 55

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.

Received from House, 125.
First reading and reference, 136.
Reported back indefinitely postponed, 643.
To House, 701.

House Bill No. 56

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.

Received from House, 200.
First reading and reference, 237.
Reported back, 255.
Second reading, 278.
To House, 305.
Signed by President, 362.
Returned to House, 375.

House Bill No. 58

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.

Received from House, 149.
First reading and reference, 153.
Reported back, 284.
Amended, 320.
Second reading, 320.
To House, 340.
Signed by President, 389.
Returned to House, 392.

House Bill No. 59

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.

Received from House, 161.
First reading and reference, 162.

Reported back, 342.
Other action, 370.
Second reading, 387.
To House, 416.
Signed by President, 596.
Returned to House, 605.

House Bill No. 61

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.

Received from House, 286.

First reading and reference, 319.

Reported back indefinitely postponed, 577.

To House, 639.

House Bill No. 64

Referred to Committee on Insurance.

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.

Received from House, 371.

First reading and reference, 386.

Reported back, 606.

Second reading, 660.

To House, 679.

Signed by President, 844.

Returned to House, 847.

House Bill No. 65

Referred to Committee on Agriculture and 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 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.

Received from House, 286.

First reading and reference, 319.

Re-referred, 566.

Reported back, 732.

Second reading, 804.

To House, 846.

Signed by President, 936.

Returned to House, 937.

House Bill No. 66

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, 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.

Received from House, 149.
First reading and reference, 153.
Reported back, 255, 329.
Other action, 319, 321.
To House indefinitely postponed, 280, 340.

House Bill No. 68

Referred to Committee on Highways.

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.

Received from House, 371.
First reading and reference, 386.
Reported back, 606.
Second reading, 660.
To House, 679.
Signed by President, 844.
Returned to House, 847.

House Bill No. 69

Referred to Committee on Irrigation and Drainage.

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.

Received from House, 167.
First reading and reference, 187.
Reported back, 314.
Second reading, 360.
To House, 378.
Signed by President, 415.
Returned to House, 437.

House Bill No. 72.

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.

Received from House, 200.
First reading and reference, 237.
Reported back, 667.
Second reading, 723.
To House, 727.

Signed by President, 930.
Returned to House, 931.

House Bill No. 75

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.

Received from House, 200.
First reading and reference, 237..
Reported back, 314, 577.
Re-referred, 314.
Other action, 578.
Second reading, 615.
To House, 636.
Signed by President, 751.
Returned to House, 755.

House Bill No. 76

Referred to Committee on Ways and Means.

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.

Received from House, 537.
First reading and reference, 544.
Re-referred, 591.
Reported back indefinitely postponed, 789.
To House, 846.

House Bill No. 77

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.

Received from House, 350.
First reading and reference, 371.
Reported back, 667.
Second reading, 724.
To House, 727.
Signed by President, 930.
Returned to House, 931.

House Bill No. 78

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.

Received from House, 286.
First reading and reference, 319.

Reported back, 606.
Second reading, 661.
To House, 680.
Signed by President, 844.
Returned to House, 847.

House Bill No. 80

Referred to Committee on State Affairs.

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.

Received from House, 268.
First reading and reference, 301.
Reported back indefinitely postponed, 560.
To House, 576.

House Bill No. 81

Referred to Committee on 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.

Received from House, 187.
First reading and reference, 203.
Reported back indefinitely postponed, 667.
To House, 763.

House Bill No. 82

Referred to Committee on Irrigation and Drainage.

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.

Received from House, 167.
First reading and reference, 187.
Reported back, 314.
Second reading, 372.
To House, 392.
Signed by President, 555.
Returned to House, 562.

House Bill No. 83

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 Impos-

ing 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.

Received from House, 336.
 First reading and reference, 355.
 Reported back, 376.
 Second reading, 388.
 To House, 416.
 Signed by President, 555.
 Returned to House, 562.

House Bill No. 84

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.

Received from House, 371.
 First reading and reference, 386.
 Re-referred, 420.
 Reported back, 444.
 Other action, 713, 745.
 Second reading, 553, 746.
 To House, 563, 789.
 Signed by President, 631.
 Returned to House, 639.

House Bill No. 85

Referred to Committee on Education.

