### STATE OF NORTH DAKOTA

# Journal of the House

of the

## **Twenty-eighth Legislative Assembly**

in

## **Extraordinary Session**

Begun and Held in the Capitol Building at Bismarck, March 20th to March 28th, 1944, Inclusive

RALPH G. BEEDE, Elgin, North Dakota Speaker of the House W. M. SMART, Minot, North Dakota Chief Clerk



## **OFFICERS AND EMPLOYEES**

### of the

## HOUSE OF REPRESENTATIVES OF NORTH DAKOTA

in

### EXTRAORDINARY SESSION

Name	Home Address	Duties
W. M. Smart	Minot	Chief Clerk
Kenneth L. Morgan	WalcottA	ssistant Chief Clerk
Marie Tunell	Bismarck	Desk Reporter
Fred Ingstad	Fargo	Sergeant-at-Arms
Clara Trout	SherwoodEnroll	ing and Engrossing
Miles Nelson	Erie	
B. J. Monaghan	Bismarck	Proofreader
Emil Braun	Turtle Lake	Page
Oswald Kruisk	Rock Lake	Page

## HOUSE MEMBERS

Dist. County	Name Harry Carlson	Address
1. Pembina	Harry Carlson	Concrete
	Alex Dalzell	Walhalla
	John Halcrow Emanuel Mortenson	Bowesmont
2. Pt. Ward	Emanuel Mortenson	Kenmare
3. Pt. Walsh	Palmer Levin	Park River
	M. T. Lillehaugen Wilfred Collette	Brocket
4. Pt. Walsh	Wilfred Collette	Grafton
5. Pt. Grand Forks .	K. L. Boulden	Larimore
6. Pt. Grand Forks -	Geo. Saumur A. M. Allen	Grand Forks
7. Pt. Grand Forks .	Educia I De ante	
o. 11ann	Edwin L. Bagge H. W. McInnes	
	Alva Wambheim	Hatton
0 Dt Coss	A. R. Bergesen	
5. It. Cass	K. A. Fitch	
	Arthur C. Johnson	Fargo
	W. H. Shure	Fargo
	L. L. Twichell	Fargo
10 Dt Coor	Manfred R. Ohnstad	
10. Ft. Cass	Kenneth K. Pyle	West Fargo
11 Dt Cass	Wesley L. Bolmeier	Erio
11. 1 t. Cass	Joe Runck	Castelton
12 Pt Richland	Joe Runck Vernon M. Johnson	Wahneton
	H C Mittao	Hankinson
13. Sargent	Mal Gainor	DeLamere
-	Brown D Williams	Lidgerwood
14. Ransom	J. T. Peterson	Englevale
	H. G. Severson	Kathrvn
15. Pt. Barnes	Curtis Olson	Valley City
16. Griggs-Steele		Hope
	Bjorn Fuglestad	Cooperstown
	Harry Kolpin Olaf Hildre	Sutton
17. Nelson	Olaf Hildre	McVille
	P. K. Holm L. E. Callahan	Pekin
18. Cavalier	L. E. Callahan	Munich
	W. M. Crockett	
	Peter Moe	Osnabrock
19. Rolette	John Coghlan	Rolla
	Oscar M. Johnson C. H. Hofstrand	Mylo
20. Beņson	L D Dahmand	Leeas
01 D	I. B. Rohrer Louis Leet	Churchs Ferry
21. Ramsey	E. A. Lunde	webster
	Harry Stormon	Dowils I also
99 Townor	D. S. Blair	Deviis Lake
22. 10wher	E. J. Langley	Rock Laka
09 Stateman	C. F. Arndt	Streator
25. Stutsman	H. M. Ekren.	
	P. G. Westby	
	TT	T
24. LaMoure	M. W. Gackle	Kulm
Er. Buntould	A. J. Sandness	LaMoure
25. Dickey	A. J. Sandness Cornelius Bymers	Ellendale
	F. J. Graham	Ellendale
26. Emmons	F. J. Graham John J. Baumgartner.	Strasburg
	Joseph Welk	Hague

= 1800	Name	Address
27. Burleigh	Wm. B. Falconer	Bismarck
-	John R. Fleck	
•	Walter E. Sellens	Bismarck
28. Bottineau	Peter Peterson	Antler
(	Arlan Stair	Newburg
	Duncan Fraser	
29. Pt. Ward	A. W. Benno	Minot
	Brynhild Haugland	Minot
,	Dave Hovey	
90 <b>M</b>	Roy Larson W. M. Nelson	Winot
30. Morton	Tony Starck	
	Richard F Wolf	Now Salom
31 Stark	Richard E. Wolf A. H. Schmalenberger	Hehron
JI. DUAIR	Ray Schnell	Dickinson
	Leo Sticka	New England
32. Eddy-Foster	A. H. Nystrom	Shevénne
-	A I Sharna	Clanfield
33. Wells	Morris Larson	Heimdal
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	
	H. C. Williams	Lidgerwood
	Carl Manstrom	Litchville
39. Billings, Bowman Golden Valley &		
Slope	M. B. Hogoboom	Alpha
	L. K. Morland	Scranton
	C. T. Olson	
40. Burke-Divide	Harold Burau	
	J. H. Heckman	
	E. J. Marks	Flaxton
41. McKenzie	Bernt Anderson	Charlson
· ·	Iver Drovdal George Allen	Arnegard
42. Pierce	George Allen	Pleasant Lake
49 Demoille	Wm. H. Tuff:	Barton
43. Renville	Wm. H. Tuff: Olaf Ostgulen J. N. Mollet	Donnybrook
44. Mountran	T. O. Rohde	Von Hook
AF Williams	Asle Bjella	Emminer
45. williams	P. I. Dahlen	Epping
	S A Forseth	Williston
16 Maloon	S. A. Forseth Donnel Haugen	Rosoglan
40, MCLean	J W Jennings	Washhurn
	J. W. Jennings Fred Braun	Turtle Lake
47 Grant-Sioux	Ralph G. Beede	Elgin
2.1. Grune Dioux	Wm. BauerThunde	er Hawk. S. D.
48 Mercer, Oliver and		
Dunn	Walter Bubel	Center
L'unin	Wm. H. Rettke	Beulah
· .	Walter, Bubel Wm. H. Rettke Edwin G. Sailer	Stanton
49. Adams-Hettinger	Elmer Hegge	New England
	George Schwartz	Mott
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## SENATE MEMBERS

Dis	t. County	Name	Address
1.	Pembina	Name Franklin Page	Hamilton
2.	Pt. Ward	Walter Troxel	Berthold
3.	Pt. Walsh	Walter Troxel 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	Vallev City
16.	Griggs-Steele	Steven C. Nelson	Finley
17.	Nelson	R. R. Lofthus	McVille
18.	Cavalier	W. H. Porter	Calvin
19.	Rolette	H. G. Guenther	Rolla
20.	Benson	Orris G. Nordhougen	Leeds
21.	Ramsey		Devils Lake
22.	Towner	J. J. Kehoe	Cando
23.	Stutsman	G. I. Feton	Jamestown
24.	LaMoure	.M. R. Young	Berlin
25.	Dickey	John G. Nelson	Fullerton
26.	Emmons	E. H. Brant	Linton
27.	Burleigh	.Milton Rue	Bismarck
28.	Bottineau	Wm. A. Thatcher	Bottineau
29.	Pt. Ward	.Walter R. Bond	Minot
30.	Morton	.P. W. Blank	Mandan
31.	Stark	.M. J. Raschko	Dickinson
32.	Eddy-Foster	C. W. Schrock	New Rockford
33.	Wells	.R. M. Streibel	Fessenden
34.	McHenry	Martin Olson	Butte
35.	Kidder-Sheridan	.John J. Adam	Anamoose
36.	McIntosh-Logan	Robert Greiser	Wishek
37.	Pt. Richland	H. R. Morgan	Walcott
		Melvin Olson	Nome
39.	Billings, Bowman,		
	Golden Valley and	A	
	Slope	Gust Wog	Belfield
40.	Burke-Divide	R. H. Lynch	Fortuna
41.	McKenzie	Hjalmer Nelson	Schafer
42.	Pierce	.Knut Oksendahl	Rugby
43.	Kenville	Albert Nelson	Glenburn
44.	Mountrail	Axel Olson	Parshall
45.	Williams	Iver Solberg E. C. Stucke	Kay
46.	MicLean		Garrison
		William Kamrath	Leith
48.	Mercer, Oliver		• •
40	and Dunn		Dickinson
49	Adams-Hettinger	Chas. A. Ginter	

37Aker, Maurice S.HankinsonLawyerMarriedNorth Dakota18981941, '43, '447Allen, A. M.ThompsonFarmerMarriedMichigan18961943, '4442Allen, GeorgePleasant LakeFarmerMarriedMissouri18711939, '41, '43, '4441Anderson, BerntCharlsonFarmerMarriedNorway18661943, '44, '4423Arndt, Carl F.StreeterLumbernanMarriedWisconsin18921941, '43, '4424Bagge, Edwin L.CummingsFarmerMarriedIllinois18771920, '21, '43, '4426Baumgartner, John J.StrasburgFarmer and RancherMarriedBusia18771943, '4426Baumgartner, John J.StrasburgFarmerMarriedRussia18771943, '4427Bede, Ralph G.ElginNewspaperman, LawyerMarriedSouth Dakota18861937, '39, '41, '43, '4429Benno, A. W.MinotFarmerMarriedMinnesota18881937, '39, '41, '43, '4429Bergesen, A. R.FargoLawyerMarriedMinnesota18881937, '39, '41, '43, '4429Bergesen, A. R.FargoLawyerMarriedNorway18771943, '4420Blair, D. S.MazaFarmerMarriedNorway18771943, '44, '4429Belno, K. L.EppingBlacksmithMarriedNorway1877<			HOME		MARRIED	WHERE	WHEN	MEMBER DURING
7Allen, A. M.ThompsonFarmerMarriedNormalBass <th< td=""><td>Dist.</td><td></td><td>ADDRESS</td><td>OCCUPATION</td><td>or SINGLE</td><td>BORN</td><td>BORN</td><td>SESSION OF</td></th<>	Dist.		ADDRESS	OCCUPATION	or SINGLE	BORN	BORN	SESSION OF
42Allen, GeorgePleasant LakeFarmerMarriedMissouri18711938, '41, '43, '4441Anderson, BerntCharlsonFarmerMarriedNorway18861937, '39, '41, '43, '4423Arndt, Carl F.StreeterLumbermanMarriedWiscoasin18921941, '43, '4424Arndt, Carl F.StreeterLumbermanMarriedIllinois18921941, '43, '4426Bauge, Edwin L.CummingsFarmerMarriedIllinois18771920, '21, '43, '4447Bauer, WilliamThunder Hawk, S. D.Farmer and RancherMarriedIllinois18771920, '21, '43, '4426Baumgartner, John J.StrasburgFarmerMarriedRussia18771920, '21, '43, '4426Baumgartner, John J.StrasburgFarmerMarriedRussia18771943, '4427Bece, Ralph G.ElginNewspaperman, LawyerMarriedIllinois18941989, '41, '43, '4428Benno, A. W.MinotFarmerMarriedMinnesota18881937, '39, '41, '43, '4429Benno, A. W.MinotFarmerMarriedIllinois18901939, '41, '43, '4429Belac, AleEppingBlacksmithMarriedNorway18771941, '43, '4420Blair, D. S.MazaFarmerMarriedOntario18811937, '39, '41, '43, '4421Bolden, K. L.LarimoreFarmerMar	37							
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26Baumgartner, John J.StrasburgFarmerMarriedRussia18771943, '4447Beede, Ralph G.ElginNewspaperman, LawyerMarriedSouth Dakota18951939, '41, '43, '4434Belzer, L. W. (Roy)BalfourFarmerMarriedIowa18941989, '41, '43, '4429Benno, A. W.MinotFarmerMarriedMinnesota18881937, '39, '41, '43, '4429Berno, A. W.MinotFarmerMarriedMinnesota18881937, '39, '41, '43, '4445Bjella, AsleEppingBlacksmithMarriedNorway18771941, '43, '4422Blair, D. S.MazaFarmerMarriedNorway18771941, '43, '4421Bolmeier, Wesley L.ErieMerchantMarriedNorth Dakota19021939, '41, '43, '4411Bolmeier, Wesley L.ErieMerchantMarriedNorth Dakota19021939, '41, '43, '4412Blair, D. K. L.LarimoreFarmerMarriedNorth Dakota19021939, '41, '43, '4413Boulden, K. L.LarimoreFarmerMarriedNorth Dakota19031941, '43, '4444Buel, WalterCenterFarmerMarriedNorth Dakota19031941, '43, '4445Bybel, WalterCenterFarmerMarriedNorth Dakota19011943, '4446Burau, HaroldLarsonFarmerMarriedNorth Dakota	8	Bagge, Edwin L.	Cummings	Farmer	Married	Illinois	1894	1943, '44
47Beede, Ralph G.ElginNewspaperman, LawyerMarriedSouth Dakota18951939, '41, '43, '4434Belzer, L. W. (Roy)BalfourFarmerMarriedIowa18941939, '41, '43, '4429Benno, A. W.MinotFarmerMarriedMinnesota18881937, '39, '41, '43, '4429Benno, A. W.MinotFarmerMarriedMinnesota18881937, '39, '41, '43, '4429Bergesen, A. R.FargoLawyerMarriedMinnesota18881937, '39, '41, '43, '4445Bjella, AsleEppingBlacksmithMarriedNorway18771941, '43, '4420Blair, D. S.MazaFarmerMarriedOntario18811937, '39, '41, '43, '4420Blair, D. S.MazaFarmerMarriedNorth Dakota19021939, '41, '43, '4421Bolden, K. L.LarimoreFarmerMarriedWisconsin18791939, '41, '43, '4446Braun, FredTurtle LakeFarmerMarriedNorth Dakota19031941, '43, '4448Bubel, WalterCenterFarmerMarriedNorth Dakota19031941, '43, '4448Bubel, WalterCenterFarmerMarriedNorth Dakota19111943, '4449Burau, HaroldLarsonFarmerMarriedNorth Dakota19111943, '4440Burau, HaroldLarsonFarmerMarriedNorth Dakota1890<	47	Bauer, William	Thunder Hawk, S. D.	Farmer and Rancher	Married	Illinois	1877	1920, '21, '43, '44
34Belzer, L. W. (Roy)BalfourFarmerMarriedIowa18941939, '41, '43, '4429Benno, A. W.MinotFarmerMarriedMinnesota18981937, '39, '41, '43, '4429Benno, A. W.MinotFarmerMarriedMinnesota18881937, '39, '41, '43, '4429Bergesen, A. R.FargoLawyerMarriedIllinois18901939, '41, '43, '4445Bjella, AsleEppingBlacksmithMarriedNorway18771941, '43, '4422Blair, D. S.MazaFarmerMarriedOntario18811937, '39, '41, '43, '4423Budier, Wesley L.ErieMerchantMarriedNorth Dakota19021939, '41, '43, '4446Braun, FredTurtle LakeFarmerMarriedWisconsin18791939, '41, '43, '4448Bubel, WalterCenterFarmerMarriedNorth Dakota19031941, '43, '4449Burau, HaroldLarsonFarmerMarriedNorth Dakota19031941, '43, '4440Burau, HaroldLarsonFarmerMarriedNorth Dakota19111943, '4441Callahan, L. E.MunichBankerMarriedNorth Dakota18901943, '4442Sephan, JohnRollaContractorMarriedNorth Dakota18961941, '43, '4444Collete, WilfredGraftonFarmerMarriedNorth Dakota18961941,	<b>26</b>	Baumgartner, John J.	Strasburg	Farmer	Married	Russia	1877	1943, '44
29Benno, A. W.MinotFarmerMarriedMinnesota18881937, '39, '41, '43, '449Bergesen, A. R.FargoLawyerMarriedIllinois18901939, '41, '43, '4445Bjella, AsleEppingBlacksmithMarriedNorway18771941, '43, '4422Blair, D. S.MazaFarmerMarriedOntario18811937, '39, '41, '43, '4411Bolmeier, Wesley L.ErieMerchantMarriedNorth Dakota19021939, '41, '43, '445Boulden, K. L.LarimoreFarmerMarriedWisconsin18791939, '41, '43, '446Braun, FredTutle LakeFarmerMarriedRussia18821939, '41, '43, '4448Bubel, WalterCenterFarmerMarriedNorth Dakota19031941, '43, '4449Burau, HaroldLarsonFarmerMarriedNorth Dakota19111943, '4440Burau, HaroldLarsonFarmerMarriedNorth Dakota19111943, '4441Callahan, L. E.MunichBankerMarriedNorth Dakota18901941, '43, '4441Carlson, HarryConcreteFarmerMarriedNorth Dakota18961941, '43, '4441Coghlan, JohnRollaContractorMarriedNorth Dakota18961941, '43, '4442Collete, WilfredGraftonFarmerMarriedNorth Dakota18951941, '43,	47	Beede, Ralph G.	Elgin	Newspaperman, Lawyer	Married	South Dakota	1895	1939, '41, '43, '44
9Bergesen, A. R.FargoLawyerMarriedIllinois18001001, 43, 64445Bjella, AsleEppingBlacksmithMarriedNorway18771939, 41, 43, 74422Blair, D. S.MazaFarmerMarriedOntario18811937, 39, 41, 43, 74411Bolmeier, Wesley L.ErieMerchantMarriedNorth Dakota19021939, 41, 43, 7445Boulden, K. L.LarimoreFarmerMarriedWisconsin18791939, 41, 43, 7446Braun, FredTurtle LakeFarmerMarriedRussia18821939, 41, 43, 7448Bubel, WalterCenterFarmerMarriedNorth Dakota19031941, 43, 74440Burau, HaroldLarsonFarmerMarriedNorth Dakota19031941, 43, 74425Bymers, C. H.EllendaleFarmerMarriedWisconsin18901941, 43, 4426Callahan, L. E.MunichBankerMarriedNorth Dakota19011943, 441Carlson, HarryConcreteFarmerMarriedNorth Dakota18901941, '43, '4419Coghlan, JohnRollaContractorMarriedNorth Dakota18841941, '43, '444Collette, WilfredGraftonFarmerMarriedNorth Dakota18841941, '43, '44	34	Belzer, L. W. (Roy)	Balfour	Farmer	Married	Iowa	1894	1939, '41, '43, '44
45Bjella, AsleEppingBlacksmithMarriedNorway18771941, '43, '4422Blair, D. S.MazaFarmerMarriedOntario18811937, '39, '41, '43, '4411Bolmeier, Wesley L.ErieMerchantMarriedNorth Dakota19021939, '41, '43, '445Boulden, K. L.LarimoreFarmerMarriedWisconsin18791939, '41, '43, '446Braun, FredTurtle LakeFarmerMarriedRussia18821939, '41, '43, '448Bubel, WalterCenterFarmerMarriedNorth Dakota19031941, '43, '449Burau, HaroldLarsonFarmerMarriedNorth Dakota19031941, '43, '4425Bymers, C. H.EllendaleFarmerMarriedWisconsin18901941, '43, '4418Callahan, L. E.MunichBankerMarriedNorth Dakota18901943, '441Carlson, HarryConcreteFarmerMarriedIllinois18961941, '43, '4419Coghlan, JohnRollaContractorMarriedNorth Dakota18441941, '43, '444Collette, WilfredGraftonFarmerMarriedNorth Dakota18841941, '43, '44	29	Benno, A. W.	Minot	Farmer	Married	Minnesota	1888	1937, '39, '41, '43, '44
22Blair, D. S.MazaFarmerMarriedOntario18811987, '39, '41, '43, '4411Bolmeier, Wesley L.ErieMerchantMarriedNorth Dakota19021939, '41, '43, '445Boulden, K. L.LarimoreFarmerMarriedWisconsin18791939, '41, '43, '446Braun, FredTurtle LakeFarmerMarriedRussia18821939, '41, '43, '4446Braun, FredTurtle LakeFarmerMarriedNorth Dakota19031941, '43, '4448Bubel, WalterCenterFarmerMarriedNorth Dakota19031941, '43, '4440Burau, HaroldLarsonFarmerMarriedNorth Dakota19111943, '4445Bymers, C. H.EllendaleFarmerMarriedWisconsin18901941, '43, '4445Bymers, C. H.EllendaleFarmerMarriedNorth Dakota18901943, '4446Callahan, L. E.MunichBankerMarriedNorth Dakota18901943, '4441Coarlson, HarryConcreteFarmerMarriedIllinois18961941, '43, '4441Coghlan, JohnRollaContractorMarriedNorth Dakota18841941, '43, '4442Collette, WilfredGraftonFarmerMarriedNorth Dakota18951941, '43, '44	9	Bergesen, A. R.	Fargo	Lawyer	Married	Illinois	1890	1939, '41, '43, '44
11Bolmeier, Wesley L.ErieMerchantMarriedNorth Dakota19021939, '41, '43, '445Boulden, K. L.LarimoreFarmerMarriedWisconsin18791939, '41, '43, '446Braun, FredTurtle LakeFarmerMarriedRussia18821939, '41, '43, '4446Braun, FredTurtle LakeFarmerMarriedNorth Dakota19031941, '43, '4448Bubel, WalterCenterFarmerMarriedNorth Dakota19031941, '43, '4440Burau, HaroldLarsonFarmerMarriedNorth Dakota19111943, '4425Bymers, C. H.EllendaleFarmerMarriedWisconsin18901941, '43, '4418Callahan, L. E.MunichBankerMarriedNorth Dakota18901943, '4418Calson, HarryConcreteFarmerMarriedIllinois18961941, '43, '4419Coghlan, JohnRollaContractorMarriedNorth Dakota18841941, '43, '444Collette, WilfredGraftonFarmerMarriedNorth Dakota18951941, '43, '44	45	Bjella, Asle	Epping	Blacksmith	Married	Norway	1877	1941, '43, '44
5Boulden, K. L.LarimoreFarmerMarriedWisconsin18791939, '41, '43, '4446Braun, FredTurtle LakeFarmerMarriedRussia18821939, '41, '43, '4448Bubel, WalterCenterFarmerMarriedNorth Dakota19031941, '43, '4448Bubel, WalterCenterFarmerMarriedNorth Dakota19031941, '43, '4440Burau, HaroldLarsonFarmerMarriedNorth Dakota19111943, '4425Bymers, C. H.EllendaleFarmerMarriedWisconsin18901941, '43, '4418Callahan, L. E.MunichBankerMarriedNorth Dakota18901943, '441Carlson, HarryConcreteFarmerMarriedIllinois18961941, '43, '4419Coghlan, JohnRollaContractorMarriedNorth Dakota18941941, '43, '444Collette, WilfredGraftonFarmerMarriedNorth Dakota18951941, '43, '44	22	Blair, D. S.	Maza	Farmer	Married	Ontario	1881	1937, '39, '41, '43, '44
46Braun, FredTurtle LakeFarmerMarriedRussia18821939, '41, '43, '4448Bubel, WalterCenterFarmerMarriedNorth Dakota19031941, '43, '4440Burau, HaroldLarsonFarmerMarriedNorth Dakota19111943, '4440Burau, HaroldLarsonFarmerMarriedNorth Dakota19111943, '4441EllendaleFarmerMarriedWisconsin18901941, '43, '4442Callahan, L. E.MunichBankerMarriedNorth Dakota18901943, '4443Carlson, HarryConcreteFarmerMarriedIllinois18961941, '43, '444Collette, WilfredGraftonFarmerMarriedNorth Dakota18951941, '43, '44	11	Bolmeier, Wesley L.	Erie	Merchant	Married	North Dakota	1902	1939, '41, '43, '44
48Bubel, WalterCenterFarmerMarriedNorth Dakota19031941, '43, '4440Burau, HaroldLarsonFarmerMarriedNorth Dakota19111943, '4425Bymers, C. H.EllendaleFarmerMarriedWisconsin18901941, '43, '4418Callahan, L. E.MunichBankerMarriedNorth Dakota18901943, '441Carlson, HarryConcreteFarmerMarriedIllinois18961941, '43, '4419Coghlan, JohnRollaContractorMarriedNorth Dakota18841941, '43, '444Collette, WilfredGraftonFarmerMarriedNorth Dakota18951941, '43, '44	5	Boulden, K. L.	Larimore	Farmer	Married	Wisconsin	1879	1939, '41, '43, '44
40Burau, HaroldLarsonFarmerMarriedNorth Dakota19111943, '4425Bymers, C. H.EllendaleFarmerMarriedWisconsin18901941, '43, '4418Callahan, L. E.MunichBankerMarriedNorth Dakota18901943, '441Carlson, HarryConcreteFarmerMarriedIllinois18961941, '43, '4419Coghlan, JohnRollaContractorMarriedNorth Dakota18841941, '43, '444Collette, WilfredGraftonFarmerMarriedNorth Dakota18951941, '43, '44	46	Braun, Fred	Turtle Lake	Farmer	Married	Russia	1882	1939, '41, '43, '44
25Bymers, C. H.EllendaleFarmerMarriedWisconsin18901941, '43, '4418Callahan, L. E.MunichBankerMarriedNorth Dakota18901943, '441Carlson, HarryConcreteFarmerMarriedIllinois18961941, '43, '4419Coghlan, JohnRollaContractorMarriedNorth Dakota18841941, '43, '444Collette, WilfredGraftonFarmerMarriedNorth Dakota18951941, '43, '44	48	Bubel, Walter	Center	Farmer	Married	North Dakota	1903	1941, '43, '44
18Callahan, L. E.MunichBankerMarriedNorth Dakota18901943, '441Carlson, HarryConcreteFarmerMarriedIllinois18961941, '43, '4419Coghlan, JohnRollaContractorMarriedNorth Dakota18841941, '43, '444Collette, WilfredGraftonFarmerMarriedNorth Dakota18951941, '43, '44	40	Burau, Harold	Larson	Farmer	Married	North Dakota	1911	1943, '44
1Carlson, HarryConcreteFarmerMarriedIllinois18961941, '43, '4419Coghlan, JohnRollaContractorMarriedNorth Dakota18841941, '43, '444Collette, WilfredGraftonFarmerMarriedNorth Dakota18951941, '43, '44	<b>25</b>	Bymers, C. H.	Ellendale	Farmer	Married	Wisconsin	1890	1941, '43, '44
19Coghlan, JohnRollaContractorMarriedNorth Dakota18841941, '43, '444Collette, WilfredGraftonFarmerMarriedNorth Dakota18951941, '43, '44	18	Callahan, L. E.	Munich	Banker	Married	North Daketa	1890	1943, '44
4 Collette, Wilfred Grafton Farmer Married North Dakota 1895 1941, '43, '44	1	Carlson, Harry	Concrete	Farmer	Married	Illinois	1896	1941, '43, '44
4 Collette, Wilfred Grafton Farmer Married North Dakota 1895 1941, '43, '44	19	Coghlan, John	Rolla	Contractor	Married	North Dakota	1884	1941, '43, '44
	4	Collette, Wilfred	Grafton	Farmer	Married	North Dakota	1895	
	18	Crockett, Wm.	Wales	Farmer	Married	North Dakota	1894	1931, '33, '35, '39, '41, '43, '44

## MEMBERS OF HOUSE, SPECIAL SESSION OF 1944

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## MEMBERS OF HOUSE, SPECIAL SESSION OF 1944-(Continued)