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.

Received from House, 462.
 First reading and reference, 544.
 Re-referred, 606.
 Reported back, 606, 667.
 Second reading, 725.
 To House, 734.
 Signed by President, 936.
 Returned to House, 938.

House Bill No. 87

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 In-

terest Thereon, and Repealing All Acts or Parts of Acts in Conflict Herewith.

Received from House, 529.
 First reading and reference, 544.
 Reported back, 606, 625.
 Other action, 606, 734.
 Re-referred, 606.
 Second reading, 684.
 To House, 700.
 See Adoption of Senate Resolution "1-C", page 765.

House Bill No. 90

Referred to Committee on Public Health.

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.

Received from House, 463.
 First reading and reference, 545.
 Reported back, 643.
 Second reading, 702.
 To House, 727.
 Signed by President, 930.
 Returned to House, 931.

House Bill No. 91

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.

Received from House, 336.
 First reading and reference, 355.
 Reported back, 668.
 Second reading, 725, 882.
 Signed by President, 936.
 Returned to House, 938.

House Bill No. 94

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.

Received from House, 314.
 First reading and reference, 336.
 Reported back, 643.
 Second reading, 703.

To House, 734.
Signed by President, 936.
Returned to House, 938.

House Bill No. 95

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.

Received from House, 286.
First reading and reference, 320.
Reported back, 382.
Second reading, 553, 683.
To House, 563.
Signed by President, 751.
Returned to House, 755.
House Conference Committee, 586.
Senate Conference Committee, 591.
Conference Committee report, 645.

House Bill No. 98

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.

Received from House, 286.
First reading and reference, 320.
Reported back, 578.
Second reading, 616.
To House, 640.
Signed by President, 844.
Returned to House, 847.

House Bill No. 99

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.

Received from House, 315.
First reading and reference, 337.
Reported back, 567.
Second reading, 587.
To House, 602.
Signed by President, 751.
Returned to House, 755.

House Bill No. 100

Referred to Committee on Appropriations.

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.

Received from House, 336.
 First reading and reference, 355.
 Reported back, 578.
 Second reading, 616.
 To House, 640.
 Signed by President, 844.
 Returned to House, 847.

House Bill No. 102

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.

Received from House, 268.
 First reading and reference, 301.
 Reported back, 578.
 Amendments, 617.
 Second reading, 617.
 To House, 640.
 Signed by President, 929.
 Returned to House, 931.
 House Conference Committee, 659.
 Senate Conference Committee, 662.
 Conference Committee report, 713.

House Bill No. 105

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.

Received from House, 429.
 First reading and reference, 434.
 Reported back, 567.
 Second reading, 588.
 To House, 602.
 Signed by President, 751.
 Returned to House, 755.

House Bill No. 106

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.

Received from House, 268.
 First reading and reference, 301.

Reported back, 560.
 Second reading, 572.
 To House, 604.
 Signed by President, 751.
 Returned to House, 755.

House Bill No. 107

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.

Received from House, 350.
 First reading and reference, 371.
 Reported back, 567.
 Second reading, 589.
 To House, 601.
 Signed by President, 751.
 Returned to House, 756.

House Bill No. 109

Referred to Committee on State Affairs.

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.

Received from House, 268.
 First reading and reference, 302.
 Reported back, 578.
 Final passage, 618.
 To House, 636.
 Signed by President, 751.
 Returned to House, 756.

House Bill No. 110

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 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.

Received from House, 406.

First reading and reference, 412.

Reported back, 578.

Amended, 619.

Other action, 903.

Second reading, 619, 902, 920.

To House, 641.

Signed by President, 936.

Returned to House, 938.

House Conference Committee, 659, 768, 831.

Senate Conference Committee, 668, 747, 786, 852, 869, 890, 905.

Conference Committee report, 865, 890, 901, 919, also errata sheet.

House Bill No. 117

Referred to Committee on Elections.

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.

Received from House, 530.

First reading and reference, 545.

Reported back indefinitely postponed, 606.

To House, 679.

House Bill No. 118

Referred to Committee on Judiciary.

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.

Received from House, 429.

First reading and reference, 434.

Reported back, 567.

Second reading, 589.

To House, 602.

Signed by President, 751.

Returned to House, 756.

House Bill No. 119

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.

Received from House, 351.

First reading and reference, 371.

Reported back, 688.
Other action, 897, 918.
Second reading, 726, 883, 918.
To House, 734, 920.
Signed by President, 936.
Returned to House, 938.
Senate Conference Committee, 806.
Conference Committee report, 853.

House Bill No. 121

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.

Received from House, 543.
First reading and reference, 550.
Reported back, 668.
Second reading, 728.
To House, 762.
Signed by President, 930.
Returned to House, 931.

House Bill No. 122

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.

Received from House, 370.
First reading and reference, 387.
Reported back indefinitely postponed, 579.
To House, 639.

House Bill No. 123

Referred to Committee on Military and Indian 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.

Received from House, 379.
First reading and reference, 412.
Reported back, 567.
Second reading, 590.
To House, 602.
Signed by President, 751.
Returned to House, 756.

House Bill No. 124

Referred to Committee on Military and Indian 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.

Received from House, 379.
First reading and reference, 413.
Reported back, 567.
Second reading, 590.
To House, 602.
Signed by President, 752.
Returned to House, 756.

House Bill No. 126

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.

Received from House, 370.
First reading and reference, 387.
Reported back, 579.
Second reading, 620.
To House, 636.
Signed by President, 752.
Returned to House, 756.

House Bill No. 127

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.

Received from House, 351.
First reading and reference, 371.
Reported back, 579.
Second reading, 620.
To House, 641.
Signed by President, 844.
Returned to House, 847.

House Bill No. 130

Referred to Committee on Tax and Tax Laws.

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.

Received from House, 268.
First reading and reference, 302.
Reported back, 634.
Second reading, 703.
To House, 734.
Signed by President, 936.
Returned to House, 938.

House Bill No. 135

Referred to Committee on Agriculture and Livestock.

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.

Received from House, 405.

First reading and reference, 413.

Reported back indefinitely postponed, 580.

To House, 640.

House Bill No. 136

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.

Received from House, 351.

First reading and reference, 372.

Reported back, 401.

Second reading, 554.

To House, 563.

Signed by President, 631.

Returned to House, 639.

House Bill No. 137

Referred to Committee on Agriculture and Livestock.

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.

Received from House, 505.

First reading and reference, 545.

Reported back indefinitely postponed, 644.

To House, 701.

House Bill No. 138

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 Redemp-

tion 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.

Received from House, 529.
 First reading and reference, 545.
 Reported back, 567.
 Second reading, 591.
 To House, 601.

House Bill No. 139

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.

Received from House, 407.
 First reading and reference, 413.
 Reported back, 580.
 Other action, 626.
 Second reading, 625, 626.
 To House, 636.
 Signed by President, 752.
 Returned to House, 756.

House Bill No. 140

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.

Received from House, 351.
 First reading and reference, 372.
 Reported back, 568.
 Second reading, 592.
 To House, 601.
 Signed by President, 752.
 Returned to House, 756.

House Bill No. 144

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.

Received from House, 315.
 First reading and reference, 337.
 Reported back, 580.

Second reading, 626.
 To House, 636.
 Signed by President, 752.
 Returned to House, 756.

House Bill No. 145

Referred to Committee on 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.

Received from House, 351.
 First reading and reference, 372.
 Reported back, 580.
 Second reading, 627.
 To House, 636.
 Signed by President, 752.
 Returned to House, 757.

House Bill No. 147

Referred to Committee on Judiciary.

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.

Received from House, 429.
 First reading and reference, 434.
 Reported back, 644.
 Second reading, 704.
 To House, 727.
 Signed by President, 930.
 Returned to House, 931.

House Bill No. 148

Referred to Committee on Military and Indian Affairs.

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.

Received from House, 429.
 First reading and reference, 434.
 Reported back, 568.
 Other action, 593, 632.
 Second reading, 632.
 To House, 679.
 Signed by President, 844.
 Returned to House, 847.

House Bill No. 150

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.

Received from House, 351.
 First reading and reference, 372.
 Reported back, 401.
 Second reading, 554.
 To House, 563.
 Signed by President, 631.
 Returned to House, 639.

House Bill No. 151

Referred to Committee on Judiciary.

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.