Dist	. NAME	HOME ADDRESS	OCCUPATION	MARRIED	WHERE	WHEN	MEMBER DURING
45		Williston		or SINGLE		BORN	SESSION OF
40	Dahlen, P. I.		Hardware Dealer	Married	North Dakota	1881	1943, '44
1	Dalzell, Alex	Walhalla	Farmer	Married	North Dakota	1894	1935, '37, '39, '41, '43, '44
16	Devlin, T. V.	Finley	Farmer-Merchant	Married	North Dakota	**	1939, '41, '43, '44
41	Drovdal, Iver	Arnegard	Farmer	Single	Norway	1880	1941, '43, '44
<b>23</b>	Ekren, H. M.	Kensal	Farmer	Married	Norway	1897	1943, '44
27	Falconer, Wm. B.	Bismarck	Farmer	Married	North Dakota	1889	1933, '41, '43, '44
9	Fitch, K. A.	Fargo	Insurance Broker	Married	North Dakota	1899	1931, '33, '37, '39, '41, '43, 44
27	Fleck, John R.	Bismarck	Automobiles	Married	North Dakota	1900	1941, '43, '44
45	Forseth, S. A.	Williston	Farmer	Widower	Minnesota	1907	1943, '44
28	Fraser, Duncan	Omemee	Farmer	Married	North Dakota	1890	1939, '41, '43, '44
16	Fuglestad, Bjorn	Cooperstown	Farmer	Single	North Dakota	1894	1933, '39, '41, '43, '44
24	Gackle, M. W.	Kulm	Hardware Dealer	Married	North Dakota	1894	1941, '43, '44
13	Gainor, Mal	DeLamere	Farmer	Married	Minnesota	1875	1939, '41, '43, '44
25	Graham, F. J.	Ellendale	Lawyer	Married	Michigan	1881	1943, '44
36	Haag, Ed	Fredonia	Farmer	Single	North Dakota	1901	1939, '41, '43, '44
1	Halcrow, John	Bowesmont	Farmer	Married	Shetland Isles	1872	1921, '23, '25, '27, '29, '31, '43, '44
34	Halvorson, Andrew	Upham	Farmer	Married	North Dakota	1903	1939, '41, '43, '44
46	Haugen, Donnell	Roseglen	Farmer	Married	North Dakota	1907	1941, '43, '44
29	Haugland, Brynhild	Minot	Farmer	Single	North Dakota	1905	1939, '41, '43, '44
40	Heckman, J. H.	Alkabo	Farmer	Married	Canada	1879	1939, '41, '43, '44
49	Hegge, Elmer	New England	Farmer	Married	North Dakota	1897	1943, '44
17	Hildre, Olaf	Dahlen	Retired Merchant	Married	Norway	1876	1943, '44
20	Hofstrand, C. H.	Churchs Ferry	Veterinary	Married	North Dakota	1890	1937, '39, '41, '43, '44
39	Hogoboom, M. B.	Alpha	Farmer	Widower	Minnesota	1870	1941, '43, '44

### MEMBERS OF HOUSE, SPECIAL SESSION OF 1944-(Continued)

Dist.	NAME	HOME ADDRESS	OCCUPATION	MARRIED or SINGLE	WHERE BORN	WHEN BORN	MEMBER DURING SESSION OF
17	Holm, P. K.	Pekin	Farmer	Married	Norway	1875	1937, '39, '41, '43, '44
29	Hovey, Dave	Minot	Supt. of Parks	Married	North Dakota	1905	1943, '44
35	Iszler, G. M.	Streeter	Farmer and Insurance	Married	North Dakota	1899	1943, '44
46	Jennings, J. W.	Washburn	Stock Farmer	Married	Iowa	1884	1941, '43, '44
9	Johnson, Arthur C.	Fargo	Contractor	Married	North Dakota	1891	1933, '37, '39, '41, '43, '44
19	Johnson, Oscar M.	Mylo	Farmer	Married	North Dakota	1903	1943, '44
12	Johnson, Vernon M.	Wahpeton	Lawyer	Married	North Dakota	1910	1941, '43, '44
16	Kolpin, Harry	Sutton	Farmer and Auctioneer	Married	Iowa	1892	1943, '44
22	Langley, E. J.	Rock Lake	Implement Dealer	Married	Minnesota	1884	1941, '43, '44
33	Larson, Morris	Heimdal	Farmer	Married	North Dakota	1895	1941; '43, '44
29	Larson, Roy	Minot	Farmer-Stock Raiser	Single	North Dakota	1891	1943, '44
21	Leet, Louis	Webster	Farmer	Married	North Dakota	1890	1943, '44
3	Levin, Palmer	Park River	Farmer	Married	North Dakota	1893	1935, '37, '39, '41, '43, '44
3	Lillehaugen, M. T.	Brocket	Farmer	Married	Norway	1881	1927, '29, '33, '41, '43, '44
21	Lunde, E. A.	Lawton	Hardware Merchant	Married	Minnesota	1873	1931, '39, '41, '43, '44
8	McInnes, H. W.	Kelso	Farmer	Single	North Dakota	1885	1933 to 1944
38	Manstrom, Carl	Litchville	Farmer	Married	North Dakota	1887	1943, '4 <b>4</b>
40	Marks, E. J.	Flaxton	Farmer	Married	Minnesota	1875	1935, '43, '44
12	Mittag, H. C.	Hankinson	Farmer	Married	North Dakota	1885	1939, '43, '44
18	Moe, Peter	Osnabrock	Farmer	Widower	Norway	1871	1939, '41, '43, '44
44	Mollet, J. N.	Powers Lake	Farmer	Married	Missouri	1884	1939, '41, '43, '44
34	Monson, Theodore	Bergen	Farmer	Married	North Dakota	1905	1943, '44
. 39	Morland, L. K.	Scranton	Farmer	Married	Norway	1887	1937, '39, '41, '43, '44
35	Morrison, Harold T.	Robinson	Farmer	Married	North Dakota	1917	1941, '43, '44
2	Mortenson. Emanuel	Kenmare	Farmer	Married	North Dakota	1904	1943. '44

#### MEMBER DURING HOME MARRIED WHERE WHEN Díst. SESSION OF NAME ADDRESS OCCUPATION or SINGLE BORN BORN Farmer Married Kansas 1887 1935 to 1944 33- Myers, Leonas\* Bowdon 30 Nelson, W. M. Mandan **Railroad Machinist** Married North Dakota 1898 1941, '43, '44 North Dakota 1939, '41, '43, '44 Nystrom, A. H. Shevenne Farmer Married 32 -----West Fargo Lawyer Married North Dakota 1908 1941. '43. '44 10 Ohnstad, Manfred Wisconsin 1933. '37. '41. '43. '44 39 Olson, C. T. Bowman Farmer Married 1884 Olson, Curtis Valley City Service Station Married North Dakota 1908 1941, '43, '44 15 Ostgulen, Olaf Donnybrook Farmer Married Norway 1879 1939, '43, '44 43 Merchant Married Iowa 1871 1939, '41, '43, '44 14 Peterson, J. T. Englevale Peterson, Peter Antler Farmer Married Minnesota 1878 1933 to 1944 28 Pvle, Kenneth K. West Fargo Farmer Married North Dakota 1899 1943, '44 10 Rettke, Wm. H. Beulah Farmer Married Germany 1878 1943. '44 48 Rohde, T. O. Van Hook Married Wisconsin 1896 1939, '41, '43, '44 Farmer 44 Pennsylvania 20Rohrer, I. B. Churchs Ferry Farmer Married 1886 1943. '44 Runck, Joe Married Minnesota 1875 1943. '44 11 Casselton Farmer Married North Dakota 1943, '44 48 Sailer, Edwin G. Stanton Gas. Oil & Farming 1901 Sandness, A. J. LaMoure Farmer Married North Dakota 1894 1941. '43. '44 24 6 Saumur, George H. Grand Forks Farmer Married North Dakota 1892 1935 to 1944 Married North Dakota 1943, '44 Schmalenberger, A. H. Hebron Farmer 1899 31 1935. '43. '44 Schnell, Ray Dickinson Married North Dakota 1893 31 Farmer South Dakota 49 Schwartz, George Mott Farmer Married 1894 1939, '41, '43, '44 Sellens, W. E. Bismarck Farmer Married Missouri 1876 1939, '41, '43, '44 27 Rhode Island Ft. Ransom Farmer Married 1896 1937 to 1944 Severson, H. G. 14 Glenfield Married Norway 1886 1939, '41, '43, '44 Sharpe, A. I. Grain and Lumber 32 Illinois 1937 to 1944 9 Shure, W. H. Fargo Lawyer Married 1886

MEMBERS OF HOUSE, SPECIAL SESSION OF 1944—(Continued)

\*Died January 31, 1944.

## MEMBERS OF HOUSE, SPECIAL SESSION OF 1944-(Continued)

D1.4	NT & 3477	HOME	OCCUP I PION	MARRIED	WHERE	WHEN	MEMBER DURING
Dist		ADDRESS -	OCCUPATION	or SINGLE	BORN	BORN	SESSION OF
28	Stair, Arlan	Newburg	Farmer	Married	North Dakota	1900	1943, '44
30	Starck, Tony	Judson	Farmer	<ul> <li>Married</li> </ul>	North Dakota	1893	1941, '43, '44
31	Sticka, Leo	New England	Farmer	Married	North Dakota	1910	1943, '44
21	Stormon, Harry	Devils Lake	Farmer	Married	North Dakota	1892	1939, '41, 43, '44
42	Tuff, William H.	Barton	Farmer	Married	Canada	1880	1935 to 1944
9	Twichell, L. L.	Fargo	Lawyer	Single	Minnesota	1872	1913 to 1944
8	Wambheim, Alva	Hatton	Farmer	Single	North Dakota	1898	1939, '41, 43, '44
36	Welder, S. N.	Napoleon	Teacher	Married	North Dakota	1908	1941, '43, '44
26	Welk, Joseph	Hague	Farmer	Married	Russia	1893	1943, '44
23	Westby, P. G.	Jamestown	<b>Railroad</b> Conductor	Married	Norway	1889	1939, '41, '43, '44
13	Williams, Brown D.	Lidgerwood	Farmér	Married	North Dakota	1887	1943, '44
37	Williams, H. C.	Lidgerwood	Farmer	Married	Minnesota	1876	1935 to 1944
23	Williams, Henry	Jamestown	Farmer	<ul> <li>Married</li> </ul>	North Dakota	1864	1941, '43, '44
36	Wolf, Ben J.	Zeeland	Service Station	Married	North Dakota	1907	1941, '43, '44
30	Wolf, Richard E.	New Salem	Farmer	Married	Germany	1885	1939, '41, '43, '44

## ERRATA

Page 19, line 13, change Allan to Allen.

Page 98, lines 31 and 34, after word "Senate" insert word "Concurrent".

Page 142, after line 41, before Second Reading of Senate Bills, insert:

Mr. Speaker: I have the honor to return:

House Concurrent Resolution No. 2. Resolution Regarding Additional Quota Allotment Specifically Designated for Returning Soldiers, Sailors, and Marines.

House Concurrent Resolution No. 6. A Concurrent Resolution Memorializing Congress and the President to Take Immediate Steps for Secyring Necessary Tires for the Use of Farmers.

Which the President has signed.

#### W. J. TROUT, Secretary.

Page 155, lines 8, 12 and 20, change Odegaard to Olsgaard. Page 159, line 5, change House to Senate Concurrent Resolution.

Page 160, after line 14, insert Senate Concurrent Resolution E.

Page 162, after line 6, insert House Concurrent Resolution No. 3.

Page 168, in lines 29, 32 and 48, change Senate to House.

Buy "Dakota Maid" Flour

## Journal of the House

#### Special Session of the Twenty-eighth Legislative Assembly

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

#### Bismarck, March 20, 1944.

At the hour of nine o'clock a. m., the twentieth day of March, 1944, being the day and hour designated by the Governor of the State of North Dakota in his proclamation issued on the 26th day of February, 1944, the members of the House of Representatives assembled in the House Chamber in the State Capitol Building at Bismarck, North Dakota, and were called to order by W. M. Smart, Chief Clerk of the House of Representatives of the Twenty-eighth Legislative Assembly of the State of North Dakota.

The following communication from the Secretary of State was read:

DEPARTMENT OF STATE Bismarck, North Dakota March 18, 1944

The Chief Clerk of the House of Representatives, Twenty-eighth Legislative Assembly, Bismarck, North Dakota

Dear Sir:

Attached hereto please find copy of Governor's Proclamation calling a special session of the legislature for nine o'clock a. m., March 20, 1944.

> Respectfully yours, THOMAS HALL, Secretary of State

#### PROCLAMATION

Whereas, thousands of North Dakota voters who are now serving in the armed forces of the Nation will be absent from the State on the date of the coming primary and general elections, and

Whereas, it is our duty to see that these men and women have the fullest possible opportunity to exercise the privilege and the duty of franchise which they now fight to defend, and

Whereas, the present laws of this State relating to absent voting are inadequate to provide such opportunity, and the Congress of the United States has failed to provide effective means to that end,

Now, Therefore, in view of the extraordinary conditions which exist, I, John Moses, Governor of the State of North Dakota, by virtue of the power and authority vested in me by the Constitution and the Laws of the State of North Dakota, do hereby call the Twenty-eighth Legislative Assembly of this State to convene in special session at the State Capitol in Bismarck, North Dakota, on Monday, March 20, 1944, at nine o'clock a. m., to consider and enact such laws as may be deemed necessary and advisable to provide ample opportunity for all electors of this State to exercise the right of franchise.

Given under my hand and the Great Seal of the State of North Dakota at my office in Bismarck, North Dakota, this 26th day of February, 1944.

#### (Signed) JOHN MOSES Governor.

ATTEST: Thomas Hall Secretary of State G. A. Gilbertson Deputy

2

The Chief Clerk read the following list of membérs of the Twenty-eighth Legislative Assembly, State of North Dakota, 1943:

Dist.	County	Name Harry Carlson	Address
1. P	embina	Harry Carlson	Concrete
		Alex Dalzell	Walhalla
		John Halcrow Emanuel Mortenson	Bowesmont
2. P	t. Ward	Emanuel Mortenson	Kenmare
3. P	t. Walsh	Palmer Levin	Park River
		M. T. Lillehaugen	Brocket
4. P	t. Walsh	M. T. Lillehaugen Wilfred Collette	Grafton
5. P	t. Grand Forks	K. L. Boulden	Larimore
6. P	t. Grand Forks	Geo. Saumur	Grand Forks
7. P	t. Grand Forks	.A. M. Allen	Thompson
8. T	raill	Edwin L. Bagge	Cummings
		H W. McInnes	Kelso
		Alva Wambheim A. R. Bergesen K. A. Fitch	Hatton
9. P	t. Cass	A. R. Bergesen	Fargo
		K. A. Fitch	Fargo
		Arthur C. Johnson	Fargo
		W. H. Shure	Fargo
		L. L. Twichell	
10. P	t. Cass	Manfred R. Ohnstad	West Fargo
		Kenneth K. Pyle	West Fargo
11. P	t. Cass	Wesley L. Bolmeier	Erie
		Joe Runck	Casselton
12. Pi	t. Richland	Vernon M. Johnson	Wahpeton
		H. C. Mittag Mal Gainor	Hankinson
13. Sa	argent	Mal Gainor	DeLamere
		Brown D. Williams J. T. Peterson	Lidgerwood
14. R	ansom`	.J. T. Peterson	Englevale
	_	H. G. Severson Curtis Olson	Kathryn
15. P	t. Barnes	. Curtis Olson	Valley_City
16. G		. Thomas V. Devlin	
		Bjorn Fuglestad Harry Kolpin	Cooperstown
		Harry Kolpin	Sutton
17. N	elson	Olaf Hildre	McVille
		P. K. Holm	
18. C	avalier	L. E. Callahan	Munich
		W. M. Crockett	
		Peter Moe	Osnabrock

## MONDAY, MARCH 20, 1944

Dist. County	Name	Address
19. Rolette	Name John Coghlan Ogeogr M. Johngon	Rolla
20 Banson	Oscar M. Johnson C. H. Hofstrand	Loods
20. Denson	I B Rohrer	Churchs Ferry
21. Ramsey	I. B. Rohrer Louis Leet	Webster
	Harry Stormon Harry Stormon	Devils Lake
22. Towner	D. S. Blair	Maza
	E. J. Langley C. F. Arndt	Rock Lake
23. Stutsman	C. F. Arndt	Streeter
	H. M. Ekren	Kensal
	P. G. Westby	Jamestown
· · · · ·	Henry Williams	
24. LaMoure	M. W. Gackle	Kulm
	A. J. Sandness Cornelius Bymers	LaMoure
25. Dickey	Cornelius Bymers	Ellendale
· ·	F. J. Graham John J. Baumgartner	Ellendale
26. Emmons	John J. Baumgartner	Strasburg
97 December of	Joseph Welk Wm. B. Falconer	Hague
27. Burleigh	Wm. B. Falconer	Bismarck
	John R. Fleck	Bismarck
Do Dottin com	John R. Fleck Walter E. Sellens Peter Peterson	Bismarck
28. Bottineau	Arlan Stain	Antier
	Arlan Stair	
	Duncan Fraser	
29. Pt. Ward	A. W. Benno	
	Brynhild Haugland	
	Dave Hovey	Minot
20 Monton	Roy LarsonW. M. Nelson	Minot
30. Morton	Tony Starck	
	Richard E. Wolf	Now Solom
31 Stark	A. H. Schmalenberger.	Hohron
or otark	Ray Schnell	Dickinson
	Leo Sticka	
32. Eddy-Foster	A. H. Nystrom	Shevenne
	A I Sharno	Glonfield
33. Wells	Morris Larson	Heimdal
34. McHenry	L. W. (Roy) Belzer	Balfour
Ľ	Andrew Halvorson	Upham
,	Theodore Monson	Bergen
35. Kidder-Sheridan	G. M. Iszler	Streeter
	Harold T. Morrison	Robinson
36. McIntosh-Logan	Ed Haag	Fredonia
C C	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	'n	
Golden Valley &	z M. B. Hogoboom	
Slope	M. B. Hogoboom	Alpha
	L. K. Morland	Scranton
	C. T. Olson	Bowman
40. Burke-Divide	Harold Burau	
	J. H. Heckman	
41 37 17	E. J. Marks Bernt Anderson	Flaxton
41. MCKenzie	Bernt Anderson	Uharison

Dist.	County	Name Incom Decorded	Address
42. P	ie <b>rce</b>		.Pleasant Lake
43. R	enville	Wm. H. Tuff Olaf Ostgulen	Donnybrook
44. M	ountrail	J. N. Mollet T. O. Rohde	
45. W	illiams	Asle Bjella P. I. Dahlen	
46 M	aLoon	S. A. Forseth Donnel Haugen	Williston
40. M	cLean	J. W. Jennings Fred Braun	Washburn
47. G	rant-Sioux	Ralph G. Beede Wm. BauerThunde	Elgin
	ercer, Oliver and		
. D	unn	Walter Bubel Wm. H. Rettke	
49. A	dams-Hettinge <b>r</b>	Edwin G. Sailer Elmer Hegge George Schwartz	Stanton New England

Rev. Humphrey, O. S. B., of Mandan, North Dakota, offered prayer.

The roll was called and there were 109 members present and four absent so a quorum was declared present.

Rep. Bergesen: We are met in special session as the same group of individuals that were in regular session in 1943. I think we are all agreed that we had an excellent session and got along well together in the good American way in threshing things over and coming to conclusions and agreeing to majority rule. In that session we were presided over by a man whose efficiency and whose sense of fairness throughout the entire session was never called in question. It is with real pleasure that I, as a member of the opposition, place in nomination the name of Ralph Beede for Speaker of the House.

Rep. Graham: I second with greatest of pleasure the motion made by the opposition and wish to join in the statements made by Rep. Bergesen that Mr. Beede was known for his fairness throughout the last session and I know the same fairness will prevail throughout this special session. I therefore move that nomination be closed. Which motion prevailed.

#### ROLL CALL

The question being on the election of Ralph Beede as Speaker, the roll was called and there were ayes, 108; nays, 0; absent and not voting, 5.

Those voting in the affirmative were:

Allen, Grand Forks	Halcrow	Olson, Barnes
Allen, Pierce	Halvorson	Ohnstad
Anderson	Haugen	Ostgulen
Arndt	Haugland	Peterson, Bottin'au
Bagge	Heckman	Peterson, Ransom
Bauer	Hegge	Pyle
Baumgartner	Hildre	Rettke
Belzer	Hofstrand	Rohde
Benno	Hogoboom	Rohrer

#### MONDAY, MARCH 20, 1944

Bergesen Bjella Blair Bolmeier Boulden Braun Bubel Burau Bymers Callahan Carlson Coghlan Collette Crockett Dahlen Dalzell Devlin Drovdal Ekren Fitch Forseth Fraser Fuglestad Gackle Gainor Graham Haag Absent and not voting: Aker Falconer

Holm Hovey Iszler Jennings Johnson, Cass Johnson, Richland Johnson, Rolette Kolpin Langley Larson, Ward Larson, Wells Leet Levin Lillehaugen Lunde McInnes Manstrom Marks Mittag Moe Mollet Monson Morland Morrison Mortenson Nelson Nystrom

Runck Sailer Sandness Saumur Schwartz Schmalenberger Schnell Sellens Severson Sharpe Shure Stair Starck Sticka Stormon Twichell Tuff Wambheim Welder Welk Westby Williams, Richland Williams, Sargent Williams, Stutsm'n Wolf, McIntosh Wolf, Morton Mr. Speaker

Fleck

Olson, Bowman

So Ralph Beede was unanimously elected Speaker.

Myers

Rep. Graham moved that a committee of three be appointed by the Chief Clerk to escort the Chief Justice of the State of North Dakota to the rostrum to administer the oath of office to Mr. Ralph Beede, duly elected Speaker of the House, which motion prevailed.

Reps. Graham, Bergesen and Callahan were appointed as such committee.

The Chief Justice, James Morris, was escorted to the rostrum and the oath of office administered to Mr. Ralph Beede.

Mr. Beede: As Rep. Bolmeier said, they have lengthened the gavel to shorten the session. I might say thank you, I appreciate this very much. As I understand this session is no time for speechmaking; it is time to get busy and go to work and I think I can show my appreciation best by working with you to the best of my ability to speed up this session to see that we do the things necessary as quickly as we can and get back home. I thank you.

Rep. Bauer moved that at the conclusion of this legislative assembly the gavel become the personal property of the Speaker, which motion prevailed, and the Speaker thanked the members for the wonderful gift.

Rep. Graham moved that Kenneth Morgan of Walcott, N. D., be elected Assistant Chief Clerk and Bill Clerk; Marie Tunell of Bismarck, N. D., be elected Desk Reporter, and Fred Ingstad of Fargo, N. D., be elected Sergeant-at-Arms.

Rep. Rohde moved that nominations be closed, which motion prevailed.

On the unanimous agreement of the House that separate roll calls be dispensed with, the following roll was called:

#### ROLL CALL

The question being on the election of Kenneth Morgan, Marie Tunell and Fred Ingstad, the roll was called and there were ayes, 105; nays, 0; absent and not voting, 8.

Those voting in the affirmative were:

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

Absent and not voting:

Aker Johnson, Richland Morland

Myers Olson, Bowman Rohde

Schnell ' Twichell

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

The Speaker administered the oath of office to Kenneth Morgan, Marie Tunell and Fred Ingstad. Rep. Bergesen moved that a committee of three be appointed to notify the Senate that the House is organized and ready to do business, which motion prevailed.

The Speaker appointed as such committee Reps. Twichell, Morland and Schnell.

Rep. Graham moved that a committee of three be appointed to notify the Governor that the House is organized and ready to do business, which motion prevailed.

The Speaker appointed Reps. Saumur, Callahan and Welder.

Rep. Graham moved that a committee of three be appointed to notify the Board of Administration that the House is organized and ready to do business, which motion prevailed.

The Speaker appointed Reps. Williams of Richland, Crockett and Johnson of Cass.

Rep. Rohde moved that we accept the offer of KFYR to furnish employees at the rate of \$1.40 per hour to operate the loudspeaker system.

#### ROLL CALL

The question being on the employment of KFYR employees, the roll was called and there were ayes, 96; nays, 0; absent and not voting, 17.

Those voting in the affirmative were:

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

Dalzell Falconer

#### Myers Olson, Bowman

Williams, Richland

So the loudspeaker system was authorized.

Rep. Graham moved that this special session adopt as its rules and procedure the rules and procedure of the regular session of the Twenty-eighth Legislative Assembly insofar as they are not inconsistent with any special rules and any special procedure which may be adopted for this special session, which motion prevailed.

Rep. Bergesen moved that the Board of Administration be authorized to furnish all of the necessary supplies for this special session and that the same be charged to legislative expense. And, also, to provide necessary janitor service at the rate of \$5.00 per day, the same to be charged to legislative expense.

#### ROLL CALL

The question being on the motion of Rep. Bergesen, the roll was called and there were ayes, 101; nays, 0; absent and not voting, 12.

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

#### Fleck

#### Olson, Bowman Sailer

#### Twichell Welder

So the motion was adopted.

Johnson, Richland

Rep. Johnson of Cass reported that the committee to notify the Board of Administration has performed its duty and beg to be dismissed, which motion prevailed, and the committee was dismissed.

Rep. Graham moved that all standing committees of the regular session of the Twenty-eighth Legislative Assembly be retained and that the membership of all such committees be the same as was appointed at such regular session and that the Chair be authorized to fill any vacancies which may exist therein.

With the consent of the House, Rep. Graham amended his motion to include that the appointments be made on the same arrangement as was carried out in the regular session, which motion prevailed.

#### REPORT OF COMMITTEE ON EMPLOYMENT

Mr. Speaker: Your Committee on Employment submits the following names for the following positions: Emil F. Braun, messenger and page; Clara Rishling Trout, engrossing and enrolling clerk; Miles Nelson, mailing clerk and postmaster; Oswald Krusick, doorkeeper.

It was the understanding that one postmaster should serve both the House and Senate and the report of the committee be adopted by a collective roll call.

REP. DALZELL, Chairman.

Rep. Dalzell moved that the report of the committee be adopted.

#### ROLL CALL

The question being on the adoption of the report of the Committee on Employment, the roll was called and there were ayes, 109; nays, 0; absent and not voting, 4.

Those voting in the affirmative were:

Halcrow

Halvorson

Allen, Grand Forks Allen, Pierce Anderson Arndt Bagge Bauer Baumgartner Belzer Benno Bergesen Biella Blair Bolmeier Boulden Braun Bubel Burau **B**vmers Callahan Carlson Coghlan

Haugen Haugland Heckman Hegge Hildre Hofstrand Hogoboom Holm Hovey Iszler Jennings Johnson, Cass Johnson, Richland Johnson, Rolette Kolpin Langley Larson, Ward Larson, Wells Leet

Olson, Barnes Ohnstad Ostgulen Peterson, Bottin'au Peterson, Ransom Pyle Rettke Rohde Rohrer Runck Sailer Sandness Saumur Schwartz Schmalenberger Schnell Sellens Severson Sharpe Shure Stair

### JOURNAL OF THE HOUSE

Collette Crockett Dahlen Dalzell Devlin Drovdal Ekren Falconer Fitch Forseth Fraser Fuglestad Gackle Gainor Graham Haag

Levin Lillehaugen Lunde McInnes Manstrom Marks Mottag Moe Mollet Monson Morland Morrison Mortenson Nelson Nystrom

Myers

Starck Sticka Stormon Twichell Tuff Wambheim Welder Welk Westby Williams, Richland Williams, Sargent Williams, Stutsm'n Wolf, McIntosh Wolf, Morton Mr. Speaker

Absent and not voting:

Aker Fleck Olson, Bowman

So the report was adopted.

The Speaker announced that the Committee on Employment is authorized to meet with a like committee from the Senate to employ one postmaster for both houses.

Rep. Graham moved that a committee of three be appointed to contact the Bismarck-Mandan Ministerial Association to arrange for the hire of chaplains and payment of the usual fee.

#### ROLL CALL

The question being on the motion of Rep. Graham, the roll was called and there were ayes, 103; nays, 0; absent and not voting, 10.

Those voting in the affirmative were:

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

#### MONDAY, MARCH 20, 1944

Ekren Falconer Fitch Fleck Forseth Fraser Fuglestad Gackle Gainor Graham

Mittag Moe Mollet Monson Morrison Mortenson Nelson Nystrom

Marks

Welder Welk Westby Williams, Richland Williams, Sargent Williams, Stutsm'n Wolf, McIntosh Wolf, Morton Mr. Speaker

Absent and not voting:

AkerMcInnesBauerMorlandBymersMyersJohnson, Rolette.

Olson, Bowman Schnell Twichell

So the motion to arrange for and payment of chaplains was adopted.

The Speaker appointed Reps. Falconer, Sellens and Nelson of Morton as such committee.

Rep. Saumur announced that the committee to notify the Governor that the House is organized and ready to do business has completed its mission and wishes to be dismissed, which motion prevailed and the committee was dismissed.

Rep. Bergesen moved that the Speaker appoint a committee of three on the arrangement of committee rooms, which motion prevailed.

The Speaker appointed Reps. Rohde, McInnes and Sandness on such committee.

Rep. Graham moved that a committee of three be appointed to notify the Senate that the House will be ready to receive them in joint session at 11:00 o'clock a. m., and to receive the Governor's message, which motion prevailed.

The Speaker appointed Reps. Graham, Bergesen and Hildre on such committee.

Rep. Rohde moved that the House do now recess until 10:55 o'clock a. m., which motion prevailed and the House stood recessed.

The House was called to order by the Speaker at 10:55 o'clock.

A committee from the Senate, consisting of Senators Stucke, Watt and Porter informed the House that the Senate is now organized and ready for business.

Rep. Bergesen moved that the House do now recess for joint session with the Senate, to reconvene at the conclusion of the joint session, which motion prevailed.

#### JOINT SESSION

The President pro tem of the Senate was escorted to the rostrum by the Sergeant-at-Arms.

The Joint Session was called to order by the President pro tem of the Senate.

Prayer was offered by Rev. G. Adolph Johns.

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

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

Senator Watt moved that the President appoint a committee of three to wait on the Governor and notify him that the Legislature is in joint assembly and ready to receive his message, and that such committee escort the Governor to the rostrum, which motion prevailed.

The President of the Senate appointed Senator Watt and Reps. Bolmeier and Graham as such committee and the Governor was escorted to the rostrum.

The President announced that Lt. Hoke of the Women's Army Corps would administer the oath of office to Gunhild and Norma Hagen, daughters of Mr. and Mrs. Gunder Hagen of rural Wilton.

The oath was administered and the Pledge of Allegiance taken by the assembly.

#### GOVERNOR'S MESSAGE

#### MEMBERS OF THE TWENTY-EIGHTH LEGISLATIVE. ASSEMBLY:

More than 46,000 men and women have left North Dakota to serve in the armed forces of our Nation. In every major struggle of this war; North Dakota fighting men have fought bravely and well. They were with that band of heroes on Bataan and Corregidor where the Jap received his first. lesson in American courage and stamina; they withstood the blows of a powerful enemy in the hills and deserts of Tunisia. The men of North Dakota's 164th Infantry wrote their own bright page in the history of America in the campaign on Guadalcanal, when they wrested the initiative from the Japanese in the South Pacific and brought a turning point to the war in that area. Salerno and Anzio, 'Rabaul and Truk—these and a hundred other places on the far-flung fields of battle, until now mere names, ring in our ears with awful familiarity, borne of the knowledge that our boys suffered and died there, fighting with courage and with honor for our Nation and for North Dakota.

These men have left our State prepared to fight and, if need be, to die in defense of our common heritage of freedom and democracy. The right of franchise is the foundation stone of free government and our fighting men, who daily offer their lives to defend that right, are above all others entitled to exercise it. Only those exponents of dictatorship and despotism who profess to admire the ruthlessness of Hitler and the treachery of Hirohito while they heap criticism upon our own war leaders, will question the justice of that principle, for they well know how their doctrines of hatred and force are regarded by the men and women in service.

The problem is not to find the will, but the way, to afford our men and women in the service the opportunity to share in the government of our State and our Nation by exercising the right of franchise. Thousands of these men and women have already left the United States on foreign assignments, and thousands more will leave before the next general election. We must recognize that time and space and the exigencies of modern warfare will make it impossible for some of our servicemen and women to vote, regardless of anything we may do here to assist them. But, I am confident that our election machinery can be readjusted to make the ballot available to the great majority of them. I know that your presence here today has entailed no small amount of sacrifice and inconvenience on your part. The majority of you are farmers, and preparations for the spring planting season require your time and your efforts at home. To all of you, spring is a season of increased activity, and I know that it is particularly difficult for you to come here at this time.

With you I have watched the proceedings in the National Congress, hoping that effective legislation would be passed by that body which would enable our service men and women to exercise their right of franchise, and which would make it unnecessary to call you into extraordinary session. As this message is written, the exact nature and effect of legislation just passed by the Congress is still unknown and prompt action is imperative if our fellow citizens who wear the uniform of our country are to participate in the coming elections.

This special session will require the expenditure of some money; it will require the expenditure of time and thought and effort on the part of the members of this Assembly. But no expenditure of money—no expenditure of time and effort on our part can ever repay the boy who faced Jap bullets in the landing on Attu, or the boy who pilots a Flying Fortress over Berlin, or the boy whose days are filled with misery and privation in an enemy prison camp. No amount of inconvenience and sacrifice on our part can ever match the inconvenience and sacrifice of the girl who has left her home and her loved ones to serve her country in the dreary horror of an Italian winter campaign, or as a nurse in an up-front hospital on New Britain Island. The consciousness that we in North Dakota are determined to afford them every opportunity to exercise their rights as citizens of the State and Nation they defend is but one small tribute we can pay them for their sacrifice.

I have therefore considered it my unquestioned duty to ask the Twenty-eighth Legislative Assembly to meet in extraordinary session to consider and to enact legislation which will give our service people every possible opportunity to vote in the coming elections. I know from letters I have received from members of this Assembly that you feel an equal responsibility to see that this is done as effectively and as expeditiously as constitutional processes will permit.

I have been asked to recommend to this session enactment of a large number of measures, many of them of unquestioned merit. But, I have felt it my duty to discourage consideration by this assembly of legislation of a general nature, no matter how meritorious it might be, unless it is corrective legislation, or unless the element of emergency connected therewith makes immediate action imperative. In addition to legislation facilitating the exercise of the franchise, I shall propose certain other measures which I believe to be necessary to protect the interests of our servicemen, and which I believe should receive your careful consideration at this time. Immediate and effective action on all legislation proposed for the benefit of our citizens in the service seems to be a most fitting tribute to the brave men and women who wear the uniform of our country, and it is my hope that these measures will receive your careful consideration and that the session may be concluded as speedily as possible.

#### JOURNAL OF THE HOUSE

#### SPECIFIC RECOMMENDATIONS

I. Extension of the Franchise to Men and Women in the Armed Forces.

1. I recommend that the closing date for filing of petitions of candidates at the primary election be advanced to the fifteenth day of April, 1944, and that County Auditors be directed to proceed with printing and distribution of ballots immediately upon expiration of the filing period.

I recommend that the closing date for filing candidate's petitions for the general election be advanced to the first of September, 1944, and that county auditors be directed to proceed with printing and distribution of ballots immediately upon expiration of the filing period.

This extension will, in both cases, provide a period of approximately 60 days within which ballots can be mailed to our citizens in the service, and will afford reasonable assurance that ballots will reach those who are overseas in time for them to exercise their right of franchise before election day.

Consideration should be given to corresponding advances in the opening dates for filing of nominating petitions, to be reasonably consistent with present laws, and to afford ample opportunity for every candidate for public office to have his name placed upon the ballot.

2. Section 1002a3 of the 1925 Supplement to the Compiled Laws of North Dakota provides for the receipt and counting of service ballots in the general election up to the time of the meeting of the State Canvassing Board. Consideration should now be given to the advisability of extending this provision to include primary ballots.

3. I recommend that the date for the legal county conventions be advanced sufficiently to permit the holding of the legal state conventions in ample time prior to the closing day for filing of nominating petitions.

4. I further recommend that the statute pertaining to the publicity pamphlet be amended to require printing and distribution of the pamphlet 70 days prior to primary election day and 70 days prior to general election day, instead of 40 days as now provided by law. Provision should be made for inclusion in the publicity pamphlet of adequate information to voters in the armed service pertaining to their right of franchise and the method provided for exercising it. All voters in the state should be urged to file with the county auditor the names and military addresses of their relatives in the service to assist the auditor in mailing ballots to service people as promptly as they are available.

5. Legislation should be enacted to require all county auditors to keep a complete record of the mailing of service ballots, showing the date of receipt of such requests therefor, from whom received, the names and addresses of service people to whom ballots were mailed in response to such requests, and the date of mailing thereof.

II. Reduction of Voting Age.

Thousands of our young men and women between the ages of 18 and 21 are now serving with their older brothers and sisters in the armed forces of the United States. I believe that if these young people are old enough to risk

their lives in defense of the right to vote, they are old enough to exercise that right. If our young men are responsible enough to operate a fighting plane or a tank or to carry a rifle in defense of their country, if our young women are trustworthy enough to don a uniform to release men for combat duty, they are responsible enough and trustworthy enough to take part in the government of their country.

I therefore propose that the voting age of all citizens now in the armed services otherwise qualified to vote at any election in this State be reduced from 21 years to 18 years for the duration of the war and for one year thereafter.

In order to accomplish this change, it will be necessary to amend Section 121 of Article 5 of the Constitution, and to this end I recommend passage of a Resolution submitting an appropriate amendment to the voters of North Dakota at the coming primary election, so that our people may have the opportunity to decide this most important question.

III. Preliminary Veteran Land Program.

Farm land is North Dakota's fundamental resource; our State's continued prosperity and future development is dependent upon a sound and progressive farming industry. Many of our young men went from the farm into the armed forces and many of them will want to return to the farm when the war is over. I firmly believe it to be in the public interest to offer every possible assistance to returning veterans with a definite farm background, to become farm home owners in this State. Aside from the great debt which we owe them and which we can never repay, we need the courage and the vision and the enthusiasm of these young men to help in the great agricultural development of North Dakota which is certain to follow the end of the war.

I do not believe that we should attempt to enact a complete and comprehensive Veteran Land Program at this time. Such a program, to be sound and effective, will require much more careful study and investigation that we are able to give it at this or any special session. Furthermore, it appears reasonably certain that legislation will be passed by the Congress of the United States which will inevitably affect any Veteran Land Program we may develop in North Dakota and which will provide financial assistance to veterans on a satisfactory matching basis with the States. If such legislation is enacted, we shall most certainly want to participate so that our veterans may receive its benefits, and we shall want to develop our program with such participation as one of its objectives.

I do believe, however, that certain preliminary steps must be taken now in order to assure ourselves of a workable and a truly beneficial long-range program, when the proper time comes to put it into effect. We will not be serving the veteran by offering him poor land at an inflated price; we will not be serving him by restricting his opportunity to finance land purchases. We must take immediate and effective steps to withhold from sale all desirable family farm units now owned by the State or any of its subdivisions. We must guard against uncontrolled speculation in privately owned farm lands, which can only result in profits to speculators at the expense of returned veterans, and the same ruinous inflation which followed the last war. And we must, as a war measure, consider the removal of certain restrictions now existing in our laws, which prevent farmers and those who desire to become farmers from securing the financing they need, and which otherwise would be available to them.

To accomplish these desired objectives, I offer for your earnest and careful consideration the following Preliminary Veteran Land Program. Each of its four proposals should be considered as an essential and integral part of the entire program, and the program itself should be regarded as preliminary only and as the basis for establishment of a complete Veteran Land Program by the Twenty-ninth Legislative Assembly, which will meet next January.

1. Stop the sale of all land owned by the State or by the counties of the State, until July 1, 1945, or until further appropriate action is taken by the Twenty-ninth Legislative Assembly.

2. Amend the anti-deficiency judgment act to exempt the Federal Land Bank Agencies from its operation.

3. Amend the Hail Insurance Lien law to exempt the Federal Land Bank Agencies from its operation.

4. Impose a captal gains tax upon all land sales during the war and for a considerable period thereafter, in an amount sufficient to discourage and effectively prevent unwarranted inflation of land values.

IV. Minor Corrective Legislation.

The foregoing recommendations embrace the basic proposals for the consideration of this special session. In addition to these, I now wish to bring to your attention certain minor measures, corrective in their nature, but upon which immediate action seems essential. I do not believe that any of them are controversial in nature, and I am confident that careful consideration can be given them without unduly prolonging the session.

1. Recording of discharge papers.

Chapter 178 of the Session Laws for 1943 provides that all persons discharged from the armed services of the Nation may record their discharge papers in the office of the Clerk of the District Court of the county in which they reside. I recommend that this law be amended to permit such filing and recording without charge to the veteran.

2. At the regular session of this assembly you considered and acted upon Senate Bill No. 56, which provided for an appropriation of \$15,000 for the biennium for the purpose of State participation in the control of predatory animals. After the regular session had adjourned it was discovered upon careful examination of the Legislative Journals, that Senate Bill 56 was not legally passed by the required constitutional majority, and it was therefore necessary for me to send the bill to the Secretary of State without my approval. The result was that no appropriated fund was available after July 1, 1943, for this important work.

Predatory animal control in North Dakota has become increasingly necessary. The losses to sheep, poultry and livestock by coyotes and foxes have assumed alarming proportions. In order to assure continuation of the program I found it necessary to ask the Emergency Commission to allocate \$5,000 out of the State Contingency Fund to be used under supervision of the State Department of Agriculture and Labor in the manner and for the purposes intended by Senate Bill 56.

I now recommend that a bill identical in purpose and intent with Senate Bill 56 be enacted, with the provise that out of the funds appropriated thereby the State Contingency Fund be reimbursed for all money which has been withdrawn from that Fund for control work and that the remainder of the appropriated funds be immediately available for matching with Federal Funds for the rest of the biennium.

3. As a further step in predatory animal control I recommend that Section 9498 of the Compiled Laws of North Dakota for 1913 be amended to legalize the use, under proper regulations and restrictions, of the so-called humane coyote getter in this State.

4. Question has been raised with reference to the term "permanent contents" as used in Chapter 159 of the 1943 Session Laws. While I am convinced that the definition of permanent contents as contained in that chapter is sufficiently clear to enable the State Fire and Tornado Fund to insure every type of property regularly kept and used within the public buildings of the State and its political subdivisions, nevertheless, in order to eliminate any possible question, and to avoid senseless and wasteful interdepartmental litigation, I recommend an amendment which will remove any ground for expression of doubt with reference to the term permanent contents as used in that act.

5. It appearing that no appropriation was made at the regular session of this assembly for the payment of premiums on catastrophe insurance as defined and provided for in Chapter 152 of the 1943 Session Laws, I recommend that this Assembly appropriate an adequate sum of money for such purpose, so that the provisions of Chapter 152 may be fully carried out.

6. It appearing that no appropriation was made at the regular session of this Assembly to enable the Insurance Department of this State to participate in examination of foreign insurance companies by the insurance departments of the several states, and it appearing that the participation of the North Dakota Insurance Department is a proper function of the Department, I recommend that adequate funds be appropriated for such purpose, with the very definite provision and limitation that all such examinations be made by regular employees of the Department, that the salaries and expenses of such employees be paid out of the appropriation so made upon presentation of proper voucher, and that all other compensation, fees and expenses received by or for the employees of the Department to the state money, and be paid into the State Treasury immediately.

Before closing my prepared address, I have a statement I wish to make to the legislature. In order to expedite this legislative session I found it necessary to call into conference a group of legislators and such a conference was held on the 2nd of March in this statehouse. I asked four representatives and four senators; I invited four men from each political group or faction in this house. I invited the four floor leaders and four others. Obviously the group eliminated other men in the body who could have been invited with equal justice

and equal propriety. I chose the eight whose names appeared in the press. They laid aside their other duties; some broke engagements previously made and came to Bismarck for the purpose of considering the most expeditious manner in which the work of the legislature could be handled. The thought expressed was to provide the necessary stenographers and other help here at the statehouse to make it as easy as possible to get both houses into operation, to consume as little time of the assembly as possible. By doing some preliminary planning and spadework and be in a position to recommend specific things to groups when they met. This has been The heads of the various state departments have done. placed stenographers and clerks in such capacity as you may need, and you may use them without charge to the legislative assembly. Other personnel has been provided without charge to the legislative assembly also. These people can catch up with their work afterwards, as you will have to do; you will find your jobs waiting for you, just as you left it before you came down here.

At the time this discussion was had, I discussed with the group the legislative proposals which I have just read to you with the exception of the proposal in regard to the Land Veteran program. Of necessity I was not in position to discuss this at that time.

Now I take it, gentlemen, that the members of the House and the members of the Senate, who met with me at that time are not bound by that factor, nor by any recommendation I have made. If they find them to be good and sound and in the interest of our veterans and our service men and women, and consistent with good government policy in this state, I hope they will support them as I hope you will when you consider them but the fact that these gentlemen served with me on this preliminary conference committee, called to expedite the work, does not bind them to any proposals I have just passed on to you.

May I make another suggestion? It is a difficult thing for these men to come here. Our statute does not have the provision for interim legislative committee, as is contained in the statutes of other states. In order to get the cooperation of the legislature, it was necessary for me to call a small group of legislators to present and discuss matters with me. I take it that these men came in to exercise their legislative function and had to lay aside their tasks to come to Bismarck and appear at this conference and I ask that when you prepare, complete and present the budget and the appropriation for the expense of this extraordinary session, that the actual necessary expense and per diem of these men for this particular occasion on March 2nd, be included and allowed as a part of the legislative expense. I believe it is just and fair and sound policy and I would like to see the day come that the North Dakota legislature would create a permanent group which can be called upon in an emergency such as I was confronted with, and who will represent the legislature in the interim between sessions. Now let me close. All I ask is that you deal fairly with legislation no matter from what source it may come and that you bear in mind the limitations of time which are facing us with spring work right around the corner. I know that you will approach these problems with the courage and the determination and the

high sense of obligation which characterized your work at the regular session of this assembly. I know that you will join with me in earnest prayer for the welfare and the safety of our men and women who have gone out to fight that men and women like you and me, our children, our children's children and their children may remain free. And I know that you join with me in earnest petition to the Divine Providence that peace may soon be restored to the world and that content, safety and opportunity for advancement for the pursuit of life, liberty and happiness may be granted to the people who we have sworn to serve.

#### JOINT MEMORIAL SERVICES

Senators Day and Bridston and Reps. Saumur and Allan of Grand Forks introduced:

#### JOINT MEMORIAL RESOLUTION "A"

BE IT RESOLVED by the Senate and the House of Representatives of the State of North Dakota at the 1944 Extraordinary Session in Joint Session assembly:

THAT, WHEREAS, God in His Wisdom saw fit to summon to his eternal rest the late Lieutenant Governor Henry Holt on March 2, 1944;

WHEREAS, he was born in Elgin, Ill., November 13, 1888, to Edward and Mary Holt, natives of Norway, who had become naturalized citizens of the United States, with whom he returned to Norway where he received his education, returning to this country in 1906 and to Grand Forks, North Dakota, in 1907, where he resided until his death;

WHEREAS, he has been interested and active in public affairs in our State during his entire life, having been Chairman of the Democratic State Central Committee from 1920 to 1930, and again in 1935, a candidate for United States Senator in 1934, a member of the Public Works Administration Board in 1933, and Lieutenant Governor of the State of North Dakota from January 1, 1943, until his death;

WHEREAS, he was particularly interested in the future of North Dakota agriculture, having long been an advocate of the Missouri River Diversion Project, which he supported as one of the vital steps in a long range program of water conservation and proper soil care, and having served as vicechairman of the North Dakota Water Conservation Commission for five years following its organization in 1937;

WHEREAS, he presided over the Senate during the 1943 Regular Session of the 28th Legislative Assembly with the same honesty, dignity, fairness to all parties, and devotion to duty that always characterized his every public and private act;

NOW, THEREFORE, BE IT RESOLVED THAT every member of this Extra-ordinary Session does hereby pay tribute to the memory of this distinguished citizen and this Joint Assembly does hereby express appreciation on behalf of the State of North Dakota for his many years of loyal and devoted service;

BE IT FURTHER RESOLVED, that a copy of this Resolution be spread in the Journal of the House and of the Senate, and that a properly enrolled copy of the same be sent by the Secretary of State to his wife, Marie Holt, 113 Walnut Street, Grand Forks, North Dakota, and to his daughter, Betty Ann, and to each of his four sons, Henry, Jr., Arthur, Lorentz, and Leif.

Senator Day moved the adoption of Joint Memorial Resolution "A."

The Resolution was adopted by a rising vote.

Senator Stucke introduced Joint Memorial Resolution "B".

#### 'JOINT MEMORIAL RESOLUTION "B"

Be It Resolved by the Senate and the House of Representatives of the 1944 Extraordinary Session of the Legislative Assembly of the State of North Dakota, in Joint Session Assembled:

WHEREAS, the late Senator John G. Nelson of Fullerton, Dickey County, North Dakota, Twenty-fifth Legislative District, was called by death on April 23, 1943, and

WHEREAS, from the time he came to the United States in 1896 from his native Sweden where he was born Apr. 18, 1872, at Kalmar Smosland, he constantly manifested a keen interest in the upbuilding of the land of his adoption;

WHEREAS, as a pioneer of North Dakota where he lived since 1898, he held a number of township offices in Wright Township, Dickey County, and served as a Senator from the Twenty-fifth District in the 1941 and 1943 Sessions;

THEREFORE, BE IT RESOLVED by the Senate of the State of North Dakota that we express our appreciation of his work on the committees on which he served, and that he fulfilled all his duties in a faithful and conscientious manner, using his best judgment as to the way he voted which he believed to be for the best interests of the people of North Dakota;

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 enrolled copy of this resolution to his wife, Sophia M. Nelson, at Fullerton, North Dakota.

Senator Stucke moved the adoption of Joint Memorial Resolution "B".

The Resolution was adopted by a rising vote.

Rep. Larson of Wells introduced Joint Memorial Resolution "C".

#### JOINT MEMORIAL RESOLUTION "C"

Be It Resolved by the House of Representatives and the Senate of the 1944 Extraordinary Session of the Legislative Assembly of the State of North Dakota:

WHEREAS Almight God in His infinite wisdom has called to his eternal rest our former colleague, the late Leonas Myers who passed on, on January 31, 1944, at the age of 56 years, and

WHEREAS Leonas Myers came to North Dakota in 1899 with his mother and stepfather and has ever since resided in Progress Township, south of Bowden, in the County of Wells where he attended the schools of the State and qualified himself as a teacher in the public schools. He was engaged in teaching for a period of five years and thereafter became interested in farming and resided on his farm homestead until the date of his death, and

WHEREAS he was very active in community and civic affairs, and served as clerk of his school district for a period of 32 years and as township clerk since its organization. He served as president of the Wells School Officers Association since 1930, and

WHEREAS he was elected as representative to the State Legislature from his district in 1934, and had served as such to the time of his death, and

WHEREAS Leonas Myers was a man of honor in all his dealings with his fellowmen and whose honesty and integrity are unquestioned by friend and foe, a man who had the courage of his convictions and who would never compromise principle for political favor or financial gain, a man of sound judgment, tolerant of his opponents and above reproach in all his dealings with his fellowmen; had the complete confidence of his friends and commanded the respect of his opponents, and

WHEREAS his passing is a distinct loss to the State of North Dakota, and especially to the community in which he resided;

NOW, THEREFORE, BE IT RESOLVED by the House of Representatives and the Senate of the 1944 extraordinary session of the 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 that we express our sympathy to his widow and surviving members of his family, and

BE IT FURTHER RESOLVED that this resolution be printed in the House Journal and that the Chief Clerk be instructed to forward copies thereof properly executed and enrolled to his surviving widow, Mrs. Leonas Myers, at Bowden, North Dakota.

Filed this 20th day of March, 1944.

Rep. Bergesen moved that the Resolution be amended to include "and the Senate of the State of North Dakota," which motion prevailed.

Rep. Larson of Wells moved the adoption of Joint Memorial Resolution "C," as amended.

The Resolution was adopted by a rising vote.

Rep. Graham moved that the joint session now adjourn, which motion prevailed.

The Speaker called the House to order.

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

The Speaker called the House to order.

#### REPORTS OF STANDING COMMITTEES

Your Joint Committee on Rules make the following report:

That Section 42 of the Rules of the Senate's 28th Legislative Assembly be amended by striking out the word "thirty-fifth" in lines 3 and 6 and inserting the word "second" in lieu thereof. And that Section 25 of the House Rules be amended by striking out the word "25th" in line 2 and the word "35th" in line 6 and insert in lieu thereof the word "two".

And that these amendments shall apply only for this special session.

#### WM. A. THATCHER for the Senate GEORGE SCHWARTZ for the House

Rep. Schwartz moved the adoption of the report, which motion prevailed.

Mr. Speaker: Your Committee on Rooms have assigned the following rooms:

Committee on Appropriations-Blue Room or Lounge.

State Affairs-G-2.

Tax and Tax Laws—G-3.

Election and Election Privileges-G-3.

Committee of Insurance-G-6.

Committee of Banks and Banking-G-6.

Committee of Counties-Left Balcony-Room 211.

Enrolling and Engrossing—Right Balcony—208. School and Public Lands—Left Balcony, Room 210.

Game and Fish-Room 209-Right Balcony.

Drainage and Irrigation-Room 209-Right Balcony.

Mileage and Per Diem-Post Office Room.

Rep. Rohde moved the adoption of the report, which motion prevailed.

Rep. Johnson of Cass requested that the House be on the Seventh Order of Business, which request was granted.

Rep. Johnson of Cass moved that the House dispense with General Orders during this Special Session to expedite the work and that bills may be amended on the floor by majority vote, which motion prevailed.

A division was asked for and granted, which revealed the motion carried.

The Speaker administered the oath of office to Emil Braun.

#### FIRST READING OF HOUSE BILLS

Reps. Graham and Bergesen (by request) introduced:

House Bill No. 1. A Bill for an Act to Amend and Re-enact Sections 924, 925, 926 and 927 of the Compiled Laws of North Dakota for 1913 Relating to Contents of Publicity Pamphlets Published by the Secretary of State the Right of Candidates for State and District Offices to Use the Same at Any Primary or General Election, Fixing Rates to Be Paid for Candidates, Providing for Notice to Parents and Guardians of Persons in the Armed Forces of the United States to File With County Auditors Addresses of Such Persons in the Armed Forces, Declaring an Emergency.

Was read the first time and referred to the Committees on Elections and Judiciary.

Reps. Graham and Bergesen (by request) introduced:

House Bill No. 2. A Bill for an Act to Amend and Reenact Section 853 of the Compiled Laws of North Dakota for 1913, Relating to the Obtaining and Filing of Petitions of Candidates for United States Senate, Members of Congress,

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State Officers, Judges of the Supreme and District Courts, and Declaring an Emergency

Was read the first time and referred to the Committees on Elections and Judiciary.

Reps. Graham and Bergesen (by request) introduced:

House Bill No. 3. A Bill for an Act to Amend and Reenact Sections 992, 993 and 995 of the Compiled Laws of North Dakota for 1913, as Amended by Chapter 148 of the Session Laws of 1941, Repealing Sections 1002a1, 1002a2, 1002a5 of the 1925 Supplement to the Compiled Laws of North Dakota for 1913; Declaring an Emergency

Was read the first time and referred to the Committees on Elections and Judiciary.

Reps. Graham and Bergesen (by request) introduced:

House Bill No. 4. A Bill for an Act to Amend and Reenact Section 1003 of the 1925 Supplement to the Compiled Laws of North Dakota for 1913, Relating to the Duties of the Secretary of State, County Auditor or any Other Officer by Law Required to Prepare General or Primary Election Ballots; Fixing Time When Said Ballots Are to Be Prepared; Declaring an Emergency.

Was read the first time and referred to the Committees on Elections and Judiciary.

Reps. Graham and Bergesen (by request) introduced:

House Bill No. 5. A Bill for an Act to Amend and Reenact Section 920 of the Compiled Laws of North Dakota for 1913, Relating to Certification by the Secretary of State to County Auditors of a Certified List of Names and Addresses of Candidates at the Primary Election, and Declaring an Emergency.

Was read the first time and referred to the Committees on Elections and Judiciary.

Reps. Graham and Bergesen (by request) introduced:

House Bill No. 6. A Bill for an Act Amending and Reenacting the Initiated Act Approved by the Electors of the State of North Dakota on November 8, 1932, Which Act Amended and Re-enacted Section 719 of the 1925 Supplement to the Compiled Laws of the State of North Dakota for 1913, Relating to the Salaries of Judges of the Supreme Court of the State of North Dakota, and Providing for an Increase of Salaries for Said Supreme Court Judges from Five Thousand Dollars (\$5,000.00) to Five Thousand, Five Hundred Dollars (\$5,500.00) a Year; and Declaring an Emergency.