Received from House, 463.
 First reading and reference, 545.
 Reported back, 568.
 Other action, 598.
 Second reading, and lost, 593.
 To House, 640.

House Bill No. 153

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.

Received from House, 429.
 First reading and reference, 434.
 Reported back, 580.
 Second reading, 628.
 To House, 641.
 Signed by President, 930.
 Returned to House, 932.

House Bill No. 154

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.

Received from House, 529.
 First reading and reference, 545.
 Reported back indefinitely postponed, 561.
 To House, 576.

House Bill No. 157

Referred to Committee on Agriculture and 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.

Received from House, 406.

First reading and reference, 413.

Reported back indefinitely postponed, 580.

To House, 640.

House Bill No. 158

Referred to Committee on Highways.

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.

Received from House, 530.

First reading and reference, 545.

Reported back indefinitely postponed, 732.

To House, 846.

House Bill No. 159

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.

Received from House, 406.

First reading and reference, 413.

Reported back, 644.

Amendments, 705.

Second reading, 705.

To House, 734.

Signed by President, 936.

Returned to House, 938.

House Bill No. 160

Referred to Committee on Highways.

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.

Received from House, 537.

First reading and reference, 546.
 Reported back, 732.
 Amendments, 805.
 Other action, laid on table, 805.
 To House, 846.

House Bill No. 162

Referred to Committee on Military and Indian 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.

Received from House, 380.
 First reading and reference, 413.
 Re-referred, 581.
 Reported back indefinitely postponed, 631.
 To House, 701.

House Bill No. 163

Referred to Committee on Highways.

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.

Received from House, 543.
 First reading and reference, 550.
 Reported back, 650.
 Amendments, 650, 686.
 Other action, 651, 687.
 Second reading, lost, 686.
 To House, 702.

House Bill No. 165

Referred to Committee on Irrigation and Drainage.

House Bill No. 165. A Bill for an Act to Amend and Re-enact Section 2486 of the 1925 Supplement Relating to Re-

pairs of Existing Drains; and Providing for the Abandonment and Dissolution Thereof.

Received from House, 463.
 First reading and reference, 546.
 Reported back, 644.
 Second reading, 705.
 Signed by President, 930.
 Returned to House, 931.

House Bill No. 166

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.

Received from House, 425.
 First reading and reference, 435.
 Reported back, 568.
 Second reading, 593.
 To House, 602.
 Signed by President, 752.
 Returned to House, 757.

House Bill No. 167

Referred to Committee on Agriculture and 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.

Received from House, 370.
 First reading and reference, 387.
 Reported back, 581.
 Second reading, 628.
 To House, 636.
 Signed by President, 752.
 Returned to House, 757.

House Bill No. 168

Referred to Committee on Agriculture and 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.

Received from House, 463.
 First reading and reference, 546.
 Reported back, 581.

Other action, 629.
 Second reading, lost, 629.
 To House, 640.

House Bill No. 169

♦ Referred to Committee on Tax and Tax Laws.

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.

Received from House, 463.
 First reading and reference, 546.
 Reported back, 784.
 Other action, 880.
 Second reading, 870, 880.
 To House, 881.
 Signed by President, 936.
 Returned to House, 939.

House Bill No. 170

Referred to Committee on Military and Indian 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.

Received from House, 429.
 First reading and reference, 435.
 Reported back, 569.
 Second reading, 591.
 To House, 602.
 Signed by President, 752.
 Returned to House, 757.

House Bill No. 171

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 Board-

ing Facilities at Cost, and Repealing All Acts or Parts of Acts in Conflict Herewith, and Declaring an Emergency.

Received from House, 379.
 First reading and reference, 413.
 Reported back, 581.
 Second reading, 632.
 To House, 680.
 Signed by President, 844.
 Returned to House, 848.

House Bill No. 173

Referred to Committee on Corporations.

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.

Received from House, 529.
 First reading and reference, 546.
 Reported back, 581.
 Second reading, 633.
 To House, 679.
 Signed by President, 844.
 Returned to House, 848.

House Bill No. 174

Referred to Committee on 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.

Received from House, 351.
 First reading and reference, 372.
 Reported back, 581.
 Second reading, 634.
 To House, 679.
 Signed by President, 844.
 Returned to House, 848.