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

Reps. Graham and Bergesen (by request) introduced:

House Bill No. 7. A Bill for an Act to Amend and Reenact Chapter 138 of the Session Laws of 1939, Relating to Filing of Vacancies of Elective County Officers, Superintendent of Schools, and County Commissioners on the Noparty Ballot; Declaring an Emergency.

Was read the first time and referred to the Committees on Elections and Judiciary.

Reps. Graham and Bergesen (by request) introduced:

House Bill No. 8. A Bill for an Act to Amend and Reenact Section 979 of the Compiled Laws of North Dakota for 1913, Relating to Certification by Secretary of State to County Auditors of Proposed Constitutional Amendment and Publication for Same in the Several Counties of the State; and Declaring an Emergency.

Was read the first time and referred to the Committees on Elections and Judiciary.

Reps. Graham and Bergesen (by request) introduced:

House Bill No. 9. A Bill for an Act to Amend and Reenact Sections 1002a3 and 1002a4 of the Supplement to the Compiled Laws of North Dakota for 1913, Relating to Absent Voters' Ballots for Voters Not in the County on Election Day and Serving in the Armed Forces of the United States, Declaring an Emergency.

Was read the first time and referred to the Committees on Elections and Judiciary.

Reps. Graham and Bergesen (by request) introduced:

House Bill No. 10. A Bill for an Act to Amend and Reenact Sections 973 and 974 of the 1925 Supplement to the Compiled Laws of North Dakota for 1913, Relating to the Time of Certification of Nomination to Be Filed with the Secretary of State and Certificates of Nomination to Be Filed with the County Auditors; Certification by the Secretary of State to County Auditors, and Declaring an Emergency.

Was read the first time and referred to the Committees on Elections and Judiciary.

Reps. Graham and Bergesen (by request) introduced:

House Bill No. 11. A Bill for an Act Amending and Reenacting Section 854 of the 1925 Supplement to the Compiled Laws for North Dakota for 1913, as Amended by Chapter 139 of the Session Laws of 1931, Relating to the Obtaining and Filing of Petitions for County Officers, County Commissioners and Legislative Candidates, Filing Fees Therefor and Declaring an Emergency.

Was read the first time and referred to the Committees on Elections and Judiciary.

Reps. Graham and Bergesen (by request) introduced:

House Bill No. 12. A Bill for an Act to Amend and Reenact Sections 1 and 3 of Chapter 135 of the Session Laws, of 1935, Fixing Time for the Primary Election, for the Election of Precinct Committeemen and Declaring an Emergency.

Was read the first time and referred to the Committees on Elections and Judiciary.

Reps. Graham and Bergesen (by request) introduced:

House Bill No. 13. A Bill for an Act to Amend and Reenact Section 976 of the Compiled Laws of North Dakota for 1913, Relating to Withdrawal of Nominees from Public Office as Candidates; Fixing Time Within Which Such Withdrawal May Be Made; Declaring an Emergency.

Was read the first time and referred to the Committees on Elections and Judiciary.

Reps. Graham and Bergesen (by request) introduced:

House Concurrent Resolution No. I.

Was read the first time and referred to the Committees on Elections and Judiciary.

The Committee on Appropriations introduced:

House Bill No. 14. A Bill for an Act Making an Appropriation for Payment of the Increase in the Elevator Maintenance Contract for the State Capitol, and Declaring an Emergency.

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

The Committee on Appropriations introduced:

House Bill No. 15. A Bill for an Act Making an Appropriation for the Increase of Salaries of the Appointive Members of the Board of Administration, and Declaring an Emergency.

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

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

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

#### SECOND DAY

Bismarck, March 20, 1944.

The House was called to order by the Speaker at 2:00 o'clock P. M.

Prayer was offered by Rev. Paul G. Hayes.

Roll Call: All members present except Reps. Crockett, Olson of Bowman, Sellens and Twichell.

#### PRESENTATIONS OF PETITIONS AND COMMUNICATIONS

#### State of North Dakota OFFICE OF ATTORNEY GENERAL Bismarck

March 20, 1944.

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Hon. G. F. Drew, President Pro Tem, North Dakota Senate, Special Session, 28th Legislative Assembly.

Hon. Ralph Beede, Speaker of House of Representatives, 28th Legislative Assembly.

Gentlemen:

Under date of February 28th, 1944, O. R. Vold, former manager of the State Fire and Tornado Fund, published a pamphlet in which he charges the Attorney General's office, and more particularly, myself, as Attorney General, with having whitewashed certain alleged illegal transactions in connection with claims filed against the State Fire and Tornade Fund. I am advised that copies of this pamphlet were mailed to each of the members of the Legislative Assembly.

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The charges made by Mr. Vold are wholly false and without merit. If those charges are true, then not only I, as Attorney General, but the State's Attorney of Burleigh County and certain members of the Board of Administration, as well as the adjuster for the Fire and Tornado Fund, are all guilty of violating the law in the performance of our official duties.

In view of the seriousness of the charges made, I respectfully request and invite the Legislative Assembly to make an investigation into the charges made by Mr. Vold, to the end that the truth or falsity of those charges be determined. Having been charged with a crime, wholly without any justification, I feel that, as a public official of the State of North Dakota, I am entitled to have the truth of these charges publicly determined.

Very respectfully,

### ALVIN C. STRUTZ, Attorney General.

Which communication was referred to the Committee on State Affairs.

Rep. Wolf of McIntosh moved that the communication be printed in the Journal, which motion prevailed.

# FIRST READING OF HOUSE BILL

Rep. Bauer introduced:

House Bill No. 16. A Bill for an Act to Amend and Reenact Chapter 142 of the 1943 Session Laws, Relating to Wolf, Coyote and Fox Bounty; Providing for Destruction of Carcasses; Making an Appropriation; and Declaring an Emergency.

• Was read the first time and referred to the Committees on Game and Fish and Livestock, with instructions that the same be referred to the Committee on Appropriations.

Rep. Sellens moved that the House recess for thirty minutes, which motion prevailed.

The Speaker called the House to order.

## REPORT OF THE JOINT COMMITTEE ON PRINTING

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

We recommend the printing of 1,000 copies of the Journal of each day's proceedings of each house and that there he assigned to the presiding officer of the House and Senate, also to each member of the respective houses, not to exceed five copies of the Journal to be sent only to constituents; 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 300 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

# MONDAY, MARCH 20, 1944

which they are introduced; that the form of the Journal and the Calendar be the same as was adopted for the 1943 session.

W. E. SELLENS, Chairman,

# House Printing Committee

Rep. Sellens moved the adoption of the report, which motion prevailed, and the report was adopted.

# PRESENTATION OF PETITIONS AND COMMUNICATIONS

A communication from the office of the Governor of North Dakota was read from the desk.

# State of North Dakota OFFICE OF THE GOVERNOR Bismarck

#### March 20, 1944.

Honorable G. F. Drew, President Pro Tempore of the Senate,

Honorable Ralph G. Beede, Speaker of the House of Representatives,

Twenty-eighth Legislative Assembly in Extraordinary Session Assembled,

Bismarck, North Dakota.

Gentlemen:

Earlier today I have had the honor of delivering to a joint session of this special session of our Twenty-eighth Legislative Assembly a message containing a number of specific recommendations of legislation, composed of legislative proposals to facilitate the exercise of the franchise, and proposals for a Preliminary Veterans Land Program in North Dakota, together with certain minor corrective legislation.

A great many communications have come to me, since the call for this extraordinary session was issued, proposing legislation, and asking me to sponsor such legislation in my message to the Legislature.

Many of these proposals are highly meritorious, but I have felt it my duty to limit my message to those proposals contained therein, all of which were discussed, with the exception of certain phases of the Veterans Land Program, very fully, with a legislative conference committee on March the 2nd.

However, I submit to you herewith, for such consideration as the assembly may desire to give thereto, certain communications which have come to me, asking for specific legislation, asking the Legislature to give these matters such consideration as you deem possible, within the short span of time which you intend to devote to this special session. I know it is the hope of every member of the Legislature, as it is my earnest hope and the general expectation throughout the State, that the deliberations of this body will be completed by the end of this present week, and too much time cannot be consumed on too many proposals. Nor is it desirable that proposals of far reaching import be acted upon hastily.

I am, therefore, in the spirit of fairness to the proponents and knowing that the Legislature will jealously guard the time of the special session, submitting certain proposals as they have been submitted to me, the order in which they appear in this communication being of no significance.

1. Amendments to existing drainage legislation as proposed at a meeting held at Hillsboro, Wednesday, March 15, 1944. A copy of the minutes of this meeting is submitted for your information.

2. Proposed amendment, Chapter 178, 1943 Session Laws, as advocated by Mr. R. R. Robinson of Washburn, proposing to substitute the office of the Register of Deeds for that of the Clerk of the District Court in the matter of filing Veterans' certificates. A copy of Mr. Robinson's letter of March 17, 1944, is inclosed herewith.

3. Proposal for legislation permitting counties which may so desire to set aside unexpended balances in certain funds for postwar highway construction, as more fully set forth in letter from J. W. Matejcek, County Commissioner of Walsh County, addressed March 7, 1944.

4. Proposal for legislation increasing the salary limits placed upon County Assessors from a maximum of \$60 per year to a maximum of \$100 per year, as proposed in letter of R. B. Widdifield of Lisbon, of date March 13, 1944, submitted herewith, together with resolution.

5. Letters from Honorable G. Grimson, Judge of the District Court of the Second Judicial District at Rugby, together with bill proposing a tax levy for the maintenance of youth activites. Also attached is a copy of Senate Bill No. 96, 1943 legislative session.

6. Communication from George P. Homnes of Crosby, inclosing proposed bill for a public library law.

7. A resolution adopted by a sub-committee of the State Service to Veterans Committee, recommending legislation providing for authority to be granted to the county commissioners of each county to employ a veterans services official to assist and advise returning veterans in the solution of their problems. Proposals from the same group recommending that an emergency increase in the appropriation for the Veterans Service Commissioner be granted, including additional traveling expenses, due to the tremendously increased load of work placed upon this State agency, by reason of a rapidly increasing number of returning and discharged war veterans, many seriously disabled.

No particular mention is made of a number of proposals which I understand will be submitted to the legislature in bill form, including proposed aviation legislation, proposal by the Board of Trustees of the Soldiers' Home at Lisbon for construction of additional veterans' facilities for the service of returned and disabled veterans of this war, and similar matters.

The letters, resolutions, bills, et cetera, which are attached to this communication, are not in duplicate. Of necessity I am unable to send them to more than one body of the Legislature, and they are, therefore, being included with the letter to the President Pro Tempore of the Senate. However, the matter is of joint interest to the Legislature as a whole and J, therefore, ask that the Speaker and the President Pro Tempore kindly make such arrangements that the contents of the proposals will become known to the Legislature or to such committee as you may deem it advisable to consider the same.

# Very truly yours, JOHN MOSES, Governor,

Rep. Morland moved that the communication from the Governor be not printed in the House Journal if the same be printed in the Senate Journal, which motion prevailed.

Rep. Bolmeier moved that the House recess until 1:00 o'clock P. M. tomorrow, which motion prevailed.

W. M. SMART, Chief Clerk.

# SECOND DAY AFTER RECESES AND THE THIRD DAY

## Bismarck, March 21, 1944.

The House convened pursuant to recess and was on the Tenth Order of Business.

## FIRST READING OF HOUSE BILLS

Reps. Fitch and Schnell introduced:

House Bill No. 17. A Bill for an Act Fixing the Salary of the State Tax Commissioner at Four Thousand Dollars (\$4,000.00) Per Annum, 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.

Rep. Morland, by request, introduced:

House Bill No. 18. A Bill for an Act Authorizing Counties, Cities, Villages, School Districts and Townships to Invest Surpluses in Their General Fund in Bonds of the United States and the State of North Dakota; Declaring an Emergency.

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

Reps. Graham, Olson of Barnes, Ohnstad and Sailer introduced:

House Bill No. 19. A Bill for an Act to Provide for the Development of Aviation and Aeronautics in the State of North Dakota, Creating a State Aeronautics Committee Under the Jurisdiction of the Public Service Commission; Creating an Aeronautics Fund Authorizing the Transfer of Appropriated Funds; and Declaring an Emergency.

Was read the first time and referred to the Committee on Federal Relations.

Reps. Fitch and Crockett introduced:

House Bill No. 20. A Bill for an Act to Amend and Reenact Section 11 and Section 13 of Chapter 269 of the Session Laws of 1943, Relating to Veterans Aid Commission, and Increasing the Amount Which May Be Expended by the Commission, and Providing for Compensation for the Members of the Commission and Providing for Compensation for the Executive Secretary of the Commission; and Declaring an Emergency. Was read the first time and referred to the Committee on Ways and Means.

Rep. Marks, by request, introduced:

House Bill No. 21. A Bill for an Act to Repeal Chapter 152 of the Session Laws of 1943.

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

Rep. Marks, by request, introduced:

House Bill No. 22. A Bill for an Act Providing for Comprehensive Re-insurance of Public Buildings, Fixing Rates of Premiums to Be Charged, Providing for Payment of Premiums, Classification of Risks, Administration of Fund, Repealing Acts in Conflict, and Declaring an Emergency.

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

Rep. Marks, by request, introduced:

House Bill No. 23. A Bill for an Act Providing for an Actuarial Audit of State Hail Insurance Rates, Report to Insurance Commissioner and Twenty-ninth Legislative Assembly, Appropriation, and Declaring an Emergency.

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

Rep. Larson of Wells introduced:

#### HOUSE RESOLUTION No. 1

WHEREAS, the Honorable Leonas Myers, a Member of ' this House from the 33rd Legislative District, on January 31st, 1944, passed to the Great Beyond:

BE IT RESOLVED that he be shown by the records of this House as excused for this Session and his name be omitted in reading the roll call; but that his name be continued upon the payroll as a Member of this body; that the Chief Clerk be hereby authorized and directed to sign the Legislative payroll for and in the name of said deceased Member, and that warrants to be issued in payment of per diem of said Leonas Myers, our said fellow Member, be made out in the name of his widow, Mrs. Leonas Myers; and that the same be by the House Voucher Clerk forwarded to her at Bowden, North Dakota.

Rep. Larson of Wells moved that the rules be suspended for the purpose of adopting House Resolution No. 1, which motion prevailed.

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

#### ROLL CALL

The question being on the adoption of House Resolution No. 1, the roll was called and there were ayes, 101; nays, 0; absent and not voting, 11.

Those voting in the affirmative were:

Allen, Grand Forks	Haag	Nystrom
Allen, Pierce	Halcrow	Olson, Barnes
Anderson	Halvorson	Ohnstad
Bagge	Haugen	Ostgulen
Bauer	Haugland	Peterson, Bottin'au

Baumgartner Belzer Benno Bergesen Bjella Blair Bolmeier Boulden Braun Bubel Burau Bymers Carlson Coghlan Collette Crockett Dahlen Dalzell Devlin Drovdal Ekren Fitch Fleck Forseth Fraser Fuglestad Gackle Gainor Graham

Heckman Hegge Hildre Hofstrand Hogoboom Holm Hovey Iszler Jennings Johnson, Richland Johnson, Rolette Kolpin Langley Larson, Ward Larson, Wells Leet Levin Lillehaugen Lunde Manstrom Marks Mittag Moe Mollet Monson Morland Morrison Mortenson Nelson

Peterson, Ransom Pyle Rettke Runck Sailer Sandness Saumur Schwartz Schmalenberger Schnell Sellens Severson Sharpe Shure Starck Sticka Stormon Tuff Wambheim Welder Welk Westb√ Williams, Richland Williams, Sargent Williams, Stutsm'n Wolf, McIntosh Wolf, Morton Mr. Speaker

Absent and not voting:

Aker Arndt Callahan Falconer Johnson, Cass McInnes Olson, Bowman Rohde Rohrer Stair Twichell

So the Resolution was adopted.

Rep. Schnell moved that House Resolution No. 1 be printed in the Journal, which motion prevailed.

The House returned to the tenth order of business.

# FIRST READING OF HOUSE BILLS

Reps. Fitch and Crockett introduced:

House Bill No. 24. A Bill for an Act Authorizing the Board of County Commissioners to Appoint, Employ, and Pay a County Veterans' Service Officer to Assist Returning Members of the Armed Forces in the Solution of Their Problems.

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

Rep. Fitch introduced:

House Bill No. 25. A Bill for an Act to Amend and Reenact Subdivision (4) of Section (1) of Chapter 159 of the 1943 Session Laws of the Regular Session of the State of North Dakota, to Further Define the Term "Permanent Contents"; and Further Providing for an Additional Section Numbered 23 to Said Chapter, Such Section Providing for the Risks to Be Covered and Be Classified, the Limitation of Risks, and Further Requiring and Providing for the Effecting of Additional Insurance on Public Properties, to Regulate the Type and Extent of Such Additional Insurance, to Provide for the Risks to Be Covered, the Method of Valuing the Same, the Types of Insurance Coverage, to Further Define and Regulate the Duties of the Commissioner of Insurance, and Boards, Commissions or Officers Having the Legal Supervision and Control of the Property to Be So Insured, and Providing and Declaring an Emergency.

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

### PRESENTATION OF PETITIONS AND COMMUNICATIONS

### O. R. VOLD

# Bismarck, North Dakota

### March 20, 1944.

Hon. Ralph C. Beede, Speaker House of Representatives Bismarck, North Dakota

Dear Mr. Beede:

I join Attorney General Alvin C. Strutz in his request that you investiagte allegations made in my pamphlet, which has received a general circulation through the mails in North Dakota. Because of recent developments the State Hail Insurance Department ought to be included in the proposed investigation.

Such an investigation would show a perfect alliance between the Insurance Department and Attorney General Strutz.

There is no reason for Mr. Strutz to divert your attention to the Burleigh County States Attorney and members of the Board of Administration because I have not accused them of anything, which Mr. Strutz knows very well. To assist the legislative members they will be furnished with extra copies of the pamphlet.

Your attention is called to the twenty-six photographic reproductions exhibited in the pamphlet. The entire story is based on these photographs which should serve as conclusive proof as to the truthfulness of the pamphlet.

I am,

### Very sincerely,

## O. R. VOLD

Rep. Bergesen moved that the communication from O. R. Vold be printed in the Journal, which motion prevailed.

Rep. Graham moved that the communication from Oscar E. Erickson, Commissioner of Insurance, addressed to the members of the Legislature, be read from the desk, printed in the Journal and referred to the Committee on State Affairs, which motion prevailed.

#### State of North Dakota

### DEPARTMENT OF HAIL INSURANCE Bismarck

March 21, 1944.

To the Members of the Legislature:

For the past several years I have been watching the trend of the hail Department and have been particularly interested in the fact that each year we seem to be gaining in volume and usually that volume comes from the Western part of the State. Checking the reason for this, I find that for the past 25 years, the State Hail Insurance Department has been issuing an Annual Report showing storm maps and the areas mostly affected by hail. This has been a great advantage to the Stock and Mutual Companies doing hail business in the State, in that by actuarial deductions they know almost to a certainty where the hail is going to strike year after year, with the result that they have increased their rates in such territories to a much higher rate than what the State can charge under the present law, forcing that part of the State to insure with the State Hail Insurance Department.

In the Eastern part of the State, where the same report shows very little hail, they have been able to cut their rates as low as two per cent, making it impossible for the State Hail Insurance Department to compete with them. As much as three years ago, I could see where the continuation of this sort of hail insurance was going to impair the surplus of the Hail Fund, and I began shopping around for re-insurance to protect the surplus of the risks carried by the State Hail Fund. Both Mutual and Stock companies were solicited and all took the same attitude-that because of the fact that the State Hail Insurance Fund does not know what its rate is going to be until after the hail season is over and all losses paid, it is actuarially impossible to figure out a rate under which they would reinsure the Fund. We saw an impairment of the surplus in the 1942 hail season, and with the approach of the 1943 season, I again became worried about the Fund, and shopping around, found that the agency repre-senting the Lloyd's of London had been insuring the hail insurance funds carried by the two Western Provinces in Canada and many Stock companies.

I contacted this company and they made us a proposition to pay 90% of all losses over 9%, with a maximum of \$200,000.00, at a premium rate of 1% of the total risk written by the Department. Studying Section 4 of the Hail Law, I was confident I had the authority to protect the fund of the Department, and by taking such a re-insurance policy, we made a profit of slightly over \$75,000.00 in 1943, and had we carried the same type of policy in 1942, the Department would have realized a profit of \$63,168.13.

I want to assure you Members of the Legislature that every move that we made was with the intention of protecting the Fund and perhaps demonstrate to the next session of the Legislature that it was possible to protect the Fund by re-insurance. Everything is on record and above-board and we understand that a resolution is to be introduced for a Legislative investigation of the Hail Department, and all other Departments under my supervision. Although we have been continually investigated for the last three years and \$15,000 of tax payers' money spent to show that the Department has been operated open and above-board, I want to assure you, gentlemen, that we welcome still further investigation.

I note further that the Resolution provides that all bond transactions of this Department should be investigated. This, I assure you, will be very welcome on the part of the Department heads and myself. This is a direct slap at the Industrial Commission, made up of the Governor, the Attorney General, and the Commissioner of Agriculture and Labor, because no bonds can be bought or sold by this Department or other Departments of State without the approval of the Industrial Commission. This also is a slap at the Bank Examiner appointed by the Governor, because all Departments under my supervision are audited and examined annually by the Bank Examining Department and the State Board of Auditors and thus far no charges of irregularities have been made by those examining boards against my Departments.

Some two thousand years ago a man was crucified for trying to do something good for the common people of the day. I understand that the Attorney General has handed down an opinion that we legally had no right to buy re-insurance for the Hail Department. Pontius Pilate, two thousand years ago, also handed down an edict and then stated, "I find no guilt in this man".

In closing, let me call your attention to the fact that we have introduced a bill asking for legislative permission to protect the Hail Insurance Fund by re-insurance. As stated before, I have given a lot of thought and worry to the present Hail Insurance Law. Twice, during the last three Legislative sessions, we have introduced complete, revised and new, up-to-date Hail Insurance Laws which were passed by big majorities in both branches of the Legislature—in fact, in the last session there were only two dissenting votes in the Senate and eight in the House—only to find that the bills were vetoed by the Governor after the Legislature adjourned. Something must be done to revise the Hail Insurance Law and I am asking for a small appropriation of \$5,000 to hire a firm of actuaries to go over the entire experience of the Hail Department since its inception and promulgate and draft a new Hail Law to be presented to the next regular Legislative Session.

Allow me to state again that my Department heads and myself welcome any investigation on the part of the Honorable Body of the Legislature. I ask your fair consideration of these matters and humbly advise you that I will abide by whatever the Legislature sees fit to do.

> Yours very respectfully, OSCAR E. ERICKSON, Commissioner of Insurance.

Reps. Morland and Bymers introduced House Resolution No. 2.

#### HOUSE RESOLUTION No. 2

WHEREAS, The Honorable C. T. Olson of Bowman, a member of the House of Representatives from the 39th Legislative District, is ill.

BE IT RESOLVED, that he be shown by the records of the House as excused for this session, but that his name be continued upon the payroll as a member of this body; that the Chief Clerk be hereby authorized and directed to sign the Legislative payroll for and in the name of said member, and that warrants to be issued in payment of per diem of said C. T. Olson be mailed to him at Bowman, North Dakota. Rep. Morland moved that the rules be suspended and House Resolution No. 2 be adopted at this time, which motion prevailed.

The House was on the Fourteenth Order of Business.

ROLL CALL

The question being on the adoption of House Resolution No. 2, the roll was called and there were ayes, 104; nays, 0; absent and not voting, 8.

Those voting in the affirmative were: 'Aker Halcrow Nystrom Allen, Grand Forks Halvorson Allen, Pierce Haugen Anderson Haugland  $\mathbf{Arndt}$ Heckman Bagge Hegge Belzer Hildre Pyle Rettke Benno Hofstrand

Bergesen Bjella Blair Bolmeier Boulden Braun Bubel Burau Bymers Carlson Coghlan Collette Crockett Dahlen Dalzell Devlin Drovdal Ekren Falconer Fitch Fleck Forseth Fraser Fuglestad Gackle Gainor Haag

Hogoboom Holm Hovey Iszler Jennings Johnson, Cass Johnson, Richland Johnson, Rolette Kolpin Langley Larson, Ward Larson, Wells Leet Levin Lillehaugen Lunde **McInnes** Manstrom Marks Mittag Moe Mollet Monson Morland Morrison Mortenson Nelson

**Olson**, Barnes Ohnstad Ostgulen Peterson, Bottin'au Peterson, Ransom Rohrer Runck Sailer Sandness Saumur Schwartz Schmalenberger Schnell Sellens Severson Sharpe Shure Starck Sticka Stormon Tuff Wambheim Welder Welk Westby Williams, Richland Williams, Sargent Williams, Stutsm'n Wolf, McIntosh Wolf, Morton Mr. Speaker

Absent and not voting:

BauerGrahamBaumgartnerOlson, BowmanCallahanRohde

Stair Twichell

So the Resolution was adopted.

Rep. Morland moved that House Resolution No. 2 be printed in the Journal, which motion prevailed.

FIRST READING OF HOUSE BILLS

Reps. McInnes, Levin, Ohnstad, Johnson of Richland and Carlson introduced:

House Bill No. 26. A Bill for an Act to Amend and Reenact Section 2486 of the 1925 Supplement to the 1913 Compiled Laws, as Amended by Chapter 118 of the 1943 Session Laws, Relating to Repairs of Existing Drains, and Declaring an Emergency.

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

Reps. McInnes, Levin, Ohnstad, Johnson of Richland Saumur and Carlson introduced:

House Bill No. 27. A Bill for an Act to Amend and Reenact Section 2472 of the Compiled Laws Relating to Letting of Contracts by Board of Drain Commissioners, and Declaring an Emergency.

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

Reps. Fitch and Crockett introduced:

House Concurrent Resolution No. 2. Resolution Regarding Additional Quota Allotment Specifically Designated for Returning Soldiers, Sailors, and Marines.

WHEREAS, Considerable difficulty is being encountered by persons discharged from the armed forces who wish to engage in agriculture and other callings, because of the shortage of farm implements and other critical materials, and,

WHEREAS, It is the sense of this Legislative Assembly that first priority should be granted to such men and women who are returning to civilian life to re-establish themselves;

who are returning to civilian life to re-establish themselves; NOW, THEREFORE, BE IT RESOLVED by the House of Representatives in the State of North Dakota, the Senate concurring, that the situation of these returning service men and women be by means of this resolution, drawn specifically to the attention of the Congress of the United States for appropriate legislation, if such action is necessary, or by specific regulation if the end sought can be accomplished in that way to provide a special quota in addition to quotas already established so as to permit such individuals to be given priority in obtaining their needed supplies and equipment.

Rep. Fitch moved that the rules be suspended and House Concurrent Resolution No. 2 be adopted and the Secretary of State be instructed to send a copy to the President of the United States, members of the House and Senate from the State of North Dakota and the Office of Price Administration and that the same be printed in the Journal, which motion prevailed.

# FIRST READING OF HOUSE BILLS

Rep. Marks, by request, introduced:

House Bill No. 28. A Bill for an Act Providing Re-insurance for Hail Risks in the State Hail Insurance Department, Administration, Appropriation for Payment of Premium, and Declaring an Emergency.

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

Reps. Fitch and Crockett introduced:

HOUSE CONCURRENT RESOLUTION No. 3

BE IT RESOLVED BY THE HOUSE OF REPRESENTA-TIVES OF THE STATE OF NORTH DAKOTA, THE SENATE CONCURRING:

WHEREAS, it has been reported to members of the Legislative Assembly of the State of North Dakota that the buildings and facilities for the care and maintenance of old soldiers at the Soldiers' Home in the City of Lisbon, in the State of North Dakota, are inadequate, and that because of the crowded condition of such buildings and lack of necessary equipment, it is impracticable to give such proper medical attention and maintenance to which the old soldiers are entitled;

NOW, THEREFORE, BE IT RESOLVED by the House of Representatives of the 1944 extraordinary session of the Legislative Assembly of the State of North Dakota, the Senate concurring, that the Trustees of the Old Soldiers' Home at Lisbon be authorized, directed and required to make a thorough and complete investigation of all of the needs of said institution, including necessary repairs of buildings, construction of needed new buildings and other requirements for the proper operation of said institution and that a full and complete report be made to the next regular session of the Legislative Assembly of the State of North Dakota.

Rep. Fitch moved that the rules be suspended and House Concurrent Resolution No. 3 be adopted at this time, which motion prevailed.

The question was on the adoption of House Concurrent Resolution No. 3, which motion prevailed and House Concurrent Resolution No. 3 was adopted.

#### FIRST READING OF HOUSE BILLS

Reps. Crockett and Fitch introduced:

House Bill No. 29. A Bill for an Act Making an Appropriation from the General Fund of the State to the Veterans Post War Rehabilitation Reserve Fund to Carry Out the Provisions of Chapter 180 of the Session Laws of 1943, Such Appropriation to Be in Addition Thereto; and Declaring an Emergency.

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

Rep. Marks, by request, introduced:

House Bill No. 30. A Bill for an Act Amending and Reenacting Sections 1, 2, 4, 14 and 21 of Chapter 159, Session Laws of 1943; Providing for the Administration of the State Fire and Tornado Fund, Property to Be Insured Thereunder, Replacement of Policies, New Construction Insurance Rate; Repealing All Laws and Parts of Laws in Conflict; Declaring an Emergency.

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

Rep. Johnson of Cass introduced:

HOUSE CONCURRENT RESOLUTION No. 4

BE IT RESOLVED BY THE HOUSE OF REPRESENTA-TIVES OF THE STATE OF NORTH DAKOTA, THE SENATE CONCURRING THEREIN:

WHEREAS, the Governor of this Great State deemed it wise, necessary and expedient to call the members of the 28th Legislative Assembly of the State of North Dakota into extraordinary session on March 20, 1944, for the purpose of WHEREAS, it was not the intention to continue such extraordinary session for an indefinite length of time; and

WHEREAS, it appears that unless a definite time is set for adjournment of such extraordinary session, there is grave danger that it may continue indefinitely.

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF NORTH DAKOTA, THE STATE CONCURRING THEREIN, IN EXTRAORDINARY SESSION ASSEMBLED, that this extraordinary session shall be adjourned sine die not later than the hour of midnight on Friday, March 24, 1944.

Rep. Johnson of Cass moved that the rules be suspended and House Concurrent Resolution No. 4 be adopted at this time and requested a roll call.

Rep. Wolf of McIntosh moved that House Concurrent Resolution No. 4 be indefinitely postponed.

Rep. Johnson of Cass requested a roll call on the motion of Rep. Wolf of McIntosh, which request was lost.

Rep. Fitch offered as a substitute motion that action on House Concurrent Resolution No. 4 be deferred until 2:15 P. M., Thursday.

Rep. Bergesen moved to amend the substitute motion of Rep. Fitch to read 2:15 P. M., Saturday, instead of Thursday.

Rep. Bolmeier moved that the motion of Rep. Bergesen to amend the substitute motion of Rep. Fitch be laid on the table\_ which motion prevailed.

The question was on the motion of Rep. Wolf of McIntosh to indefinitely postpone House Concurrent Resolution No. 4, which motion prevailed.

Senators Solberg, Stucke, Nelson of McKenzie, Olson of Mountrail and Reps. Forseth, Kolpin, Rohde, Schnell, Haugland, Drovdal, Halvorson, and Schmalenberger introduced House Concurrent Resolution No. 5.

#### HOUSE CONCURRENT RESOLUTION No. 5

MEMORIALIZING CONGRESS to make provision enabling persons serving in the Armed Forces of the United States or who have served therein and who have been honorably discharged, to establish and rehabilitate themselves in the postwar era, under a Farm Home Ownership Plan and to provide adequate Federal funds to be loaned to such persons, as provided in the Bankhead-Jones Act and as administered by the Farm Security Administration.

WHEREAS, it is highly important to make provision enabling persons serving in the Armed Forces of the United States, or who have served therein and who have been honorably discharged, to establish ownership of farm homes for themselves and their families after the termination of the present war, and that it is necessary that adequate provisions be made by the Federal Government by appropriating sufficient funds to be loaned to such persons desiring to take advantage of same, such provisions to be made under the terms of the Bankhead-Jones Act as administered by the Farm Security Administration, and

WHEREAS, experience has demonstrated that loans made in the past under said Act have been highly satisfactory to the borrowers and to the loaning agency of the Federal Government and has afforded the greatest measure of security for continued home ownership as compared with any program of similar nature yet devised,

NOW, THEREFORE, be it resolved by the House of Representatives of the 1944 extraordinary session of the Legislative Assembly, the Senate concurring, that the Congress of the United States is hereby respectfully urged to make an appropriation of Federal funds sufficient to provide loans to be made to persons serving in the Armed Forces of the United States, or who have served therein and been honorably discharged, and who desire to rehabilitate themselves and establish farm home ownership under the provisions of the Bankhead-oJnes Act as administered by the Farm Security Administration, and

BE IT FURTHER RESOLVED that copies of this Resolution be sent to the President of the United States, to the Secretary of the Senate of the United States, to the Chief Clerk of the House of Representatives of the United States, to the Secretary of Agriculture, to United States Senator Cooley and to each of the Senators and Representatives from the State of North Dakota.

Filed March 21, 1944.

Rep. Rohde moved that the rules be suspended and House Concurrent Resolution No. 5 be adopted at this time, which motion prevailed.

The question being on the adoption of House Concurrent Resolution No. 5. The Resolution was adopted.

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

Rep. Boulden moved that the House do now adjourn, which motion was lost.

Reps. Graham and Starck introduced:

House Concurrent Resolution No. 6. A Concurrent Resolution Memorializing Congress and the President to Take Immediate Steps for Securing Necessary Tires for the Use of Farmers.

BE IT RESOLVED BY THE HOUSE OF REPRESENTA-TIVES OF THE STATE OF NORTH DAKOTA, THE SENATE CONCURRING THEREIN:

WHEREAS, due to the present war emergency there is a great shortage of automobile tires in this country; and

WHEREAS, it has been particularly called to the attention of this 28th Legislative Assembly in extraordinary session assembled that the farmers of North Dakota are in dire need of automobile tires; and

WHEREAS, the tire situation in this State is such that our farmers are unable to transport cream, eggs, and other farm products to town; and

WHEREAS, farmers of this State because of the tire situation are unable to drive members of their families to town to consult physicians when they are badly in need of medical attention; and

WHEREAS, it is impossible to properly convey school children of this State to many schools in North Dakota because of the lack of tires; and WHEREAS, because of the great distances to be traveled in the State of North Dakota where there is no other mode of travel than by auto, it is absolutely necessary and essential that Congress and the President of the United States take immediate steps to provide the necessary tires for the farmers of the State of North Dakota.

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF NORTH DAKOTA, THE SENATE CONCURRING THEREIN that the Congress of the United States and the President take steps forthwith to see that the farmers of the State of North Dakota are provided with the necessary tires to remedy the present situation in that respect.

BE IT FURTHER RESOLVED that copies of this resolution be sent to the President of the United States and to all of the United States Senators and Representatives of the State of North Dakota at Washington, D. C.

Rep. Graham moved that the rules be suspended and House Concurrent Resolution No. 6 be adopted.

Rep. Allen of Grand Forks offered as a substitute motion that House Concurrent Resolution No. 6 be referred to the proper committee, which motion prevailed and the resolution was referred to the Committee on Agriculture.

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

#### THIRD DAY

Bismarck, March 21, 1944.

The House convened pursuant to adjournment.

Prayer was offered by Rev. G. H. Mittag.

Roll call: All members present except Reps. Bauer, Olson of Bowman and Twichell.

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

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

On page 9, line 21, strike out the following, Marian Axtell, stenographer and telephone clerk, also semi-colon.

On page 26, line 20, the name Rep. Wolf of Morton should read Rep. Wolf of McIntosh.

On page 21, line 32, the word engrossed should read enrolled.

On page 25, change Olson of Barnes to Olson of Bowman.

And when so corrected recommends that the same be approved.

### S. N. WELDER, Chairman.

Rep. Boulden moved to amend the report of the committee by inserting the following: "Correct the spelling of the word earlier on line 22, page 27," which motion prevailed.

Rep. Graham moved to further amend the report by changing the word "ease" to "pleasure" on page 4, line 37, which motion prevailed.

Rep. Bergesen moved that the report be further amended

to show that the committee appointed to notify the Senate that the House was organized and ready for business had so notified the Senate, reported back to the House, and were dismissed.

And, that the committee appointed to notify the Senate that the House had completed its work and was ready to go into Joint Session at eleven o'clock had so notified the Senate, reported back to the House, and were dismissed, which motion prevailed.

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

## PRESENTATION OF PETITIONS AND COMMUNICATIONS

A letter was read from the Governor in regard to the Federal Act passed by Congress providing for the method of voting in time of war by members of the land and naval forces absent from their places of residence, which communication was referred to the Committee on Elections and Judiciary.

Rep. Falconer reported that the committee to contact the Ministerial Association had fulfilled its duty and were advised that a schedule had already been furnished to the desk and with only minor changes would be followed as submitted. Rep. Falcomer moved that the report be adopted and the committee dismissed, which motion prevailed and the report was adopted and the committee dismissed.

## REPORT OF STANDING COMMITTEE

Action on the report of the Appropriation Committee on House Bill No. 15 was deferred one legislative day.

The Speaker announced that due to the absence of Rep. Olson of Bowman, the oldest ranking member of the Agriculture Committee is Rep. Dalzell, who will be the acting chairman of the committee. In the place of Rep. Olson on the committee, Rep. Sellens has been appointed.

Rep. Bolmeier moved that the House recess until 1:30 o'clock p. m., March 22nd, which motion prevailed.

W. M. SMART, Chief Clerk.

# THIRD DAY AFTER RECESS AND FOURTH DAY

# Bismarck, March 22, 1944.

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

## PRESENTATION OF PETITIONS AND COMMUNICATIONS

A letter from the Governor together with an attached communication from the County Commissioners of Cavalier County, North Dakota, was read.

Rep. Crockett moved that the communication be referred to the proper committee and printed in the Journal, which motion prevailed and the communication was referred to the Committees on Elections and Judiciary.

## CAVALIER COUNTY, NORTH DAKOTA

Langdon, N. D., March 9th, 1944.

To Hon John Moses, Governor, and

Members of the North Dakota Legislature Of the State of North Dakota

Bismarck, N. Dak.

Gentlemen:

In view of the special session of the Legislature of the State of North Dakota which has been called to convene at Bismarck this month and the several propositions that are to be disposed of at such session, may we ask your consideration of the following recommendations:

Concerning the much discussed soldiers vote, we would recommend the enactment of a law that would prohibit any one from attempting to trail any person in the military service of our country, by mail or otherwise, with election ballots, unless such person, on his or her own accord, request that "Absent Voters Ballots" be sent to them. We feel that it would be unethical, to say the least, to impose upon any of our people, serving in the war, with a ballot unless they themselves ask for it. Surely they are doing enough for us as it is and we would not make it appear that we are expecting them to support us with their votes too. Make the absent voters ballots available but do not force them upon the Military Personnel without their request. The time for obtaining and returning the ballots will have to be increased or there will not be time enough to get the ballots back before election.

Regarding the setting aside of State and County lands for the returned soldier: We are opposed to the enactment of any law that will in any way interfere with the State and County selling their lands now at a time when it appears that there is some chance of disposing of it at fair prices and get it back on the Tax Lists again and thereby increase the tax revenues for the State and all its sub-divisions, which are badly needed, especially for the schools as some are up against a very serious financial problem and are talking of discontinuing their high schools, because of lack of funds. Besides the land is needed for increased production of foods, etc., in support of the country at war. We are of the opinion that a large majority of the returned soldiers after the war will not want to farm and the land gifts would probably not prove equitable because some of the land is of the poorest and some of the soldiers would probably get land that would be practically worthless. We would be in favor of paying each returned soldier in cash according to the time served.

## Respectfully submitted,

ANDY JOHNSON, Chairman.

### BOARD OF COUNTY COMMISSIONERS OF CAVALIER COUNTY, N. DAK. VERN SHERATT J. O. RYAN PETER BERNADY HARVEY BRUSSEAU

A communication was read from the North Dakota Junior Chamber of Commerce with reference to the creation of a North Dakota Department of Aeronautics. Which communication was referred to the Committee on Federal Relations.

Rep. Fitch moved that the rules be suspended and the sponsors of House Bills Nos. 19 and 25 be permitted and requested to re-draw these bills according to specifications and that they be substituted for the bills of like numbers which were heretofore introduced and that the bills so substituted be considered as properly introduced, which motion prevailed.

## REPORTS OF STANDING COMMITTEES

Rep. Johnson of Cass moved that action on the Appropriations Committee report on House Bill No. 6 be deferred one legislative day, which motion prevailed.

Mr. Speaker: Your Committee on Appropriations to whom was referred House Bill No. 14, have had the same under consideration and recommend that the same do pass.

REP. JOHNSON of Cass, Chairman.

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

Rep. Johnson of Cass moved that the rules be suspended and action be taken at this time on the appropriation committee report on House Bill No. 15, which had previously been laid over one legislative day, which motion prevailed.

Mr. Speaker: 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.

REP. JOHNSON, of Cass, Chairman.

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

Rep. Fitch moved that House Bill No. 29 be re-referred to the Appropriation Committee, which motion prevailed.

Rep. Ohnstad moved that the House be on the Eighth . Order of Business, which motion prevailed.

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

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

## FOURTH DAY

# Bismarck, March 22, 1944.

The House convened pursuant to adjournment, Speaker Beede, presiding.

Prayer was offered by Rev. O. O. Andvik.

Roll Call: All members were present except Reps. Hofstrand, Olson of Bowman and Olson of Barnes.

Rep. Fitch moved that the House recess until 12:30 o'clock p. m., which motion prevailed and the House stood recessed.

W. M. SMART, Chief Clerk.

# FOURTH DAY AFTER RECESS AND FIFTH DAY

# Bismarck, March 23, 1944.

The House convened at 12:30 o'clock p. m., pursuant to recess taken, Speaker Beede presiding.

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

Mr. Speaker: Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the Second Day after recess and Third Day and recommends that the same be corrected as follows:

On page 32, absent and not voting should read 11 instead of 12, and on page 33, absent and not voting, Myers name should be stricken, and also on page 37.

On page 38, line 14, should read Rep. Fitch and Crockett introduced, and on page 38, line 41, Dakota is misspelled.

On page 43, line 25, Committee is misspelled.

And when so corrected recommends that the same be approved.

#### REP. WELDER, Chariman.

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

# PRESENTATION OF PETITIONS AND COMMUNICATIONS

A telegram from the Devils Lake Chamber of Commerce was read and referred to the Committee on Drainage and Irrigation.

A letter was read from the Governor together with a V-Mail letter from Capt. Helmuth O. Froeschle, now serving on the Cassino front. The same was referred to the Committees on Elections and Judiciary.

#### REPORT OF SELECT COMMITTEES

Mr. Speaker: Your Committee on Employment places in nomination the name of S. F. Inman of Hurdsfield, N. D., for the position of Page.

REPS. DALZELL and LEVIN, Chairmen.

Rep. Dalzell moved the adoption of the report.

# THURSDAY, MARCH 23, 1944

# ROLL CALL

	NODE OALL			
	on the election of S.			
was called and there were ayes, 93; absent and not voting, 19.				
Those voting in the affirmative were:				
Aker	Gainor	Morland		
Allen, Grand Forks	Graham	Morrison		
Allen, Pierce	Haag	Mortenson		
Anderson	Halcrow	Nelson		
Arndt	Halvorson	Nystrom		
Bauer	Haugen	Ohnstad		
Belzer	Haugland	Ostgulen		
Benno	Heckman	Peterson, Bottin'au		
Bergesen	Hegge	Peterson, Ransom		
Bjella	Hildre	Rettke		
Blair	Hogoboom	Rohde		
Bolmeier	Holm	Runck		
Boulden	Hovey	Sandness		
Braun	Iszler	Schwartz		
Burau	Jennings	Schmalenberger		
Callahan	Johnson, Cass	Sellens		
Coghlan	Johnson, Richland	Severson		
Collette	Johnson, Rolette	Sharpe		
Crockett	Langley	Shure		
Dahlen	Larson, Ward	Stair		
Dalzell	Leet	Starck		
Devlin	Levin	Sticka		
Drovdal	Lillehaugen	Twichell		
Ekren	Lunde	Wambheim		
Falconer	McInnes	Welk ·		
Fitch	Manstrom	Williams, Richland		
Fleck	Marks	Williams, Sargent		
Forseth	Mittag	Williams, Stutsm'n		
Fraser	Moe	Wolf, McIntosh		
Fuglestad	Mollet	Wolf, Morton		
Gackle	Monson	Mr. Speaker		
Absent and not voting:				
Bagge	Larson, Wells	Saumur		
Baumgartner	Olson, Barnes	Schnell		
Bubel	Olson, Bowman	Stormon		
Bymers	Pyle	Tuff		
Carlson	Rohrer	Welder		
Hofstrand	Sailer	Westby		
Kolpin				
~ ~				

So S. F. Inman was duly elected.

### **REPORT OF STANDING COMMITTEE**

Mr. Speaker: Your Committee on Appropriations to whom was referred House Bill No. 6, have had the same under consideration and recommend that the same do pass.

REP. JOHNSON of Cass, Chairman.

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

Rep. Johnson of Richland requested that action be deferred for a short time on House Bill No. 26. There being no objection, action was deferred.

Rep. Dalzell moved that House Concurrent Resolution No.

# JOURNAL OF THE HOUSE

6 be re-referred to the Committee on Agriculture for further amendments, which motion prevailed.

Mr. Speaker: Your Committees on Game and Fish, and Livestock to whom was referred House Bill No. 16, have had the same under consideration and recommend that the same be indefinitely postponed.

## REPS. BENNO and HALVORSON, Chairmen.

Rep. Blair moved that the report be adopted.

Rep. Bauer offered as a substitute motion that House Bill No. 16 be placed on the Calendar, which motion was lost.

The question being on the adoption of the Committee report.

Rep. Bauer requested a Roll Call, which request failed to receive the necessary consent of one-sixth of the members present.

The question was then cn the adoption of the Report of the Committee, which motion prevailed and House Bill No. 16 was indefinitely postponed.

Mr. Speaker: Your Committee on Counties to whom was referred House Bill No 18, have had the same under consideration and recommend that the same be amended as follows:

In the title, following words "school districts" add a comma and the words "park districts" and also in the title, after the words "United States", strike out the words, "and the State of North Dakota".

In Section I, line 5, after the words "school district", insert a comma and the words "park districts", and also in Section I, line 7, after the words "United States", strike out the words "and bonds of the State of North Dakota," and when so amended renumber the lines accordingly.

And when so amended recommend the same do pass.

REP. ROHDE, Chairman.

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

Mr. Speaker: Your Committee on Appropriations to whom was referred House Bill No. 29, have had the same under consideration and recommend that the same do pass.

### REP. JOHNSON of Cass, Chairman.

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

Mr. Speaker: Your Committee on Ways and Means to whom was referred House Bill No. 17, have had the same under consideration and recommend that the same do pass.

REP. FITCH, Chairman.

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

Mr. Speaker: Your Committee on Federal Relations to whom was referred House Bill No. 19, have had the same under consideration and recommend that the same be amended as follows:

By striking out everything after the words "A Bill" and inserting in lieu thereof the following: Amended bill attached.

And when so amended recommend the same be indefinitely postponed.

## W. H. SHURE, Chairman.

Rep. Williams of Sargent moved that the report be adopted.

Rep. Bergesen moved that House Bill No. 19 be re-referred to the Committee on Ways and Means.

Rep. Fitch moved to amend the motion of Rep. Bergesen to read Judiciary instead of Ways and Means, which motion was lost.

The question was on the motion of Rep. Bergesen.

Rep. Morland offered as a substitute motion that action on House Bill No. 19 be deferred until the bill had been printed in the Journal, which motion was lost.

Rep. Fitch moved that further consideration on House Bill No. 19 be indefinitely postponed, stating further that he would have prepared a proper resolution dealing with the subject matter contained in House Bill No. 19. He stated further that aviation is a coming thing in North Dakota and we must give some attention to it. For that reason he stated he would look around and see what he could do to bring a resolution into the House for consideration.

The motion to re-refer having precendence was first put to the House.

The question was on the motion of Rep. Bergesen that House Bill No. 19 be re-referred.

The count on division disclosed 57 for and 43 against, so the motion was declared carried and House Bill No. 19 was re-referred to the Committee on Ways and Means.

Rep. Morland moved that the report of the committee on House Bill No. 19, with the amendment offered, be printed in the Journal, which motion was lost.

## MESSAGE FROM THE SENATE

Senate Chamber,

# Bismarck, March 23, 1944.

#### Mr. Speaker: I have the honor to transmit:

Senate Bill No. 1. A Bill for an Act to Appropriate Fifteen Thousand (\$15,000.00) Dollarsfor, the Biennium Beginning July 1, 1943, and Ending June 30, 1945, 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 of the State of North Dakota to Carry Out the Provisions of this Act; Providing for a Transfer to the State Emergency Fund of \$5,000.00 from the Appropriation Herein Made to Reimburse Said Fund for Monies Transferred Therefrom in Anticipation of Said Appropriation; Declaring an

Emergency and Repealing all Acts or Parts of Acts in Conflict Herewith.

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

# W. J. TROUT, Secretary.

## **REPORTS OF STANDING COMMITTEES**

Mr. Speaker: Your Committee on Irrigation and Drainage to whom was referred House Bill No. 26, have had the same under consideration and recommend that the same do pass.

#### A. J. SANDNESS, Chairman.

Rep. Johnson of Richland moved to amend the report of the committee as follows:

Line 39, page 3, change the period after the word "drains" to a comma and add: "Provided that such discretionary power in the Board of County Commissioners shall expire on January 1, 1945 and that such cleaning and repair can only be let by bids as provided by law," and, re-number the lines accordingly, which motion prevailed.

Rep. Halcrow moved to further amend House Bill No. 26, in line 30, page 2, change "sixty cents" to "fifty cents", which motion prevailed.

Rep. Sandness moved that the report of the committee on House Bill No. 26, as amended, be adopted, which motion prevailed and the report as amended was adopted.

Mr. Speaker: Your Committee on Irrigation and Drainage to whom was referred House Bill No. 27, have had the same under consideration and recommend that the same do pass.

#### A. J. SANDNESS, Chairman.

Rep. Johnson of Richland moved to amend the committee report on House Bill No. 27 by striking out the period after the word "drain" on Line 38, inserting a comma and adding the following: "Provided that such discretionary power in boards of drain commissioners shall expire on January 1, 1945, and that on and after January 1, 1945, such construction of drains can only be let by bid as hereinbefore in this section provided", and that the lines be properly renumbered, which motion prevailed.

Rep. Johnson of Cass moved to further amend House Bill No. 27 as follows:

"Such notice shall be published at least fifteen days prior to the date of the opening of the bids thereunder; such notice shall be published in some established newspaper of general circulation qualified to publish legal notices, and which is printed and published in the city or village or county where such work is located and also in some trade publication of general circulation among the contractors of the state.

The question was on the motion of Rep. Haugland to adopt the report, as amended, on House Bill No. 27, which motion prevailed.

## HOUSE COMMITTEE ON ENROLLMENT AND ENGROSSMENT

The Committee on Enrollment and Engrossment made the following report:

Mr. Speaker: Your Committee on Enrollment and Engross-

ment respectfully report that they have examined the following Resolution:

Joint Memorial Resolution "C."

And find the same correctly engrossed.

#### REP. MORLAND, Chairman.

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

The Committee on Enrollment and Engrossment made the following report:

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

House Resolution No. 1.

House Resolution No. 2.

Joint Memorial Resolution A.

Joint Memorial Resolution B.

And find the same correctly enrolled.

#### REP. MORLAND, Chairman.

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

#### REPORT OF STANDING COMMITTEE

Mr. Speaker: Your Committee on Ways and Means to whom was referred House Bill No. 20, have had the same under consideration and recommend that the same do pass.

### K. A. FITCH, Chairman.

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

Mr. Speaker: Your Committee on Ways and Means to whom was referred House Bill No. 24, have had the same under consideration and recommend that the same do pass.

K. A. FITCH, Chairman.

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

Rep. Bergesen requested that the House be on the seventh order of business, which request was granted.

### HOUSE CONCURRENT RESOLUTION No. 7

Introduced by Reps. Graham and Bergesen

BE IT ENACTED BY THE HOUSE OF REPRESENTA-TIVES OF THE STATE OF NORTH DAKOTA, THE SENATE CONCURRING THEREIN:

WHEREAS, the 28th session of the Legislative Assembly of the State of North Dakota adopted House Concurrent Resolution "X", providing for the amendment of Section 45 of the Constitution of the State of North Dakota, relating to salary for members of the Legislative Assembly; and

WHEREAS, such proposed amendment of the Constitution is by its terms to be submitted to the qualified electors of the State of North Dakota for approval or rejection, as provided by Section 202 of the Constitution of the State, as amended; and

WHEREAS, the provisions of said House Concurrent Resolution "X" do not state whether such amendment is to be submitted to the qualified electors of the State of North Dakota for approval or rejection at the primary election in June of 1944, or at the general election in November of 1944; and

WHERSAS, it is desirable that such amendment be submitted to the qualified electors of the State of North Dakota for approval or rejection at the general election to be held in November of 1944;

NOW, THEREFORE, BE IT RESOLVED, by the House of Representatives of the State of North Dakota, the Senate concurring therein, that House Concurrent Resolution "X," providing for the amendment of Section 45 of the Constitution of the State of North Dakota, approved by the regular session of the 28th Session of the Legislative Assembly of the State of North Dakota, be submitted to the qualified electors of the State of North Dakota for approval or rejection at the general election to be held November 7, 1944; that the Secretary of State be instructed to place said House Concurrent Resolution "X," providing for such amendment of Section 45 of the Constitution of North Dakota on the ballot for approval at that election.

Filed March 22, 1944.

Rep. Rohde moved that the rules be suspended and House Concurrent Resolution No. 7 be adopted at this time, which motion prevailed.

The question was on the adoption of House Concurrent Resolution No. 7, which motion prevailed and the Resolution was adopted.

Rep. Morland moved that House Concurrent Resolution No. 7 be printed in the Journal, which motion prevailed.

#### SECOND READING OF HOUSE BILLS

House Bill No. 14. A Bill for an Act Making an Appropriation for Payment of the Increase in the Elevator Maintenance Contract for the State Capitol, and Declaring an Emergency.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 107; absent and not voting, 5.

Those voting in the affirmative were:

Aker	Haag	Olson, Barnes
Allen, Grand Forks	Halcrow	Ostgulen
Allen, Pierce	Halvorson	Peterson, Bottin'au
Anderson	Haugen	Peterson, Ransom
Arndt	Haugland	Pyle
Bagge	Heckman	$\mathbf{Rettke}$
Bauer	Hegge	Rohde
Belzer	Hildre	Rohrer
Benno	Hogoboom	Runck
Bergesen	Holm	Sailer
Bjella	Hovey	Sandness
Blair	Iszler	Saumur
Bolmeier	Jennings	Schwartz
Boulden	Johnson, Cass	Schmalenberger
Braun	Johnson, Richland	Schnell
Bubel	Johnson, Rolette	Sellens

# THURSDAY, MARCH 23, 1944

Burau **B**vmers Callahan Carlson Coghlan Collette Dahlen Dalzell Devlin Drovdal Ekren Falconer Fitch Fleck Forseth Fraser Fuglestad Gackle Gainor Graham

Kolpin Langley Larson, Ward Larson, Wells Leet Levin Lillehaugen Lunde McInnes Manstrom Marks Mittag Moe Mollet Monson Morland Morrison Mortenson Nelson Nystrom

Severson Sharpe Shure Stair Starck Sticka Stormon Twichell Tuff Wambheim Welder Welk Westby Williams, Richland Williams, Sargent Williams, Stutsm'n Wolf, McIntosh Wolf, Morton Mr. Speaker

Absent and not voting:

Baumgartner

Crockett

Ohnstad

Hofstrand Olson, Bowman

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

Rep. Morland moved that the vote by which House Bill No. 14 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 15. A Bill for an Act Making an Appropriation for the Increase of Salaries of the Appointive Members of the Board of Administration, and Declaring an Emergency.