House Bill No. 175

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.

Received from House, 379.
 First reading and reference, 414.
 Reported back, 581.
 Second reading, 648.
 To House, 680.
 Signed by President, 844.
 Returned to House, 848.

House Bill No. 182

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.

Received from House, 429.
First reading and reference, 435.
Reported back, 582.
Second reading, 651.
To House, 679.
Signed by President, 844.
Returned to House, 848.

House Bill No. 184

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.

Received from House, 505.
First reading and reference, 546.
Reported back, 732.
Other action, 838, 839.
Second reading, 805.
To House, 838.
Signed by President, 936.
Returned to House, 939.

House Bill No. 188

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.

Received from House, 406.
First reading and reference, 414.
Reported back, 582.
Second reading, 652.
To House, 679.
Signed by President, 844.
Returned to House, 848.

House Bill No. 189

Referred to Committee on Education.

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.

Received from House, 406.

First reading and reference, 414.

Reported back, 582.

Second reading, 654, 792.

Amendments, 654.

To House, 680.

Signed by President, 930.

Returned to House, 931.

House Conference Committee, 713.

Senate Conference Committee, 736.

Conference Committee Report, 789.

House Bill No. 192

Referred to Committee on 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.

Received from House, 430.

First reading and reference, 435.

Reported back, 582.

Second reading, 655.

To House, 679.

Signed by President, 844.

Returned to House, 848.

House Bill No. 196

Referred to Committee on Agriculture and Livestock.

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.

Received from House, 406.

First reading and reference, 414.

Reported back, 582.

Second reading, 656.

To House, 680.

Signed by President, 844.

Returned to House, 848.

House Bill No. 197

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.

Received from House, 504.
First reading and reference, 547.
Reported back indefinitely postponed, 569.
To House, 603.

House Bill No. 198

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.

Received from House, 430.
First reading and reference, 435.
Reported back, 635.
Second reading, 706.
To House, 727.
Signed by President, 930.
Returned to House, 932.

House Bill No. 199

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.

Received from House, 430.
First reading and reference, 436.
Reported back, 635.
Amendments, 707.
Second reading, 707.
To House, 734.
Signed by President, 936.
Returned to House, 939.

House Bill No. 201

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.

Received from House, 370.
First reading and reference, 387.

Reported back, 569.
 Second reading, 596.
 To House, 636.
 Signed by President, 752.
 Returned to House, 757.

House Bill No. 202

Referred to Committee on State Affairs.

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 Expanding 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.

Received from House, 537.
 First reading and reference, 547.
 Reported back, 644.
 Second reading, 743.
 To House, 762.
 Signed by President, 930.
 Returned to House, 932.

House Bill No. 203

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.

Received from House, 530.
 Other action, 535.
 To House, 535.

House Bill No. 204

Referred to Committee on Mines and Minerals

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.

Received from House, 504.
 First reading and reference, 547.
 Reported back, 607, 668, indefinitely postponed.
 Re-referred, 607.
 To House, 763.

House Bill No. 208

Referred to Committee on Highways.

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.

Received from House, 504.

First reading and reference, 547.

Reported back indefinitely postponed, 582.

To House, 640.

House Bill No. 212

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.

Received from House, 530.

First reading and reference, 547.

Reported back indefinitely postponed, 582.

Other action, 586.

Second reading, 678.

To House, 700.

Signed by President, 844.

Returned to House, 848.

House Bill No. 213

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.

Received from House, 504.

First reading and reference, 547.

Reported back, 582.

Second reading, 657.

To House, 681.

Signed by President, 930.

Returned to House, 932.

House Bill No. 214

Referred to Committee on Elections.

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.

Received from House, 463.

First reading and reference, 548.

Reported back, 583.

Second reading, 657.

To House, 680.
Signed by President, 844.
Returned to House, 849.

House Bill No. 220

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.

Received from House, 406.
First reading and reference, 414.
Reported back, 607.
Second reading, 684.
To House, 700.
Signed by President, 844.
Returned to House, 849.

House Bill No. 222

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.

Received from House, 407.
First reading and reference, 414.
Reported back indefinitely postponed, 635.
To House, 701.

House Bill No. 228

Referred to Committee on Corporations.