Was read the second time.

## ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 104; absent and not voting, 8. Those voting in the affirmative were:

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

Coghlan Leet Starck Collette Lillehaugen Sticka Dahlen Lunde Stormon Dalzell McInnes Twichell Devlin Manstrom Tuff Drovdal Marks Wambheim Mittag Ekren Welder Falconer Moe Welk Mollet Fitch Westby Fleck Monson Williams, Richland Forseth Morland Williams, Sargent Morrison Fraser Williams, Stutsm'n Wolf, McIntosh Wolf, Morton Fuglestad Mortenson Gackle Nelson Gainor Nystrom Mr. Speaker Graham Olson, Barnes Absent and not voting: Baumgartner Halvorson Olson, Bowman Bymers Hofstrand Ohnstad

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

Levin

Rep. Rohde moved that the vote by which House Bill No. 15 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

#### FIRST READING OF SENATE BILL

Senate Bill No. 1. A Bill for an Act to Appropriate Fifteen Thousand (\$15,000.00) Dollars for the Biennium Beginning July 1, 1943, and Ending June 30, 1945, 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 of the State of North Dakota to Carry Out the Provisions of this Act; Providing for a Transfer to the State Emergency Fund of \$5,000.00 from the Appropriation Herein Made to Reimburse Said Fund for Monies Transferred Therefrom in Anticipation of Said Appropriation; Declaring an Emergency and Repealing all Acts or Parts of Acts in Conflict Herewith.

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

#### MESSAGE TO THE SENATE

House of Representatives,

Bismarck, March 23, 1944.

Mr. President: I have the honor to transmit herewith the following bills and House Concurrent Resolutions:

House Concurrent Resolution No. 2. Resolution Regarding Additional Quota Allotment Specifically Designated for Returning Soldiers, Sailors, and Marines.

House Concurrent Resolution No. 3.

House Concurrent Resolution No. 5.

Crockett

House Bill No. 14. A Bill for an Act Making an Appropriation for Payment of the Increase in the Elevator Maintenance Contract for the State Capitol, and Declaring an Emergency.

House Bill No. 15. A Bill for an Act Making an Appropriation for the Increase of Salaries of the Appointive Members of the Board of Administration, and Declaring an Emergency.

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

# W. M. SMART, Chief Clerk.

# SIGNING OF RESOLUTIONS

The Chief Clerk announced that the Speaker was about to sign:

Joint Memorial Resolution "C."

Joint Memorial Resolution "A."

Joint Memorial Resolution "B."

House Resolution No. 1.

House Resolution No. 2.

And the Speaker signed the same in the presence of the House.

### REPORTS OF STANDING COMMITTEES

Mr. Speaker: Your Committee on Elections to whom was referred House Bill No. 1, have had the same under consideration and recommend that the same be indefinitely postponed.

#### REP. LEVIN, Chairman.

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

Mr. Speaker: Your Committee on Judiciary to whom was referred House Bill No. 1, have had the same under consideration and recommend that the same be indefinitely postponed.

### REP. OHNSTAD, Chairman.

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

Mr. Speaker: Your Committee on Elections to whom was referred House Bill No. 2, have had the same under consideration and recommend that the same do pass.

REP. LEVIN, Chairman.

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

Mr. Speaker: Your Committee on Judiciary to whom was referred House Bill No. 2, have had the same under consideration and recommend that the same do pass.

REP. OHNSTAD, Chairman.

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

Mr. Speaker: Your Committee on Elections to whom was referred House Bill No. 3, have had the same under consideration and recommend that the same do pass.

REP. LEVIN, Chairman.

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

Mr. Speaker: Your Committee on Judiciary to whom was referred House Bill No. 3, have had the same under consideration and recommend that the same do pass.

## REP. OHNSTAD, Chairman.

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

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

### REP. LEVIN, Chairman.

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

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

#### REP. OHNSTAD, Chairman.

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

Mr. Speaker: Your Committee on Judiciary to whom was referred House Bill No. 5, have had the same under consideration and recommend that the same be amended as follows:

Number the lines in the typewritten bill and in line 5 change the word and number sixty (60) to sixty-five (65).

And when so amended recommend the same do pass.

#### REP. OHNSTAD, Chairman.

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

Mr. Speaker: Your Committee on Elections to whom was referred House Bill No. 5, have had the same under consideration and recommend that the same be amended as follows:

Number the lines in the typewritten bill and in line 5 change the word and numeral sixty (60) to sixty-five (65).

And when so amended recommend the same do pass.

#### REP. LEVIN, Chairman.

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

Mr. Speaker: Your Committee on Judiciary to whom was referred House Bill No. 7, have had the same under consideration and recommend that the same do pass.

#### REP. OHNSTAD, Chairman.

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

Mr. Speaker: Your Committee on Elections to whom was referred House Bill No. 7, have had the same under consideration and recommend that the same do pass.

#### REP. LEVIN, Chairman.

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

Mr. Speaker: Your Committee on Judiciary to whom was referred House Bill No. 8, have had the same under consideration and recommend that the same be amended as follows: Number the lines in the typewritten bill and strike out the words and numerals fifty-five (55) in line 8 and insert in lieu thereof the words and numerals sixty-five (65).

And when so amended recommend the same do pass.

REP. OHNSTAD, Chairman.

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

Mr. Speaker: Your Committee on Elections to whom was referred House Bill No. 8, have had the same under consideration and recommend that the same be amended as follows:

Number the lines in the typewritten bill and strike out the words and numerals fifty-five (55) in line 8 and insert in lieu thereof the words and numerals sixty-five (65).

And when so amended recommend the same do pass.

### REP. LEVIN, Chairman.

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

Mr. Speaker: Your Committee on Elections to whom was referred House Bill No. 9, have had the same under consideration and recommend that the same be amended as follows:

Number the lines of the typewritten bill and after the word "any" in line 6 insert the words "primary or" and strike out the words "other than primary." Strike out the word "five" in line 6 leaving sixty (60) days. Strike out the hyphen at the end of line 5. In line 20 after the word "venue" place a period and strike out the remaining words in lines 20 and 21.

In line 49 insert the words "or merchant marine" after the word "service." In the line next to the last of the title the words "or merchant marine" should follow the words "Armed Forces", and insert the numerals 1925 before the word "Supplement" in the second line of the title.

And when so amended recommend the same do pass.

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

#### REP. LEVIN, Chairman.

Mr. Speaker: Your Committee on Judiciary to whom was referred House Bill No. 9, have had the same under consideration and recommend that the same be amended as follows:

Number the lines of the typewritten bills and after the word "any" in line 6 insert the words "primary or" and strike out the words "other than primary."

Strike out the word "five" in line 6 leaving it sixty (60) days.

Strike out the hyphen at the end of line 5.

In line 20 after the word "venue" place a period and strike out all the remaining words in lines 20 and 21.

In line 49 insert the words "or merchant marine" after the word "service".

In the next to the last line of the title the words "or merchant marine" should follow the words "Armed Forces", and insert the numbers 1925 before the word "Supplement" in the second line of the title.

And when so amended recommend the same do pass.

REP. OHNSTAD, Chairman.

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

Mr. Speaker: Your Committee on Elections to whom was referred House Bill No. 10, have had the same under consideration and recommend that the same be amended as follows:

Number the lines of the typewritten bill and in line 28, strike out the words and numerals fifty-five (55) and insert in lieu thereof the words and numerals sixty-five (65). In line 7 after the word "nomination" add the following: "and not later than 5:00 o'clock p. m. on the seventieth (70) day".

In line 14 of the bill after the word "election" add "and not later than 5:00 o'clock p. m. on the twenty-fifth (25) day" and strike out the words "Certificates of nomination to be filed with the secretary of state may be sent by registered letter deposited in the post office on or before the last day, and the receipt therefor filed with the county auditor." In lines 14, 15, 16, and 17.

And when so amended recommend the same do pass.

REP. LEVIN, Chairman.

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

Mr. Speaker: Your Committee on Judiciary to whom was referred House Bill No. 10, have had the same under consideration and recommend that the same be amended as follows:

Number the lines of the typewritten bill and in line 28, strike cut the words and numerals fifty-five (55) and insert in lieu thereof the words and numerals sixty-five (65).

In line 7 after the word "nomination" add the following: "and not later than 5:00 o'clock p. m. on the seventieth (70) day".

In line 14 after the word "election" add "and not later than 5:00 o'clock p. m. on the twenty-fifth (25) day" and strike out the words "Certificates of nomination to be filed with the secretary of state may be sent by registered letter deposited in the post office on or before the last day, and the receipt therefor filed with the county auditor." in lines 14, 15, 16, and 17.

And when so amended recommend the same do pass.

REP. OHNSTAD, Chairman.

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

Mr. Speaker: Your Committee on Elections to whom was referred House Bill No. 11, have had the same under consideration and recommend that the same be amended as follows:

Number the lines of the typewritten bill and in line 6 strike out the words and numerals eighty (80) and insert the words and numerals ninety (90).

In line 28 strike out the words "Such names" and all of lines 29, 30, and 31.

And when so amended recommend the same do pass.

**REP. LEVIN**, Chairman.

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

Mr. Speaker: Your Committee on Judiciary to whom was referred House Bill No. 11, have had the same under consideration and recommend that the same be amended as follows:

Number the lines of the typewritten bill and in line 6 strike out the words and numerals eighty (80) and insert the words and numerals ninety (90).

In line 28 strike out the words "Such names" and all of lines 29, 30, and 31.

And when so amended recommend the same do pass.

REP. OHNSTAD, Chairman.

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

Mr. Speaker: Your Committee on Elections to whom was referred House Bill No. 12, have had the same under consideration and recommend that the same be amended as follows:

Number the lines of the typewritten bill and in line 25 after the word "voter" insert the words "of the precinct of which the candidate seeks to be elected".

And when so amended recommend the same do pass.

REP. LEVIN, Chairman.

Rep. Aker moved that the report be adopted, and the report was adopted.

Mr. Speaker: Your Committee on Judiciary to whom was referred House Bill No. 12, have had the same under consideration and recommend that the same be amended as follows:

Number the lines of the typewritten bill and in line 25 after the word "voter" insert the words "of the precinct of which the candidate seeks to be elected".

And when so amended recommend the same do pass.

## REP. OHNSTAD, Chairman.

Rep. Aker moved that the report be adopted.

Rep. Ohnstad moved to amend both committee amendments by changing the word "for" to "of", which motion prevailed. Rep. Aker moved that the Elections Committee report as

amended be adopted, which motion prevailed.

Rep. Aker moved that the Judiciary Committee report, as amended, be adopted, which motion prevailed.

Mr. Speaker: Your Committee on Judiciary to whom was referred House Bill No. 13, have had the same under consideration and recommend that the same do pass.

REP. OHNSTAD, Chairman.

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

Mr. Speaker: Your Committee on Elections to whom was referred House Bill No. 13, have had the same under consideration and recommend that the same do pass.

REP. LEVIN, Chairman.

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

Mr. Speaker: A minority of your Committee on Judiciary to whom was referred House Concurrent Resolution No. 1,

have had the same under consideration and recommend that the same be reported to the House with no recommendation.

F. J. GRAHAM BERNT ANDERSON J. N. MOLLET ALBERT SCHMALENBERGER WM. H. RETTKE HAROLD MORRISON REP. OHNSTAD, Chairman.

Rep. Graham moved that the report be adopted.

Mr. Speaker: A majority of your Committee on Judiciary to whom was referred House Concurrent Resolution No. 1, have had the same under consideration and recommend that the same be indefinitely postponed.

> A. H. NYSTROM H. W. McINNES HARRY KOLPIN M. S. AKER D. S. BLAIR MANFRED OHNSTAD LOUIS LEET W. H. SHURE A. R. BERGESEN ALVA WAMBHEIM

## REP. OHNSTAD, Chairman.

Rep. Ohnstad moved that the report be adopted.

Mr. Speaker: A majority of your Committee on Elections to whom was referred House Concurrent Resolution No. 1, have had the same under consideration and recommend that the same be indefinitely postponed.

> ELMER HEGGE A. H. NYSTROM L. K. MORLAND H. W. McINNES CARL ARNDT W. M. NELSON M. B. HOGOBOOM O. M. JOHNSON

REP. LEVIN, Chairman.

Rep. McInnes moved that the report be adopted.

Mr. Speaker: A minority of your Committee on Elections to whom was referred House Concurrent Resolution No. 1, have had the same under consideration and recommend that the same be reported to the house with no recommendation.

> T. O. ROHDE TONY STARCK PALMER LEVIN PETER PETERSON

REP. LEVIN, Chairman.

Rep. Levin moved that the report be adopted.

Rep. Graham moved that the reports of the minority be substituted for the reports of the majority, which motion prevailed.

A division was called for, which revealed 58 for and 43 against so the motion carried and House Concurrent Resolution No. 1 was returned to the House without recommendation.

Rep. Bolmeier moved that House Concurrent Resolution No. 1 be placed on the calendar, which motion prevailed and the Resolution was placed on the calendar.

# HOUSE COMMITTEE ON ENROLLMENT AND ENGROSSMENT

The Committee on Enrollment and Engrossment made the following report:

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

Joint Memorial Resolution "C."

And find the same correctly enrolled.

#### REP. MORLAND, Chairman.

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

Mr. Speaker: Your Committee on Employment submits the name of Barney Monahan of Bismarck as Proofreader and that he be listed on the payroll as of yesterday.

**REPS. DALZELL and LEVIN, Chairmen.** 

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

## ROLL CALL

The question being on the employment of Barney Monahan, the roll was called and there were ayes, 101; nays, 0; absent and not voting, 11.

Those voting in the affirmative were:

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

Absent and not voting:

Bauer Baumgartner Coghlan Hofstrand Jennings Johnson, Richland Olson, Bowman Runck

Saumur Welder Westby

So Barney Monahan was employed.

The Speaker administered the oath of office to Barney Monahan.

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

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

#### FIFTH DAY

Bismarck, March 23, 1944.

The House convened pursuant to adjournment, Speaker Beede presiding.

Prayer was offered by Father R. A. Feehan.

Roll call: All members were present except Reps. Olson of Bowman, Baumgartner, Hofstrand and Welder.

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

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

On page 47, line 15, Rep. Johnson of Rolette shown absent should be shown as being present.

And when so corrected recommends that the same be approved.

#### S. N. WELDER, Chairman.

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

Rep. Bergesen moved that the House recess for fifteen minutes, which motion prevailed.

The House re-convened pursuant to recess taken.

Presentation of Petitions and Communications.

Joint Resolution No. 4719 introduced in the 78th Congress by the Representatives from Vermont was read and referred to the Committee on Drainage and Irrigation.

## SECOND READING OF HOUSE BILLS

House Bill No. 6. A Bill for an Act Amending and Reenacting the Initiated Act Approved by the Electors of the State of North Dakota on November 8, 1932, Which Act Amended and Re-enacted Section 719 of the 192 Supplement to the Compiled Laws of the State of North Dakota for 1913, Relating to the Salaries of Judges of the Supreme Court of the State of North Dakota, and Providing for an Increase of Salaries for Said Supreme Court Judges from Five Thousand Dollars (\$5,000.00) to Five Thousand, Five Hundred Dollars (\$5,500.00) a Year; 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, 63; nays, 27; absent and not voting, 22.

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

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

Rep. Johnson of Cass moved that the vote by which House Bill No. 6 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Rep. Marks: "I want to vote 'No' on this Bill and have my remarks recorded in the Journal. We appropriate money for everybody but ourselves. The Supreme Court Judges know as well as we do what the salary is when they accept the endorsement for this office the same as the Legislators did, and therefore I vote 'No'."

Rep. Rethke: "This is not an emergency measure. I cannot see why it should come up at this Session, therefore I vote 'No'."

Rep. Morland moved that the rules be suspended and that House Bill No. 18 be considered properly engrossed, which motion prevailed.

House Bill No. 18. A Bill for an Act Authorizing Counties, Cities, Villages, School Districts and Townships to Invest Surpluses in Their General Fund in Bonds of the United States and the State of North Dakota; Declaring an Emergency.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 75; nays, 18; absent and not voting, 19.

Those voting in the affirmative were:

Inose voting in the	a ammative were:	
Aker	Haag	Nystrom
Allen, Pierce	Halcrow	Olson, Barnes
Anderson	Halvorson	Ohnstad
Bauer	Haugland	Ostgulen
Benno	Heckman	Peterson, Ransom
Bergesen	Hegge	Pyle
Bolmeier	Hildre	Rohrer
Boulden	Hogoboom	Sandness
Burau	Holm	Saumur
Bymers	Hovey	Schwartz
Callahan	Iszler	Schmalenberger
Carlson	Johnson, Richland	Sellens
Collette	Johnson, Rolette	Severson
Crockett	Kolpin	Sharpe
Dalzell	Langley	Stair
Devlin	Larson, Ward	Starck
Drovdal	Larson, Wells	Sticka
Ekren	Leet	Stormon
Fleck	Manstrom	Tuff
Forseth	Marks	Welk
Fraser	Moe	Westby
Fuglestad	Monson	Williams, Sargent
Gackle	Morland	Wolf, McIntosh
Gainor	Morrison	Wolf, Morton
Graham	Nelson	Mr. Speaker
Those voting in the	negative were:	
Allen, Grand Forks	Jennings	Mittag
Bagge	Johnson, Cass	Rettke
Braun	Levin	Shure
Bubel	Lillehaugen	Wambheim
Falconer	Lunde	Williams, Richland

McInnes

Haugen

Williams, Stutsm'n

Arndt	Fitch	Rohde
Baumgartner	Hofstrand	Runck
Belzer	Mollet	Sailer
Biella	Mortenson	Schnell
Blair	Olson, Bowman	Twichell
Coghlan	Peterson, Bottin'au	Welder
Dahlen	1 coci son, botom au	

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

Rep. Morland moved that the vote by which House Bill No. 18 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

House Bill No. 29. A Bill for an Act Making an Appropriation from the General Fund of the State to the Veterans Post War Rehabilitation Reserve Fund to Carry Out the Provisions of Chapter 180 of the Session Laws of 1943. Such Appropriation to Be in Addition Thereto; and Declaring an Emergency.

Was read the second time.

## ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 92; nays, 0; absent and not voting, 20.

Those	voting	in	the	affirmative	were:	
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Those voting in the	aillinative were.	
Aker	Halcrow	Nystrom
Allen, Grand Forks	Halvorson	Olson, Barnes
Allen, Pierce	Haugen	Ohnstad
Anderson	Haugland	Ostgulen
Bagge	Heckman	Peterson, Ransom
Bauer	Hegge	Pyle
Benno	Hildre	Rettke
Bergesen	Holm	Rohrer
Bolmeier	Hovey	Sandness
Boulden	Iszler	Saumur
Braun	Jennings	Schwartz
Bubel	Johnson, Cass	Schmalenberger
Burau	Johnson, Richland	Sellens
Bymers	Johnson, Rolette	Severson
Callahan	Kolpin	Sharpe
Carlson	Langley	Shure
Collette	Larson, Ward	Stair
Crockett	Larson, Wells	Starck
Dalzell	Leet	Sticka
Devlin	Levin .	Stormon
Drovdal	Lillehaugen	Tuff
Ekren	Lunde	Wambheim
Falconer	McInnes	Welk
Fleck	Manstrom	Westby
Forseth	Marks	Williams, Richland
Fraser	Mittag	Williams, Sargent
Fuglestad	Moe	Williams, Stutsm'n
Gackle	Monson	Wolf, McIntosh
Gainor	Morland	Wolf, Morton
Graham	Morrison	Mr. Speaker

Nelson

3

Haag

BaumgartnerHofstrandBelzerHogoboomBjellaMolletBlairMortensonCoghlanOlson, Bowman	Rohde Runck Sailer Schnell Twichell Welder
Dahlen Peterson, Bottin'au	

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

Rep. Lillehaugen moved that the vote by which House Bill No. 29 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

House Bill No. 17. A Bill for an Act Fixing the Salary of the State Tax Commissioner at Four Thousand Dollars (\$4,000.00) Per Annum, and Repealing All Acts or Parts of Acts in Conflict Herewith.

Was read the second time.

## ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 83; nays, 10; absent and not voting, 19.

Those voting in the affirmative were:

Those voting in th	e amrmative were:	
Aker	Graham	Morrison
Allen, Grand Forks	Haag	Nelson
Allen, Pierce	Halcrow	Nystrom
Anderson	Halvorson	Olson, Barnes
Bagge	Haugland	Ohnstad
Bauer	Heckman	Ostgulen
Benno	Hegge	Peterson, Ransom
Bergesen	Hildre	Pyle
Bolmeier	Hogoboom	Rohrer
Boulden	Holm	Sandness
Braun	Hovey	Saumur
Burau	Iszler	Schwartz
Bymers	Jennings	Schmalenberger
Callahan	Johnson, Cass	Sellens
Carlson	Johnson, Richland	Severson
Collette	Johnson, Rolette	Sharpe
Crockett	Kolpin	Shure
Dalzell	Langley	Starck
Devlin	Larson, Ward	Sticka
Drovdal	Larson, Wells	Stormon
Ekren	Leet	Wambheim
Falconer	Lunde	Welk
Fleck	McInnes	Westby
Forseth	Manstrom	Williams, Richland
Fraser	Mittag	Williams, Sargent
Fuglestad	Moe	Williams, Stutsm'n
Gackle	Monson	Wolf, Morton
Gainor	Morland	
Those voting in the	e negative were:	
Bubel	Marks	Tuff
Haugen	Rettke	Wolf, McIntosh
Levin	Stair	Mr. Speaker
Lillehaugen		÷
<b>J</b>		

Arndt	Fitch	Rohde
Baumgartner	Hofstrand	Runck
Belzer	$\mathbf{M}$ ollet	Sailer
Bjella	Mortenson	Schnell
Blair	Olson, Bowman	Twichell
Coghlan	Peterson, Bottin'au	Welder
Dahlen	,	

So the bill passed and the title was agreed to.

Rep. Allen of Grand Forks moved that the vote by which House Bill No. 17 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

At the request of Rep. Morland the amended bills were placed at the head of the calendar.

Rep. McInnes moved that the rules be suspended and House Bill No. 26 be considered properly engrossed and placed on second reading and final passage at this time, which motion prevailed.

House Bill No. 26. A Bill for an Act to Amend and Reenact Section 2486 of the 1925 Supplement to the 1913 Compiled Laws, as Amended by Chapter 118 of the 1943 Session Laws, Relating to Repairs of Existing Drains, and Declaring an Emergency.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 93; nays, 0; absent and not voting, 19.

Those voting in the affirmative were:

Those voting in the attituative were.				
Aker	Halvorson '	Nelson		
Allen, Grand Forks	Haugen	Nystrom		
Allen, Pierce	Haugland	Olson, Barnes		
Anderson	Heckman	Ohnstad		
Bagge	Hegge	Ostgulen		
Bauer	Hildre	Peterson, Ransom		
Benno •	Hogoboom	Pyle		
Bergesen	Holm	Rettke		
Bolmeier	Hovey	Rohrer		
Boulden	Iszler	Sandness		
Braun	Jennings	Saumur		
Bubel	Johnson, Cass	Schwartz		
Burau	Johnson, Richland	Schmalenberger		
Bymers	Johnson, Rolette	Sellens		
Callahan	Kolpin	Severson		
Carlson	Langley	Sharpe		
Collette	Larson, Ward	Shure		
Dalzell	Larson, Wells	Stair		
Devlin	Leet	Starck		
Drovdal	Levin	Sticka		
Ekren	Lillehaugen	Stormon		
Falconer	Lunde	Tuff		
Fleck	McInnes	Wambheim		
Forseth	Manstrom	Welk		
Fraser	Marks	Westby		
Fuglestad	Mittag	Williams, Richland		

Gackle	Moe	Williams, Sargent
Gainor	Monson	Williams, Stutsm'n
Graham	Morland	Wolf, McIntosh
Haag	Morrison	Wolf, Morton
Halcrow	Mortenson	Mr. Speaker
Absent and not v	oting:	-
Arndt	Dahlen	Rohde
Baumgartner	Fitch	Runck
Belzer	Hofstrand	Sailer
Bjella	Mollet	Schnell
Blair	Olson, Bowman	Twichell
Coghlan	Peterson, Bottin'au	Welder
Crockett		

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

Rep. Collette moved that the vote by which House Bill No. 26 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Rep. Johnson of Richland moved to amend House Bill No. 27 by inserting in the title after the word "law" the word and numerals "of 1913", which motion prevailed.

Rep. McInnes moved that the rules be suspended and House Bill No. 27 be considered properly engrossed and that it has again been read after the amendment and that it be placed on second reading and final passage, which motion prevailed.

Rep. Aker moved that the rules be suspended and House Bills Nos. 5, 8, 9, 10, 11 and 12 be considered properly engrossed and placed on second reading and final passage, which motion prevailed.

House Bill No. 27. A Bill for an Act to Amend and Reenact Section 2472 of the Compiled Laws Relating to Letting of Contracts by Board of Drain Commissioners, and Declaring an Emergency.

Was read the second time.

#### ROLL CALL

The question being on the final passage. of the bill, as amended, the roll was called and there were ayes, 103; nays, 0; absent and not voting, 9.

Those voting in the affirmative were:

Those voting in the		
Aker	Halcrow	Nystrom
Allen, Grand Forks	Halvorson	Olson, Barnes
Allen, Pierce	Haugen	Ohnstad
Anderson	Haugland	Ostgulen
Bagge	Heckman	Peterson, Bottin'au
Bauer	Hegge	Peterson, Ransom
Belzer	Hildre	$\mathbf{Pyle}$
Bergesen	Hogoboom	$\mathbf{Rettke}$
Blair	Holm	Rohrer
Bolmeier	Hovey	Runck
Boulden	Iszler	Sailer
Braun	Jennings	Sandness
Bubel	Johnson, Cass	Saumur
· Burau	Johnson, Richland	Schwartz
Bymers	Johnson, Rolette	Schmalenberger
Callahan	Kolpin	Schnell

#### THURSDAY, MARCH 23, 1944

Carlson Coghlan Collette Crockett Dahlen Dalzell Devlin Drovdal Ekren Falconer Fitch Fleck Forseth Fraser Fuglestad Gackle Gainor Graham Haag

Langley Larson, Ward Larson, Wells Leet Levin Lillehaugen Lunde McInnes Manstrom Marks Mittag Moe Mollet Monson Morland Morrison Mortenson Nelson

Sellens Severson Sharpe Shure Stair Starck Sticka Stormon Tuff Wambheim Welk Westby Williams, Richland Williams, Sargent Williams, Stutsm'n Wolf, McIntosh Wolf, Morton Mr. Speaker

Absent and not voting:

Arndt Bjella Rohde Baumgartner Hofstrand Twichell Benno Olson, Bowman Welder

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

Rep. Wambheim 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.

#### MESSAGE FROM THE SENATE

Senate Chamber,

#### Bismarck, March 23, 1944.

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 2. A Bill for an Act to Amend and Reenact Section 9498 of the 1913 Compiled Laws Prohibiting the Setting of Spring—or Other Gun or Trap or Device, Operated by Firing or Exploding of Gunpowder or Other Explosive; Providing Certain Exceptions, and Declaring an Emergency.

Senate Bill No. 5. A Bill for an Act Authorizing and Directing the State Health Department to Secure and Process Blood; to Store and Distribute Blood Plasma Free of Charge to the People of the State of North Dakota; Providing an Appropriation of \$10,000.00 Therefor; and Declaring an Emergency.

Senate Bill No. 8. A Bill for an Act Reappropriating Monies Heretofore Appropriated for Improvements and Repairs of the North Dakota Soldiers' Home at Lisbon, North Dakota, and Declaring an Emergency.

Senate Bill No. 10. A Bill for an Act Making an Appropriation to Pay the Per Diem of Examiners as Provided for in Chapter 155 of the Session Laws of 1943 and Declaring an Emergency.

Senate Bill No. 11. A Bill for an Act Making an Appropriation for the Payment of Premiums on Insurance Provided for in Chapter 152 of the Session Laws of 1943, and Declaring an Emergency. Senate Bill No. 12. A Bill for an Act Making an Appropriation for the Return of Assessments to State Institutions, State Departments, State Industries and Political Subdivisions for Assessments Paid by Them to the State Fire and Tornado Fund Contrary to the Provisions of Chapter 159 of the Session Laws of 1943.

Senate Bill No. 13. A Bill for an Act to Amend and Reenact Section 1, 13 and 19 of Chapter 159 of the Laws of 1943 (being Sections 26-2401, 26-2413 and 26-2419 of the Revised Code for 1943), defining the words "Commissioner", "Fund", "Political Subdivision", and "Permanent Contents" as Used in the State Fire and Tornado Fund Law; Providing for the Assessments to Be Made for Such Fund; and Providing the Method of Repair or Replacement of Destroyed Buildings, and Declaring an Emergency.

Senate Bill No. 14. A Bill for an Act to Amend and Reenact Subsection (1) of Section 287 of the Supplement to the Compiled Laws of North Dakota, as Amended by Chapter 215 of the Session Laws for 1929, Relating to the Investment of University and School Land Funds; and Providing that Monies So Invested Shall Bear Interest at the Rate of Three and One-half Percent Per Annum; and Declaring an Emergency.

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

#### W. J. TROUT, Secretary.

#### MESSAGES TO THE SENATE

House of Representatives,

Bismarck, March 23, 1944.

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

House Bill No. 6. A Bill for an Act Amending and Reenacting the Initiated Act Approved by the Electors of the State of North Dakota on November 8, 1932, Which Act Amended and Re-enacted Section 719 of the 192 Supplement to the Compiled Laws of the State of North Dakota for 1913, Relating to the Salaries of Judges of the Supreme Court of the State of North Dakota, and Providing for an Increase of Salaries for Said Supreme Court Judges from Five Thousand Dollars (\$5,000.00) to Five Thousand, Five Hundred Dollars (\$5,500.00) a Year; and Declaring an Emergency.

House Bill No. 29. A Bill for an Act Making an Appropriation from the General Fund of the State to the Veterans Post War Rehabilitation Reserve Fund to Carry Out the Provisions of Chapter 180 of the Session Laws of 1943, Such Appropriation to Be in Addition Thereto; and Declaring an Emergency.

House Bill No. 17. A Bill for an Act Fixing the Salary of the State Tax Commissioner at Four Thousand Dollars (\$4,000.00) Per Annum, and Repealing All Acts or Parts of Acts in Conflict Herewith.

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

W. M. SMART, Chief Clerk.

## House of Representatives,

Bismarck, March 23, 1944. Mr. Speaker: I have the honor to transmit herewith the following Resolutions:

Joint Memorial Resolutions A, B and C.

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

#### W. M. SMART, Chief Clerk.

#### SECOND READING OF HOUSE BILLS

House Bill No. 5. A Bill for an Act to Amend and Reenact Section 920 of the Compiled Laws of North Dakota for 1913, Relating to Certification by the Secretary of State to County Auditors of a Certified List of Names and Addresses of Candidates at the Primary Election, and Declaring an Emergency.

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, 104; nays, 0; absent and not voting, 8.

#### ROLL CALL

Those voting in the affirmative were:

Graham

Aker Allen, Grand Forks Allen, Pierce Anderson Arndt Bagge Bauer Belzer Benno Bergesen Blair Bolmeier Boulden Braun Bubel Burau Bymers Callahan Carlson Coghlan Collette Crockett Dahlen Dalzell Devlin Drovdal Ekren Falconer Fitch Fleck Forseth Fraser Fuglestad Gackle Gainor

Haag Halcrow Halvorson Haugen Haugland Heckman Hegge Hildre Hogoboom Holm Hovey Iszler Jennings Johnson, Richland Johnson, Rolette Kolpin Langley Larson, Ward Larson, Wells Leet Levin Lillehaugen Lunde **McInnes** Manstrom Marks Mittag Moe Mollet Monson Morland Morrison Mortenson Nelson

Nystrom Olson. Barnes Ohnstad Ostgulen Peterson, Bottin'au Peterson, Ransom Pyle Rettke Rohde Rohrer Runck Sandness Saumur Schwartz Schmalenberger Schnell Sellens Severson Sharpe Shure Stair Starck Sticka Stormon Tuff Wambheim Welk Westby Williams, Richland Williams, Sargent Williams, Stutsm'n Wolf, McIntosh Wolf, Morton Mr. Speaker

Baumgartner	Johnson, Cass
Bjella	Olson, Bowman
Hofstrand	Sailer

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

Twichell Welder

Rep. Leet moved that the vote by which House Bill No. 5 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 8. A Bill for an Act to Amend and Reenact Section 979 of the Compiled Laws of North Dakota for 1913, Relating to Certification by Secretary of State to County Auditors of Proposed Constitutional Amendment and Publication for Same in the Several Counties of the State; and Declaring an Emergency.

Was read the second time.

### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 104; nays, 0; absent and not voting, 8.

Those voting in the affirmative were:

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

Nelson

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Gainor

Baumgartner	Johnson, Cass	Twichell
Bjella	Olson, Bowman	$\mathbf{Welder}$
Hofstrand	Rettke	

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

Rep. Morland moved that the vote by which House Bill No. 8 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Rep. Aker moved to amend House Bill No. 9 on line 11, page 2 by inserting the words "air mail" after the word return, which motion prevailed.

Rep. Morland moved that the rules be suspended and that House Bill No. 9 be considered properly engrossed and that it had again been read after the amendment and that it be now placed on second reading and final passage, which motion prevailed.

House Bill No. 9. A Bill for an Act to Amend and Reenact Sections 1002a3 and 1002a4 of the Supplement to the Compiled Laws of North Dakota for 1913, Relating to Absent Voters' Ballots for Voters 'Not in the County on Election Day and Serving in the Armed Forces of the United States, Declaring an Emergency.

## ROLL CALL

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, 100; nays, 1; absent and not voting, 11.

Those voting in the	e affirmative were:	
Aker	Graham	Nelson
Allen, Grand Forks	Haag	Nystrom
Allen, Pierce	Halerow	Olson, Barnes
Anderson	Halvorson	Ohnstad
Arndt	Haugen	Ostgulen
Bagge	Haugland	Peterson, Bottin'au
Bauer	Heckman	Peterson, Ransom
Belzer	Hegge	Pyle
Benno	Hildre	Rettke
Bergesen	Hogoboom	Rohde
Blair	Holm	Rohrer
Bolmeier	Hovey	Runck
Boulden	Iszler	Sailer •
Braun	Jennings	Saumur
Bubel	Johnson, Richland	Schwartz
Burau	Johnson, Rolette	Schmalenberger
Bymers	Kolpin	Schnell
Callahan	Langley	Sellens
Carlson	Larson, Ward	Severson
Coghlan	Larson, Wells	Sharpe
Collette	Leet	Shure
Crockett	Levin	Stair
Dahlen	Lillehaugen	Starck
Dalzell	Lunde	Sticka
Devlin	McInnes	Stormon
Drovdal	Manstrom	Tuff
Ekren	Marks	Wambheim

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Falconer Fitch Fleck Fraser Fuglestad Gackle Gainor Mittag Mollet Monson Morland Morrison Mortenson Welk Westby Williams, Stutsm'n Wolf, McIntosh Wolf, Morton Mr. Speaker

Those voting in the negative were: Moe

•Absent and not voting:

Baumgartner	Johnson, Cass	Welder
Bjella	Olson, Bowman	Williams, Richland
Forseth Hofstrand	Sandness Twichell	Williams, Sargent

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

Rep. Boulden moved that the vote by which House Bill No. 9 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

#### FIRST READING OF SENATE BILLS

Senate Bill No. 2. A Bill for an Act to Amend and Reenact Section 9498 of the 1913 Compiled Laws Prohibiting the Setting of Spring—or Other Gun or Trap or Device, Operated by Firing or Exploding of Gunpowder or Other Explosive; Providing Certain Exceptions, and Declaring an Emergency.

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

Senate Bill No. 5. A Bill for an Act Authorizing and Directing the State Health Department to Secure and Process Blood; to Store and Distribute Blood Plasma Free of Charge to the People of the State of North Dakota; Providing an Appropriation of \$10,000.00 Therefor; and Declaring an Emergency.

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

Senate Bill No. 8. A Bill for an Act Reappropriating Monies Heretofore Appropriated for Improvements and Repairs of the North Dakota Soldiers' Home at Lisbon, North Dakota, and Declaring an Emergency.

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

Senate Bill No. 10. A Bill for an Act Making an Appropriation to Pay the Per Diem of Examiners as Provided for in Chapter 155 of the Session Laws of 1943 and Declaring an Emergency.

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

Senate Bill No. 11. A Bill for an Act Making an Appropriation for the Payment of Premiums on Insurance Provided for in Chapter 152 of the Session Laws of 1943, and Declaring an Emergency.

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

Senate Bill No. 12. A Bill for an Act Making an Appropriation for the Return of Assessments to State Institutions, State Departments, State Industries. and Political Subdivisions for Assessments Paid by Them to the State Fire and Tornado Fund Contrary to the Provisions of Chapter 159 of the Session Laws of 1943.

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

Senate Bill No. 13. A Bill for an Act to Amend and Reenact Section 1, 13 and 19 of Chapter 159 of the Laws of 1943 (being Sections 26-2401, 26-2413 and 26-2419 of the Revised Code for 1943), defining the words "Commissioner", "Fund", "Political Subdivision", and "Permanent Contents" as Used in the State Fire and Tornado Fund Law; Providing for the Assessments to Be Made for Such Fund; and Providing the Method of Repair or Replacement of Destroyed Buildings, and Declaring an Emergency.

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

Senate Bill No. 14. A Bill for an Act to Amend and Reenact Subsection (1) of Section 287 of the Supplement to the Compiled Laws of North Dakota, as Amended by Chapter 215 of the Session Laws for 1929, Relating to the Investment of University and School Land Funds; and Providing that Monies So Invested Shall Bear Interest at the Rate of Three and One-half Percent Per Annum; and Declaring an Emergency.

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

Rep. Bergeson moved that the House recess until 7:30 o'clock p. m., tonight, which motion prevailed.

The House re-convened at 7:30 o'clock p. m., pursuant to recess taken. Speaker Beede presiding.

The Speaker called the attention of the House to the fact that House Bill No. 6 which received 63 votes for and 27 against, was an act amending an initiative measure and which required a two-thirds majority of the members so in effect the bill failed of passage.

Rep. Graham moved that the House request the return from the Senate of House Bill No. 6, which motion prevailed.

Rep. Graham moved to further amend House Bill No. 10 by inserting after the word election line 10, page 2, the following: "and not later than 5:00 p. m."

Also in line 14 insert between the word election and the period, "and not later than 5:00 p. m.," which motion prevailed.

Rep. Morland moved that the rules be suspended and House Bill No. 10 be considered properly re-engrossed, that it has ' been read again and that it be placed on second reading and final passage at this time, which motion prevailed.

#### SECOND READING OF HOUSE BILLS

House Bill No. 10. A Bill for an Act to Amend and Reenact Sections 973 and 974 of the 1925 Supplement to the Compiled Laws of North Dakota for 1913, Relating to the Time of Certification of Nomination to Be Filed with the Secretary of State and Certificates of Nomination to Be Filed with the County Auditors; Certification by the Secretary of State to County Auditors, and Declaring an Emergency.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 96; nays, 0; absent and not voting, 16.

Those voting in the affirmative were:

Aker	Gainor	Morrison
Allen, Grand Forks	Graham	Mortenson
Allen, Pierce	Haag	Nelson
Anderson	Halcrow	Nystrom
Arndt	Halvorson	Ostgulen
Bagge	Haugen	Peterson, Bottin'au
Bauer	Haugland	Peterson, Ransom
Belzer	Heckman	Pyle
Benno	Hegge	Rettke
Bergesen	Hildre	Rohrer
Bjella	Hofstrand	Runck
Blair	Hogoboom	Sandness
Boulden	Holm	Saumur
Braun	Hovey	Schwartz
Bubel	Iszler	Schmalenberger
Burau	Jennings	Schnell
Bymers	Johnson, Cass	Sellens
Callahan	Johnson, Rolette	Severson
Carlson	Kolpin	Sharpe
Coghlan	Langley	Shure
	Larson, Ward	Stair
Crockett	Larson, Wells	Starck
Dahlen	Leet	Sticka
Dalzell	Levin	Stormon
Devlin	Lillehaugen	Tuff
Drovdal	McInnes	Wambheim
Ekren	Manstrom	Welk
Falconer	Marks	$\mathbf{Westby}$
Forseth	Mittag	Williams, Stutsm'n
Fraser	Moe	Wolf, McIntosh
Fuglestad	Monson	Wolf, Morton
Gackle	Morland	Mr. Speaker
Absent and not voti	ng:	
Baumgartner	Mollet	Twichell
Bolmeier	Olson, Barnes	Welder
Fitch	Olson, Bowman	Williams, Richland
Fleck	Ohnstad	Williams, Sargent
Johnson, Richland	Rohde	, 8
Lunde	Sailer	

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

Rep. Welk moved that the vote by which House Bill No. 10 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 11. A Bill for an Act Amending and Reenacting Section 854 of the 1925 Supplement to the Compiled Laws of North Dakota for 1913, as Amended by Chap-

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### ter 139 of the Session Laws of 1931, Relating to the Obtaining and Filing of Petitions for County Officers, County Commissioners and Legislative Candidates, Filing Fees 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, 98; nays, 0; absent and not voting, 14.

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

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

Sailer

Mollet

Rep. Sticka moved that the vote by which House Bill No. 11 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 12. A Bill for an Act to Amend and Reenact Sections 1 and 3 of Chapter 135 of the Session Laws of 1935, Fixing Time for the Primary Election, for the Election of Precinct Committeemen 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 a yes, 99; nays, 0; absent and not voting, 13.

Those voting in the affirmative were:

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

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

Rep. Dahlen moved that the vote by which House Bill No. 12 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 20. A Bill for an Act to Amend and Reenact Section 11 and Section 13 of Chapter 269 of the Session Laws of 1943, Relating to Veterans Aid Commission, and Increasing the Amount Which May Be Expended by the Commission, and Providing for Compensation for the Mem-

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bers of the Commission and Providing for Compensation for the Executive Secretary of the Commission; and Declaring an Emergency.

Was read the second time.

## ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 98; nays, 2; absent and not , voting, 12.

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

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

Rep. Crockett moved that the vote by which House Bill No. 20 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 24. A Bill for an Act Authorizing the Board of County Commissioners to Appoint, Employ, and Pay a County Veterans' Service Officer to Assist Returning Members of the Armed Forces in the Solution of Their Problems.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 103; nays, 0; absent and not votign, 9.

Those voting in the affirmative were:

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

Absent and not voting:

BaumgartnerMolletTwichellHeggeOlson, BowmanWelderJohnson, RichlandRohdeWilliams, Richland

So the bill passed and the title was agreed to. Rep. Shure moved that the vote by which House Bill No. 24 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Rep. Bauer: "I would like to explain my vote and have my remarks placed in the Journal. It has been my one great regret in this life that I could not be a serviceman. I made three trips to Chicago during the last war to try to join the army but they said my teeth were too bad. I tried to explain to them that I wanted to shoot my relatives over there but they wouldn't listen to me. There is nothing too good for the serviceman and I want to vote Aye."

House Bill No. 2. A Bill for an Act to Amend and Reenact Section 853 of the Compiled Laws of North Dakota for 1913, Relating to the Obtaining and Filing of Petitions of Candidates for United States Senate, Members of Congress, State Officers, Judges of the Supreme and District Courts, and Declaring an Emergency.

Was read the second time.

## ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 105; nays, 0; absent and not voting ,7.

Those voting in the affirmative were:

Those voting in the	attitimative were.	
Aker	Gainor	Mortenson
Allen, Grand Forks	Graham	Nelson
Allen, Pierce	Haag	Nystrom
Anderson	Halcrow	Olson, Barnes
Arndt	Halvorson	Ohnstad
Bagge	Haugen	Ostgulen
Bauer	Haugland	Peterson, Bottin'au
Belzer	Heckman	Peterson, Ransom
Benno	Hegge .	Pyle
Bergesen	Hildre	Rettke
Bjella	Hofstrand	Rohrer
Blair	Hogoboom	Runck
Bolmeier	Holm	Sailer
Boulden	Hovey	Sandness
Braun	Iszler	Saumur
Bubel	Jennings	Schwartz
Burau	Johnson, Cass	Schmalenberger
Bymers	Johnson, Richland	
Callahan	Johnson, Rolette	Sellens
Carlson	Kolpin	Severson
Coghlan	Langley	Sharpe
Collette	Larson, Ward	Shure
Crockett	Larson, Wells	Stair
Dahlen-	Leet	Starck
Dalzell	Levin	Sticka
Devlin	Lillehaugen	Stormon
Drovdal	Lunde	Tuff
Ekren	McInnes	Wambheim
Falconer	Manstrom	Welk
Fitch	Marks	Westby
Fleck	Mittag	Williams, Sargent
Forseth	Moe	Williams, Stutsm'n
Fraser	Monson	Wolf, McIntosh
Fuglestad	Morland	Wolf, Morton
Gackle	Morrison	Mr. Speaker
Absent and not voti		· · · · · · · · · · · · · · · · · · ·
Baumgartner	Rohde	Welder
Mollet	Twichell	Williams, Richland
Olson, Bowman	T WALKEN	winamo, wiemanu
5-50m 200 W minum		

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

Rep. Moe moved that the vote by which House Bill No. 2 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Rep. Bergeson moved to amend House Bill No. 3 by inserting after the word "service" where it appears in lines 8, 22, 63 and 68, and the words, "or the merchant marine," which motion prevailed.

Rep. Morland moved that the rules be suspended and House Bill No. 3 be reconsidered properly re-engrossed, that it has been read again and that it be placed on second reading and final passage at this time, which motion prevailed.

final passage at this time, which motion prevailed. House Bill No. 3. A Bill for an Act to Amend and Reenact Sections 992, 993 and 995 of the Compiled Laws of North Dakota for 1913, as Amended by Chapter 148 of the Session Laws of 1941, Repealing Sections 1002a1, 1002a2, 1002a5 of the 1925 Supplement to the Compiled Laws of North Dakota for 1913; Declaring an Emergency

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 104; nays, 0; absent and not voting, 8.

Those voting in the affirmative were:

Aker Allen, Grand Forks Allen, Pierce Anderson Arndt Bagge Belzer Benno Bergesen Bjella Blair Bolmeier Boulden Braun Bubel Burau Bymers Callahan Carlson Coghlan Collette Crockett Dahlen Dalzell Devlin Drovdal Ekren Falconer Fitch Fleck Forseth Fraser Fuglestad Gackle Gainor

Graham Haag Halcrow Halvorson Haugen Haugland Heckman Hegge Hildre Hofstrand Hogoboom Holm Hovey Iszler Jennings Johnson, Cass Johnson, Richland Johnson, Rolette Kolpin Langley Larson, Ward Larson, Wells Leet Levin Lillehaugen Lunde McInnes Manstrom Marks Mittag Moe Monson Morland Morrison Mortenson

Nystrom Olson, Barnes Ohnstad Ostgulen Peterson, Bottin'au Peterson, Ransom Pyle Rettke Rohrer Runck Sailer Sandness Saumur Schwartz Schmalenberger Schnell Sellens Severson Sharpe Shure Stair Starck Sticka Stormon Tuff Wambheim Welk Westby Williams, Sargent Williams, Stutsm'n Wolf, McIntosh Wolf, Morton Mr. Speaker

Nelson

Mollet Twichell	Bauer Baumgartner Mollet	Olson, Bowman Rohde Twichell	Welder Williams, Richland
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So the bill passed as amended and the title was agreed to, and the emergency clause was declared carried.

Rep. Morland moved that the vote by which House Bill No. 3 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 4. A Bill for an Act to Amend and Reenact Section 1003 of the 1925 Supplement to the Compiled Laws of North Dakota for 1913, Relating to the Duties of the Secretary of State, County Auditor or any Other Officer by Law Required to Prepare General or Primary Election Ballots; Fixing Time When Said Ballots Are to Be Prepared; Declaring an Emergency.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 105; nays, 0; absent and not voting, 7.

Those voting in the affirmative were:

Aker Allen, Grand Forks Allen, Pierce Anderson Arndt Bagge Bauer Belzer Benno Bergesen Bjella Blair Bolmeier Boulden Braun Bubel Burau Bymers Callahan Carlson Coghlan Collette Crockett Dahlen Dalzell Devlin Drovdal Ekren Falconer Fitch Fleck Forseth Fraser Fuglestad Gackle

Gainor Graham Haag Halcrow Halvorson Haugen Haugland Heckman Hegge Hildre Hofstrand Hogoboom Holm Hovey Iszler, Jennings Johnson, Cass Johnson, Rolette Kolpin Langley Larson, Ward Larson, Wells Leet Levin Lillehaugen Lunde McInnes Manstrom Marks Mittag Moe Monson Morland Morrison Mortenson

Nelson Nystrom Olson, Barnes Ohnstad Ostgulen Peterson, Bottin'au Peterson, Ransom Pyle Rettke Rohrer Runck Sailer Sandness Saumur Schwartz Schmalenberger Schnell Sellens Severson Sharpe Shure Stair Starck Sticka Stormon Tuff Wambheim Welder Welk Westby Williams, Sargent Williams, Stutsm'n Wolf, McIntosh Wolf, Morton Mr. Speaker

Baumgartner Olson, Bowman Johnson, Richland Rohde Mollet Twichell Williams, Richland

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

Rep. Morland moved that the vote by which House Bill No. 4 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 7. A Bill for an Act to Amend and Reenact Chapter 138 of the Session Laws of 1939, Relating to Filing of Vacancies of Elective County Officers, Superintendent of Schools, and County Commissioners on the Noparty Ballot; Declaring an Emergency.

Was read the second time.

## ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 105; nays, 0; absent and not voting, 7.

Those	voting	in	the	affirmative	were:	
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Gainor

Haag

Graham

Halcrow

Halvorson

Aker Allen, Grand Forks Allen, Pierce Anderson Arndt Bagge Bauer Belzer Benno Bergesen Bjella Blair Bolmeier Boulden Braun Bubel Burau **Bymers** Callahan Carlson Coghlan Collette Crockett Dahlen Dalzell Devlin Drovdal Ekren Falconer Fitch Fleck Forseth Fraser Fuglestad Gackle

Haugen Haugland Heckman Hegge Hildre Hofstrand Hogoboom Holm Hovey Iszler Jennings Johnson, Cass Johnson, Richland Johnson, Rolette Kolpin Langley Larson, Ward Larson, Wells Leet Levin Lillehaugen Lunde McInnes Manstrom Marks Mittag Moe Monson Morland Morrison

Mortenson Nelson Nystrom Olson, Barnes Ohnstad Ostgulen Peterson, Bottin'au Peterson, Ransom Pyle Rettke Rohrer Runck Sailer Sandness Saumur Schwartz Schmalenberger Schnell Sellens Severson Sharpe Shure Stair Starck Sticka Stormon Tuff Wambheim Welk Westby Williams, Sargent Williams, Stutsm'n Wolf, McIntosh Wolf, Morton Mr. Speaker

#### Absent and not voting: Baumgartner Rohde Mollet Twichell Olson, Bowman

## Welder Williams, Richland

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

Rep. Dahlen moved that the vote by which Bill No. 7 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 13. A Bill for an Act to Amend and Re-House Bill No. 15. A Bill for an Act to America and inc-enact Section 976 of the Compiled Laws of North Dakota for 1913, Relating to Withdrawal of Nominees from Public Office as Candidates; Fixing Time Within Which Such Withdrawal May Be Made; Declaring an Emergency.

Was read the second time.

## ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 105; nays, 0; absent and not voting. 7.

Those voting in the affirmative were: Aker Allen, Grand Forks Allen, Pierce Anderson Arndt Bagge Bauer Belzer Benno Bergesen Bjella Blair Bolmeier Boulden Braun Bubel Burau **B**vmers Callahan Carlson Coghlan Collette Crockett Dahlen Dalzell Devlin Drovdal Ekren Falconer Fitch Fleck Forseth ▼raser Fuglestad Gackle

Gainor Graham Haag Halcrow Halvorson Haugen Haugland Heckman Hegge Hildre Hofstrand Hogoboom Holm Hovey Iszler Jennings Johnson, Cass Johnson, Richland Johnson, Rolette Kolpin Langley Larson, Ward Larson, Wells Leet Levin Lillehaugen Lunde McInnes Manstrom Marks Mittag Moe Monson Morland Morrison

Mortenson Nelson Nystrom Olson, Barnes Ohnstad Ostgulen Peterson, Bottin'au Peterson, Ransom Pyle Rettke Rohrer Runck Sailer Sandness Saumur Schwartz Schmalenberger Schnell Sellens Severson Sharpe Shure Stair Starck Sticka Stormon Tuff Wambheim Welk Westby Williams, Sargent Williams, Stutsm'n Wolf, McIntosh Wolf, Morton Mr. Speaker

## Baumgartner Rohde Mollet Twichell

Welder Williams, Richland

Olson, Bowman

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

Rep. Sticka 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.

Rep. Graham moved to amend House Concurrent Resolution No. I by striking out everything after the number I and insert in lieu thereof the following:

#### Introduced by Rep. Graham

BE IT RESOLVED by the House of Representatives of the extraordinary session of the Legislative Assembly of North Dakota, the Senate concurring therein, that the following proposed amendment of Article 37 of the Amendments to the Constitution of North Dakota, is agreed to and shall be submitted to the qualified electors of North Dakota for approval or rejection at the primary election in June, 1944, in accordance with the provisions of 1202 of the North Dakota Constitution.

AMENDMENT) ARTICLE 37, 1121. Every person of the age of 18 years or upwards, belonging to either of the following classes who shall have resided in state one year and in the county ninety days and in the precinct thirty days next preceding any election shall be a qualified elector at such election. First, citizens of the United States; second, civilized persons of Indian descent who have severed their tribal relations two years next preceding such election.

Rep. Morland offered as a substitute amendment to House Concurrent Resolution No. 1, first, change the word "Senate" to "House" in the first line of paragraph four. Second, and the fifth paragraph shall read: Every person of the age of eighteen years who is possessed of the residence qualification in Article 37 of the Amendments to the Constitution of North Dakota, and who is or has been serving in the armed forces of the United States, shall be a qualified elector at any election in any special, primary or general election in this State.

The provisions of this amendment shall be in force from and after its approval.

Rep. Bauer moved that the substitute amendment of Rep. Morland be laid on the table.

The Speaker ruled that that would include laying the Resolution itself on the table.

Which motion prevailed on a rising vote.

A roll call was requested and granted.

#### ROLL CALL

The question being on the motion of Rep. Bauer, the roll was called and there were ayes, 47; nays, 57; absent and not voting, 8.

AkerDalzellAllen, Grand ForksFitchAllen, PierceFuglestadArndtGainor

Monson Nelson Nystrom Olson, Barnes

## THURSDAY, MARCH 23, 1944

Halcrow

Bagge Bauer Belzer Benno Bergesen Blair Boulden Callahan Callahan Callahan Coghlan Coghlan

Dahlen

Hegge Hildre Hofstrand Hogoboom Hovey Johnson, Cass Johnson, Rolette Langley Lillehaugen McInnes <sup>-</sup> Manstrom

Those voting in the negative were: Anderson Haugland Biella Heckman Bolmeier Holm Braun Iszler Bubel Jennings Burau Johnson, Richland **B**vmers Kolpin Larson, Ward Crockett Devlin Larson. Wells Drovdal Leet Ekren Levin Falconer Lunde Forseth Marks Fraser Mittag Gackle Moe Graham Morland Haag Morrison Halvorson Mortenson Haugen Ohnstad

Peterson, Ransom Rohrer Sailer Sandness Saumur Sellens Shure Wambheim Westby Williams, Sargent Williams, Stutsm'n

Ostgulen Peterson, Bottin'au Pvle Rettke Runck Schwartz Schmalenberger Schnell Severson Sharpe Stair Starck Sticka Stormon Tuff Welk Wolf, McIntosh Wolf, Morton Mr. Speaker

Absent and not voting:

Baumgartner Fleck Mollet Olson, Bowman Rohde Twichell

Welder Williams, Richland

So the motion was declared lost.