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.

Received from House, 504.
First reading and reference, 548.
Reported back, 607.
Amendments, 685.
Second reading, 685.
To House, 700.
Signed by President, 930.
Returned to House, 932.

House Bill No. 229

Referred to Committee on Insurance.

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.

Received from House, 537.
First reading and reference, 548.
Reported back, 683.
Second reading, 728.
To House, 762.
Signed by President, 930.
Returned to House, 932.

House Bill No. 233

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.

Received from House, 463.

First reading and reference, 548.

Reported back, 688.

Second reading, 729.

To House, 763.

Senate Conference Committee, 844.

Conference Committee report, indefinitely postponed, 853.

House Bill No. 235

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.

Received from House, 464.

First reading and reference, 548.

Reported back, 569.

Second reading, 597.

To House, 636.

Signed by President, 752.

Returned to House, 757.

House Bill No. 236

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.

Received from House, 530.

First reading and reference, 548.

Reported back, 607.

Second reading, 689.

To House, 700.

Signed by President, 930.

Returned to House, 932.

House Bill No. 239

Referred to Committee on Ways and Means.

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.

Received from House, 504.
 First reading and reference, 548.
 Reported back, 607.
 Second reading, 744.
 To House, 763.
 Signed by President, 936.
 Returned to House, 939.

House Bill No. 240

Referred to Committee on Public Health.

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.

Received from House, 504.
 First reading and reference, 548.
 Reported back, 668.
 Second reading, 741.
 Signed by President, 929.
 Returned to House, 932.

House Bill No. 243

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 1937.

Received from House, 504.
 First reading and reference, 549.
 Reported back, 569.
 Second reading, 597.
 To House, 641.
 Signed by President, 844.
 Returned to House, 849.

House Bill No. 244

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.

Received from House, 504.
 First reading and reference, 549.
 Reported back, 583.
 Other action, 608, 786.
 Second reading, 661, 793.
 To House, 681, 897.
 Signed by President, 936.
 Returned to House, 939.

House Conference Committee, 713.
Senate Conference Committee, 735.
Conference Committee report, 791.

House Bill No. 245

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.

Received from House, 529.

First reading and reference, 550.

Reported back, 624.

Second reading, 690.

To House, 701.

Signed by President, 930.

Returned to House, 933.

House Bill No. 248

Referred to Committee on Military and Indian 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.

Received from House, 530.

First reading and reference, 550.

Reported back, 569.

Second reading, 598.

To House, 637.

Signed by President, 752.

Returned to House, 757.

House Bill No. 249

Referred to Committee on Agriculture and 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.

Received from House, 528.

First reading and reference, 550.

Reported back indefinitely postponed, 569.

To House, 603.

House Bill No. 250

Referred to Committee on 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.

Received from House, 529.

First reading and reference, 550.
Reported back, 585.
Second reading, 658.
To House, 680.
Signed by President, 844.
Returned to House, 849.

House Bill No. 251

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.

Received from House, 530.
First reading and reference, 550.
Reported back, 561.
Amendments, 573.
Second reading, 573.
To House, 604.
Signed by President, 752.
Returned to House, 757.

House Bill No. 252

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.

Received from House, 530.
First reading and reference, 550.
Reported back, 569.
Amendments, 599.
Second reading, 599.
To House, 641.
Signed by President, 752.
Returned to House, 757.

HOUSE RESOLUTIONS

House Concurrent Resolution "B"

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.

Received from House, 200.
First reading and reference, 237.
Reported back, 284.
Second reading, 321.
To House, 340.
Signed by President, 389.
Returned to House, 392.

House Concurrent Resolution "C"

Referred to Committee on Agriculture and Livestock.

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.

Received from House, 79, 109.
First reading and reference, 83.
Reported back, 126.
Other action, 106, 123.
Second reading, 143.
Final passage, 143.
To House, 145.
Signed by President, 188.
Returned to House, 189.

House Concurrent Resolution "D"

Referred to Committee on Agriculture and Livestock.

House Concurrent Resolution "D." Memorializing the United States Senate Committee on Agriculture to Investigate Utilization of Manpower in Agriculture.

Received from House, 149.
First reading and reference, 153.
Reported back, 197.
Amendment, 223.
Second reading, 223.
To House, 263.
Signed by President, 321.
Returned to House, 324.

House Concurrent Resolution "E"

Referred to Committee on State Affairs.

House Concurrent Resolution "E." Regarding the Manufacturing of Rubber from Agricultural Products.

Received from House, 161.
 First reading and reference, 163.
 Reported back, 197.
 Second reading, 223.
 To House, 263.
 Signed by President, 321.
 Returned to House, 324.

House Concurrent Resolution "F"

Referred to Committee on Agriculture and Livestock.
 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.

Received from House, 106.
 First reading and reference, 113.
 Reported back, 126.
 Second reading, 143.
 To House, 145.
 Signed by President, 187.
 Returned to House, 189.

House Concurrent Resolution "G"

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.

Received from House, 200.
 First reading and reference, 237.
 Reported back, 607.
 Second reading, 693.
 To House, 701.
 Signed by President, 933.
 Returned to House, 937.

House Concurrent Resolution "I"

Referred to Committee on Agriculture and Livestock.
 House Concurrent Resolution "I." A Concurrent Resolution Memorializing Congress to Revise Farm Prices to Permit Reasonable Profit.

Received from House, 217.
 First reading and reference, 237.
 Reported back, 329.
 Second reading, 361.
 To House, 378.
 Signed by President, 416.
 Returned to House, 437.

House Concurrent Resolution "J"

Referred to Committee on Irrigation and Drainage.
 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.

Received from House, 167.
First reading and reference, 187.
Reported back, 314.
Second reading, 338.
To House, 374.
Signed by President, 416.
Returned to House, 437.

House Concurrent Resolution "L"

Referred to Committee on Agriculture and Livestock.
House Concurrent Resolution "L." Memorializing Congress to Establish a Soy Bean Utilization Plant in Connection with the State Mill and Elevator.
Received from House, 255.
First reading and reference, 275 .
Reported back indefinitely postponed, 570.
To House, 603.

House Concurrent Resolution "N"

Referred to Committee on Agriculture and Livestock.
House Concurrent Resolution "N." Memorializing Congress to Take Action for the Enactment Into Law of Senate Bill 574 Now Pending in United States Congress.
Received from House, 37.
First reading and reference, 381.
Reported back, 420.
Second reading and adoption, 555.
To House, 563.
Signed by President, 631.
Returned to House, 639.

House Concurrent Resolution "O"

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.
Received from House, 430.
First reading and reference, 436.
Reported back, 644.
Second reading, 708.
To House, 727.
Signed by President, 930.
Returned to House, 932.

House Concurrent Resolution "P"

Referred to Committee on Education.
House Concurrent Resolution "P." A Concurrent Resolution Providing for the Amendment of Section 154 of Article IX of the Constitution of North Dakota.
Received from House, 430.
First reading and reference, 436.
Reported back, 608.
Second reading, lost, 697.
To House, 702.

House Concurrent Resolution "R"

Referred to Committee on State Affairs.

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.

Received from House, 430.

First reading and reference, 436.

Reported back, 561.

Second reading and adoption, 574.

To House, 604.

Signed by President, 752.

Returned to House, 757.

House Concurrent Resolution "S"

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.

Received from House, 505.

First reading and reference, 551.

Reported back, 585.

Amendments, 659.

Second reading and adoption, 659.

To House, 680.

Signed by President, 844.

Returned to House, 849.

House Concurrent Resolution "T"

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.

Received from House, 530.

First reading and reference, 551.

Reported back, 570.

Amendments, 600.

Second reading and adoption, 600.

To House, 641.

Signed by President, 844.

Returned to House, 849.

House Concurrent Resolution "U"

Referred to Committee on Military and Indian 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.

Received from House, 464.

First reading and reference, 552.

Reported back indefinitely postponed, 570.

To House, 603.

House Concurrent Resolution "V"

Referred to Committee on Military and Indian 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.

Received from House, 464.

First reading and reference, 552.

Reported back, 570.

Second reading and adoption, 613.

To House, 627.

Signed by President, 752.

Returned to House, 758.

House Concurrent Resolution "X"

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.

Received from House, 463.

First reading and reference, 552.

Reported back, 561.

Second reading, 574.

To House, 603.

Signed by President, 752.

Returned to House, 758.

House Concurrent Resolution "Y"

Referred to Committee on Highways.

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.

Received from House, 530.

First reading and reference, 552.

Reported back, 733.

Adopted, 832.

To House, 846.

Signed by President, 937.

Returned to House, 940.

House Joint Resolution "Z"

Referred to Committee on Judiciary.

House Joint Resolution "Z." Requesting the Legislature to Authorize Payment of Certain Employees in the Code Revision Commission.

First Reading, 552.
 Reported back, 561.
 Adoption, 561.
 To House, 563.
 Signed by President, 631.
 Returned to House, 639.

House Concurrent Resolution "1-A"

Referred to Committee on Agriculture and 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.

Received from House, 505.
 First reading and reference, 551.
 Reported back, 570.
 Amendments, 613.
 Second reading, 613.
 Adoption, 614, 874.
 To House, 641.
 Signed by President, 937.
 Returned to House, 940.
 House Conference Committee, 661.
 Senate Conference Committee, 668.
 Conference Committee Report, 873.

House Concurrent Resolution "1-B"

Referred to Committee on Agriculture and 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.

Received from House, 505.
 First reading and reference, 551.
 Reported back indefinitely postponed, 570.
 To House, 603.

House Concurrent Resolution "1-C"

Referred to Committee on State Affairs.

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.

Received from House, 549.
 First reading and reference, 552.
 Reported back, 585.
 Second reading and adoption, 659.
 To House, 680.

Signed by President, 844.
Returned to House, 849.

House Concurrent Resolution "1-F"

Referred to Committee of the Whole.

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.

Received from House, 729.
First reading and reference, 748.
Second reading and adoption, 749.
To House, 846.
Signed by President, 937.
Returned to House, 940.

House Concurrent Resolution "1-G"

Referred to Committee of the Whole.

House Concurrent Resolution "1-G." A Resolution Providing for Indexing of the Senate and House Journals of the Twenty-eighth Legislative Assembly.

Received from House, 730.
First reading and reference, 748.
Second reading and adoption, 748.
To House, 764.
Signed by President, 937.
Returned to House, 940.

House Concurrent Resolution "1-H"

Referred to Committee of the Whole.

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.

Received from House, 730, 825.
First reading and reference, 748.
Other action, 868, 871.
Second reading and adoption, 750.
To House, 763.
Signed by President, 937.
Returned to House, 940.

House Concurrent Resolution "1-I"

Referred to Committee of the Whole.

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.

Received from House, 730.
First reading and reference, 748.
Second reading and adoption, 751.
To House, 763.
Signed by President, 932.
Returned to House, 933.

House Concurrent Resolution "1-J"

Referred to Committee of the Whole.

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.

Received from House, 729.

First reading and reference, 748.

Second reading and adoption, 751.

To House, 763.

Signed by President, 932.

Returned to House, 933.

House Concurrent Resolution "1-K"

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.

Received from House, 771.

First reading and reference, 827.

Second reading, indefinitely postponed, 882.

House Concurrent Resolution "1-L"

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.

Received from House, 771.

First reading and reference, 827.

Second reading, indefinitely postponed, 851.

To House, 863.

House Concurrent Resolution "1-M"

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.

Received from House, 772.

First reading and reference, 827.

Second reading, indefinitely postponed, 851.

To House, 863.

House Concurrent Resolution "1-N"

First reading and reference, 827.

Other action, 832.

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.

Received from House, 811.
First reading and reference, 827.
Second reading, indefinitely postponed, 851.
To House, 863.

House Concurrent Resolution "1-P"

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.

Received from House, 811.
First reading and reference, indefinitely postponed, 827.
Other action, 827.
To House, 846.

House Concurrent Resolution "1-S"

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.

Received from the House, 879.
Read, 881.
Amended, 881.
Other action, 881.
Returned to House indefinitely postponed, 881.

House Concurrent Resolution "1-T"

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.

First reading, 890.
Amendments, 890.
Second reading, 890.
Messaged to House, 891.
Signed by President, 937.
Returned to House, 940.

House Concurrent Resolution "1-U"

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.

Received from House, 901.
Second reading, indefinitely postponed, 905.
Messaged to House, 919.