Rep. Bymers: "I wish to explain my vote. I am voting 'No' because I think it is a duty of this assembly to give the people an opportunity to decide an issue as vital as this. Therefore, I vote 'No'."

Rep. Falconer: "I am voting 'No' because I am fully aware that under our American system of government, that with every responsibility should come privileges and with every privilege should come responsibilities. I think if the man is man enough to take his place on the battle line, he is man enough to cast his ballot."

Rep. Graham: "I am voting 'No' because I believe it is the duty of this body to present this Resolution to the people of North Dakota at the primary election in June so they may pass individual judgment as to whether or not those of eighteen years of age or upwards are entitled to the ballot as well as doing the fighting."

The question was on the motion of Rep. Graham to amend House Concurrent Resolution No. 1, which motion prevailed and the amendment was adopted.

Rep. Graham moved that the rules be suspended and House Concurrent Resolution No. 1 be considered properly reengrossed, that it has been read again and that it be placed on second reading and final passage at this time, which motion prevailed.

House Concurrent Resolution No. 1.

Was read the second time.

The question being on the final passage of the Resolution, as amended, the roll was called and there were ayes, 57; nays, 47; absent and not voting, 8.

## ROLL CALL

Those voting in the	affirmative were:	-
Allen, Pierce	Haag	Ohnstad
Anderson	Halvorson	Ostgulen
Arndt	Haugland	Peterson, Bottin'au
Belzer	Heckman	Pyle
Bjella	Holm	Rettke
Blair	Iszler	Runck
Bolmeier	Johnson, Richland	Schwartz
Bubel	Kolpin .	Schmalenberger
Burau	Langley	Schnell
Bymers	Larson, Ward	Severson
Coghlan	Larson, Wells	Sharpe
Crockett	Leet	Stair
Dahlen	Levin	Starck
Devlin	Lunde	Sticka
Drovdal	Marks	Stormon
Ekren	Mittag	Tuff
Falconer	Morland	Welk
Forseth	Morrison	Wolf, McIntosh
Fraser	Mortenson	Wolf, Morton
Graham .		
Those voting in the	negative were:	
Aker	Halcrow	Nelson
Allen, Grand Forks	Haugen	Nystrom
Bagge	Hegge	Olson, Barnes
Bauer	Hildre	Peterson, Ransom
Benno	Hofstrand	Rohrer
Bergesen	Hogoboom	Sailer
Boulden	Hovey	Sandness
Braun	Jennings	Saumur
Callahan	Johnson, Cass	Sellens
Carlson	Johnson, Rolette	Shure
Collette	Lillehaugen	Wambheim
Dalzell	McInnes	Westby
Fitch	Manstrom	Williams, Sargent

Absent and not voting:

Fuglestad

Gackle

Gainor

Baumgartner	Olson, Bowman	Welder
Fleck	Rohde	Williams, Richland
Mollet	Twichell	2

Monson

Moe

So the Resolution, as amended, was passed and the title was agreed to.

Mr. Speaker

Williams, Stutsm'n

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

## THURSDAY, MARCH 23, 1944

## REPORT OF STANDING COMMITTEE

Mr. Speaker: Your Committee on Appropriations to whom was referred Senate Bill No. 1, have had the same under consideration and recommend that the same do pass.

REP. JOHNSON of Cass, Chairman.

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

Rep. Bergesen moved that any House Bills which have not been reported in by their respective committees by 1:00 o'clock p. m., tomorrow, be considered as before the House for action. That is, as to whether they shall or shall not go upon the calendar. Which motion prevailed.

Rep. Graham moved that the House do now recess until 12:55 o'clock p. m., tomorrow, which motion prevailed.

W. M. SMART, Chief Clerk.

## JOURNAL OF THE HOUSE

# FIFTH DAY AFTER RECESS AND THE SIXTH DAY

## Bismarck, March 24, 1944.

The House convened at 12:55 p. m., pursuant to recess taken, Speaker Beede presiding.

#### **REPORT OF STANDING COMMITTEE**

Mr. Speaker: Your Committee on Insurance to whom was referred House Bill No. 30, have had the same under consideration and recommend that the same be returned without recommendation.

## REP. PETERSON of Bottineau, Chairman.

Rep. Sailer moved that the report be adopted.

Rep. Morland offered as a substitute motion that further consideration of House Bill No. 30 be indefinitely postponed, which motion prevailed.

Rep. Graham moved that the vote by which House Bill No. 30 was indefinitely postponed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Mr. Speaker: Your Committee on Insurance to whom was referred House Bill No. 21, have had the same under consideration and recommend that the same be returned without recommendation.

**REP. PETERSON of Bottineau, Chairman.** 

Rep. Sailer moved that the report be adopted.

Rep. Graham offered as a substitute motion that further action on House Bill No. 21 be indefinitely postponed, which motion prevailed.

Rep. Morland moved that the vote by which House Bill No. 21 was indefinitely postponed be reconsidered, and the motion to reconsider be laid on the table, which motion prevailed.

Mr. Speaker: Your Committee on Insurance to whom was referred House Bill No. 25, have had the same under consideration and recommend that the same do pass.

REP. PETERSON of Bottineau, Chairman.

Rep. Blair moved that the report be adopted.

Rep. Graham offered as a substitute motion that further action on House Bill No. 25 be indefinitely postponed, which motion prevailed.

A Roll Call was requested and granted.

## FRIDAY, MARCH 24, 1944

## ROLL CALL

The question being on the motion of Rep. Graham, the roll was called and there were ayes, 76; nays, 30; absent and not voting, 6.

Haugen

Those voting in the affirmative were:

Aker

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

Absent and not voting: Allen, Grand Forks Forseth

Ekren

Twichell Welder

Ostgulen

Olson, Bowman So the motion was carried and House Bill No. 25 was indefinitely postponed.

Rep. Graham moved that the vote by which House Bill No. 25 was indefinitely postponed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

## MESSAGE TO THE SENATE

Mr. President: I have the honor to request that you return: House Bill No. 6. A Bill for an Act Amending and Reenacting the Initiated Act Approved by the Electors of the State of North Dakota on November 8, 1932, Which Act Amended and Re-enacted Section 719 of the 1925 Supplement to the Compiled Laws of the State of North Dakota for 1913, Relating to the Salaries of Judges of the Supreme Court of the State of North Dakota, and Providing for an Increase of Salaries for Said Supreme Court Judges from Five Thousand Dollars (\$5,000.00) to Five Thousand, Five Hundred Dollars (\$5,500.00) a Year; and Declaring an Emergency.

Which failed to receive the necessary two-thirds majority. W. M. SMART, Chief Clerk.

## **REPORT OF STANDING COMMITTEE**

Mr. Speaker: Your Committee on Insurance to whom was referred House Bill No. 22, have had the same under consideration and recommend that the same be returned without recommendation.

#### REP. PETERSON of Bottineau, Chairman.

Rep. Sailer moved that the report be adopted.

Rep. Graham offered as a substitute motion that House Bill No. 22 be indefinitely postponed, which motion prevailed.

Rep. Rohde moved that the vote by which House Bill No. 22 was indefinitely postponed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Mr. Speaker: Your Committee on Insurance to whom was referred House Bill No. 28, have had the same under consideration and recommend that the same be returned without recommendation.

#### REP. PETERSON of Bottineau, Chairman.

Rep. Sailer moved that the report be adopted.

Rep Schnell offered as a substitute motion that House Bill No. 28 be indefinitely postponed, which motion prevailed.

Rep. Schnell moved that the vote by which House Bill No. 28 was indefinitely postponed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

#### MESSAGE TO THE SENATE

Senate Chamber,

#### Bismarck, March 24, 1944.

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

House Bill No. 20. A Bill for an Act to Amend and Reenact Section 11 and Section 13 of Chapter 269 of the Session Laws of 1943, Relating to Veterans Aid Commission, and Increasing the Amount Which May Be Expended by the Commission, and Providing for Compensation for the Members of the Commission and Providing for Compensation for the Executive Secretary of the Commission; and Declaring an Emergency.

House Bill No. 24. A Bill for an Act Authorizing the Board of County Commissioners to Appoint, Employ, and Pay a County Veterans' Service Officer to Assist Returning Members of the Armed Forces in the Solution of Their Problems.

House Bill No. 2. A Bill for an Act to Amend and Reenact Section 853 of the Compiled Laws of North Dakota for 1913, Relating to the Obtaining and Filing of Petitions of Candidates for United States Senate, Members of Congress, State Officers, Judges of the Supreme and District Courts, and Declaring an Emergency.

House Bill No. 4. A Bill for an Act to Amend and Reenact Section 1003 of the 1925 Supplement to the Compiled Laws of North Dakota for 1913, Relating to the Duties of the Secretary of State, County Auditor or any Other Officer by Law Required to Prepare General or Primary Election Ballots; Fixing Time When Said Ballots Are to Be Prepared; Declaring an Emergency.

House Bill No. 7. A Bill for an Act to Amend and Reenact Chapter 138 of the Session Laws of 1939, Relating to Filing of Vacancies of Elective County Officers, Superintendent of Schools, and County Commissioners on the Noparty Ballot; Declaring an Emergency.

House Bill No. 13. A Bill for an Act to Amend and Reenact Section 976 of the Compiled Laws of North Dakota for 1913, Relating to Withdrawal of Nominees from Public Office as Candidates; Fixing Time Within Which Such Withdrawal May Be Made; Declaring an Emergency.

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

## W. M. SMART, Chief Clerk.

#### REPORT OF STANDING COMMITTEE

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

In line 1 of the title following the word "Actuarial", strike out the word "Audit" and insert in lieu thereof the word "survey."

In Section 1, Line 4, strike out the word "audit" and insert in lieu thereof the words "actuarial survey."

In Section 2, Line 5; strike out the word "audit" and insert in lieu thereof the word "survey."

On Page 2, Line 24, of the Original Bill, strike out the word "audit" and insert in lieu thereof the word "survey."

And when so amended recommend the same do pass.

**REP. PETERSON of Bottineau, Chairman.** 

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

Mr. Speaker: Your Committee on Ways and Means to whom was referred House Bill No. 19, have had the same under consideration and recommend that the same do pass.

#### REP. FITCH, Chairman.

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

Mr. Speaker: Your Committee on Agriculture to whom was referred House Concurrent Resolution No. 6, have had the same under consideration and recommend that the same be amended as follows:

Strike out everything after the words "House Concurrent Resolution No. 6," and insert in lieu thereof the following:

HOUSE CONCURRENT RESOLUTION No. 6

Introduced by Reps. Graham and Starck

NEED OF TIRES FOR FARMERS

House Concurrent Resolution No. 6. A Concurrent Resolution Memorializing Congress and the President to Take Immediate Steps for Securing Necessary Tires for the Use of Farmers.

BE IT RESOLVED BY THE HOUSE OF REPRESENTA-TIVES OF THE STATE OF NORTH DAKOTA, THE SENATE CONCURRING THEREIN:

WHEREAS, due to the present war emergency there is a great shortage of automobile tires in this country; and

WHEREAS, it has been particularly called to the attention of this 28th Legislative Assembly in extraordinary session assembled that the farmers of North Dakota are in dire need of automobile, tractor and truck tires of a quality adequate for the conduct of farm operations involving travel over long distances on rough roads and hauling heavy loads of produce, and

WHEREAS, the tires now on the market in North Dakota seem largely to be Grade III, as classified by the Office of Price Administration, which are not adequate for use for the aforementioned purposes, causing breakdowns resulting in loss of time from the production of food, endangering life through failing on the road during our severe winter temperatures, and

WHEREAS, because of the great distances to be traveled in the State of North Dakota where there is no other mode of travel than by auto or truck, it is absolutely necessary and essential that Congress and the President of the United States take immediate steps to provide the necessary tires of Grade I quality for the farmers of the State of North Dakota.

NOW, THEREFORE, BE IT RESOLVED by the House of Representatives, the Senate concurring therein, that the Congress of the United States and the President take steps forthwith to see that the farmers of the State of North Dakota are provided with tires of adequate quality to permit full production of food for victory.

BE IT FURTHER RESOLVED, that it is not the intent of this resolution to criticize the work of the War Production and Rationing Boards, whose members are in our opinion, fairly and conscientiously discharging their duties.

BE IT FURTHER RESOLVED that copies of this resolution be sent to the President of the United States and to all of the United States Senators and Representatives of the State of North Dakota at Washington, D. C.

And when so amended recommend the same do pass.

#### REP. DALZELL, Chairman.

Rep. Sellens moved that the report be adopted.

Rep. Morland moved that the amendment included in the report of the Committee on Agriculture be further amended by inserting in the third paragraph after the word automobile the word "tractor", which motion prevailed.

The question was on the adoption of the report as amended, which motion prevailed.

Rep. Haugen moved that the rules be suspended and that House Concurrent Resolution No. 6 be considered properly engrossed and that it has again been read after the amendment and that it be placed on second reading and final passage, which motion prevailed, and the resolution as amended was adopted.

## FRIDAY, MARCH 24, 1944

#### MESSAGE TO THE SENATE

House of Representatives, Bismarck, March 24, 1944.

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

House Bill No. 3. A Bill for an Act to Amend and Reenact Sections 992, 993 and 995 of the Compiled Laws of North Dakota for 1913, as Amended by Chapter 148 of the Session Laws of 1941, Repealing Sections 1002a1, 1002a2, 1002a5 of the 1925 Supplement to the Compiled Laws of North Dakota for 1913; Declaring an Emergency.

House Bill No. 5. A Bill for an Act to Amend and Reenact Section 920 of the Compiled Laws of North Dakota for 1913, Relating to Certification by the Secretary of State to County Auditors of a Certified List of Names and Addresses of Candidates at the Primary Election, and Declaring an Emergency.

House Bill No. 8. A Bill for an Act to Amend and Reenact Section 979 of the Compiled Laws of North Dakota for 1913, Relating to Certification by Secretary of State to County Auditors of Proposed Constitutional Amendment and Publication for Same in the Several Counties of the State; and Declaring an Emergency.

House Bill No. 9. A Bill for an Act to Amend and Reenact Sections 1002a3 and 1002a4 of the Supplement to the Compiled Laws of North Dakota for 1913, Relating to Absent Voters' Ballots for Voters Not in the County on Election Day and Serving in the Armed Forces of the United States, Declaring an Emergency.

House Bill No. 10. A Bill for an Act to Amend and Reenact Sections 973 and 974 of the 1925 Supplement to the Compiled Laws of North Dakota for 1913, Relating to the Time of Certification of Nomination to Be Filed with the Secretary of State and Certificates of Nomination to Be Filed with the County Auditors; Certification by the Secretary of State to County Auditors, and Declaring an Emergency.

House Bill No. 11. A Bill for an Act Amending and Reenacting Section 854 of the 1925 Supplement to the Compiled Laws of North Dakota for 1913, as Amended by Chapter 139 of the Session Laws of 1931, Relating to the Obtaining and Filing of Petitions for County Officers, County Commissioners and Legislative Candidates, Filing Fees Therefor and Declaring an Emergency.

House Bill No. 12. A Bill for an Act to Amend and Reenact Sections 1 and 3 of Chapter 135 of the Session Laws of 1935, Fixing Time for the Primary Election, for the Election of Precinct Committeemen and Declaring an Emergency.

House Bill No. 18. A Bill for an Act Authorizing Counties, Cities, Villages, School Districts and Townships to Invest Surpluses in Their General Fund in Bonds of the United States and the State of North Dakota; Declaring an Emergency.

House Bill No. 26. A Bill for an Act to Amend and Reenact Section 2486 of the 1925 Supplement to the 1913 Compiled Laws, as Amended by Chapter 118 of the 1943 Session Laws, Relating to Repairs of Existing Drains, and Declaring an Emergency. House Bill No. 27. A Bill for an Act to Amend and Reenact Section 2472 of the Compiled Laws Relating to Letting of Contracts by Board of Drain Commissioners, and Declaring an Emergency.

House Concurrent Resolution No. 1.

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

W. M. SMART, Chief Clerk.

Rep. Morland moved that the vote by which House Bill No. 6 was lost be reconsidered.

A division was asked for and revealed 72 for and 20 against, so the motion prevailed.

Rep. Twichell moved that House Bill No. 6 be placed on the calendar, which motion prevailed.

## REPORT OF STANDING COMMITTEE

Mr. Speaker: Your Committee on Insurance to whom was referred Senate Bill No. 13, have had the same under consideration and recommend that the same be returned without recommendation.

REP. PETERSON of Bottineau, Chairman.

Rep. Sailer moved that the report be adopted.'

Rep. Rohde moved that Senate Bill No. 13 be laid on the table.

A rising vote disclosed 39 for and 64 against, so the motion was declared lost.

Rep. Bergesen moved that Senate Bill No. 13 be placed on the calendar, which motion prevailed and Senate Bill No. 13 was placed on the calendar.

## MESSAGE FROM THE SENATE

Senate Chamber,

Bismarck, March 24, 1944.

Mr. Speaker: I have the honor to transmit:

Senate Concurrent Resolution "A." Reference to Publishing a Popular and Authenticated Edition of the Session Laws of the Special Session of the Twenty-eighth Legislative Assembly.

Senate Concurrent Resolution "C."

Senate Concurrent Resolution "E."

Senate Bill No. 3. A Bill for an Act Suspending Sales of Farm and Grazing Lands Owned by the State of North Dakota, Its Agencies and Subdivisions, Subject to Specified Exceptions, and Declaring an Emergency.

Senate Bill No. 4. A Bill for an Act to Amend Chapter 178 of the Laws of 1943, Providing for the Recording of the Discharge Papers from the National Guard, the Army, Navy, Marine Corps, and all Other Branches of the Military Forces of the United States, Without Fee; Declaring an Emergency; and Repealing All Acts and Parts of Acts in Conflict Herewith.

Senate Bill No. 7. A Bill for an Act to Amend and Reenact Section 2125 of the Compiled Laws of North Dakota for 1913 as Amended by Section 1 of Chapter 248 of the Session Laws of 1929, Providing for the Election, Qualifications and Compensation of Officers in Townships and in Unorganized Districts; Declaring an Emergency. Senate Bill No. 9. A Bill for an Act to Include in the Printed Volumes of the North Dakota Revised Code of 1943, All of the Laws Enacted at the Extraordinary Session of the North Dakota 28th Legislative Assembly, Commencing March 20, 1944, and Declaring an Emergency.

Senate Bill No. 15. A Bill for an Act Making an Appropriation to Defray the Expenses of the Extraordinary Legislative Session of 1944, and the Expenses of the Governor's Advisory Committee, and Declaring an Emergency.

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

## W. J. TROUT, Secretary.

#### REPORTS OF STANDING COMMITTEE

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

REP. PETERSON of Bottineau, Chairman.

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

Mr. Speaker: Your Committee on Insurance to whom was referred Senate Bill No. 11, have had the same under consideration and recommend that the same be returned without rcommndaion.

#### REP. PETERSON of Bottineau, Chairman.

Rep. Sailer moved that the report be adopted.

Rep. Bergesen offered as a substitute motion that Senate Bill No. 11 be placed on the calendar, which motion prevailed.

## MESSAGE TO THE HOUSE

Senate Chamber,

Bismarck, March 24, 1944.

Mr. Speaker: I have the honor to return:

House Bill No. 29. A Bill for an Act Making an Appropriation from the General Fund of the State to the Veterans Post War Rehabilitation Reserve Fund to Carry Out the Provisions of Chapter 180 of the Session Laws of 1943, Such Appropriation to Be in Addition Thereto; and Declaring an Emergency.

Which the Senate has indefinitely postponed.

#### W. J. TROUT, Secretary.

#### REPORTS OF STANDING COMMITTEES

Mr. Speaker: Your Committee on Insurance to whom was refered Senate Bill No. 10, have had the same under consideration and recommend that the same be returned without recommendation.

## REP. PETERSON of Bottineau, Chairman.

Rep. Sailer moved that the report be adopted.

Rep. Morland offered as a substitue motion that Senate Bill No. 10 be placed on the calendar, which motion prevailed.

Mr. Speaker: Your Committee on Game and Fish to whom was referred Senate Bill No. 2, have had the same under consideration and recommend that the same do pass.

REP. BENNO, Chairman.
Rep. Bymers moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Public Health to whom was referred Senate Bill No. 5, have had the same under consideration and recommend that the same do pass.

**REP.** PETERSON of Ransom, Chairman.

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

Mr. Speaker: Your Committee on State Affairs' to whom was referred Senate Bill No 14, have had the some under consideration and recommend that the same do pass.

REP. TWICHELL, Chairman.

Rep. Twichell moved that the report be adopted.

Rep. Bolmeier offered as a substitute motion that the report of the Committee on State Affairs be amended to show Senate Bill 14 amended as follows:

In line 8 of the printed bill change the words "fifteen years" to "twelve years".

Which motion prevailed.

The question was on the adoption of the committee report as amended, which motion prevailed and the report was adopted.

# FIRST READING OF SENATE BILLS . AND RESOLUTIONS

Senate Concurrent Resolution "A." Reference to Publishing a Popular and Authenticated Edition of the Session Laws of the Special Session of the Twenty-eighth Legislative Assembly.

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

Senate Resolution "C".

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

Senate Resolution "E".

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

Senate Bill No. 3. A Bill for an Act Suspending Sales of Farm and Grazing Lands Owned by the State of North Dakota, Its Agencies and Subdivisions, Subject to Specified Exceptions, and Declaring an Emergency.

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

Senate Bill No. 4. A Bill for an Act to Amend Chapter 178 of the Laws of 1943, Providing for the Recording of the Discharge Papers from the National Guard, the Army, Navy, Marine Corps, and all Other Branches of the Military Forces of the United States, Without Fee; Declaring an Emergency; and Repealing All Acts and Parts of Acts in Conflict Herewith.

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

Senate Bill No. 7. A Bill for an Act to Amend and Reenact Section 2125 of the Compiled Laws of North Dakota for 1913 as Amended by Section 1 of Chapter 248 of the Session Laws of 1929, Providing for the Election, Qualifications and Compensation of Officers in Townships and in Unorganized Districts; Declaring an Emergency.

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

Senate Bill No. 9. A Bill for an Act to Include in the Printed Volumes of the North Dakota Revised Code of 1943, All of the Laws Enacted at the Extraordinary Session of the North Dakota 28th Legislative Assembly, Commencing March 20, 1944, and Declaring an Emergency.

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

Senate Bill No. 15. A Bill for an Act Making an Appropriation to Defray the Expenses of the Extraordinary Legislative Session of 1944, and the Expenses of the Governor's Advisory Committee, and Declaring an Emergency.

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

Senate Bill No. 8. A Bill for an Act Reappropriating Monies Heretofore Appropriated for Improvements and Repairs of the North Dakota Soldiers' Home at Lisbon, North Dakota, and Declaring an Emergency.

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

The House was on the seventh order of business.

#### HOUSE RESOLUTION No. 3

Introduced by Reps. Heckman and McInnes

WHEREAS, there prevails in North Dakota a critical shortage of farm machinery, and

WHEREAS, if maximum production of agricultural produce is to be achieved by this great agricultural area, and

WHEREAS, it is absolutely necessary that a great number of tractors, combines, harvesting equipment and other farm machinery be alloted to this area to complete the planting, harvesting and threshing of the 1944 crop, and

WHEREAS, power equipment is more vitally needed than ever before by reason of the critical manpower shortage, and

WHEREAS, a quota system of alloting machinery is based on past sales, and in western North Dakota this has resulted in a greatly aggravated condition by reason of the small purchases during the drought years,

THEREFORE, be it resolved that the President and the Congress of the United States exert every influence to provide for this vitally necessary equipment in this most critical period in this nation's history, and that close examination be made into the shipment of such farm equipment as is required in North Dakota which is now being made to foreign countries and, in many instances, have demonstrated that they do not require full use of them or desire them.

Rep. Heckman moved that the rules be suspended and House Resolution No. 3 be adopted at this time, which motion prevailed and the Resolution was adopted.

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

# REP. DALZELL, Chairman.

Rep. Dalzell moved the report be adopted.

# HOUSE OF REPRESENTATIVES SPECIAL SESSION 1944

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

Dist. No.	NAME AND ADDRESS	By Car	By Bus	By Rail	Total Miles	Amt. Due at 10c Per Mile
1	Harry Carlson, Concrete	390	1	400	790	\$79.00
-	Alex Dalzell Walhalla		1	768	768	76.80
	John Halcrow, Bowesmont			768	768	
2	Emanuel Mortenson, Kenmare	16	, i	500	516	
3	Palmer Levin, Park River	672		000	672	
0	M. T. Lillehaugen, Brocket	0.2			670	
4	Wilfred Collette, Grafton		216	316	632	
5	K. L. Boulden, Larimore	1		560	560	
6	Geo. Saumur, Grand Forks	561		000	564	
ጙ	A. M. Allen, Thompson	2	9	530	534	
8	Edwin L. Bagge, Cummings			000	520	
0	H. W. McInnes, Kelso	188			488	
·	Alva Wambheim, Hatton		 	528	528	
9	A. R. Bergesen, Fargo		9	396	398	
3	K. A. Fitch, Fargo	2		396	398	
	Arthur C. Johnson, Fargo	$\frac{1}{2}$		388	390	
	W. H. Shure, Fargo	20		396	398	
	L. L. Twichell, Fargo	1.4		390	390	
10	Manfred R. Ohnstad,		ł	000	000	55.00
10	West Fargo			388	388	38.80
	Kenneth K. Pyle, West Fargo	900		000	388	
11	Wogley I Bolmojon Eric	100	1		420	42.00
${\bf N}$	Wesley L. Bolmeier, Erie	420		358	358	42.00
12	Joe Runck, Casselton	500		390		
12	Vernon M. Johnson, Wahpeton	000	400	100	500	
10	H. C. Mittag, Hankinson	44	420		590	
13	Mal Gainor, DeLamere			560	560	56.00
	Brown D. Williams,			1 m 4 0	E 10	F 4 00
	Lidgerwood	10		540	540	
14	H. G. Severson, Kathryn	18		440	458	45.80
	J. T. Peterson, Englevale	000		540	540	54.00
15	Curtis Olson, Valley City	280		FFO	280	
16	Thomas V. Devlin, Hope			559	559	55.90
	Bjorn Fuglestad, Cooperstown	90		274	364	36.40
	Harry Kolpin, Sutton			357	357	
17	Olaf Hildre, McVille	28		680	708	70.80
	P. K. Holm, Pekin	7		599	606	
18	L. E. Callahan, Munich			770	770	
	W. M. Crockett, Wales	1	1	830	830	83.00

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# FRIDAY, MARCH 24, 1944

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					N.	Amt. Due at 10c Per Mile
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No.	NAME AND ADDRESS	Ч	ŝ	li	M	ភ័ ង
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<u> </u>		щ		щ	_F	
-	Peter Moe, Osnabrock			= 10	732	73.20
19	John Coghlan, Rolla			740	740	74.00
90	Oscar M. Johnson, Mylo	900		748		74.80
20	C. H. Hofstrand, Leeds	386			$366 \\ 386$	36.60 38,60
21	I. B. Rohrer, Churchs Ferry Louis Leet, Webster	24		480	504	50.40
	E. A. Lunde, Lawton			780	780	
21	Harry Stormon, Devils Lake	.20		480		50.00
22	D. S. Blair, Maza	440	i .		440	44.00
	E. J. Langley, Rock Lake C. F. Arndt, Streeter	518	)		518	51.80
23	C. F. Arndt, Streeter		301		301	30.10
	H. M. Ekren, Kensal	60	204		264	26.40
	P. G. Westby, Jamestown		ŕ	204	204	20.40
	Henry Williams, Jamestown			204		
<b>24</b>	M. W. Gackle, Kulm	320		0.00	320	32.00
25	A. J. Sandness, LaMoure   Cornelius Bymers, Ellendale	80	370	280	$     360 \\     370 $	$36.00 \\ 37.00$
20	F. J. Graham, Ellendale		350		350	
26	John J. Baumgartner,		000		000	00.00
	Strasburg	160		Ì	160	16.00
	Joseph Welk, Hague		ĺ	Ì	190	19.00
<b>27</b>	Wm. B. Falconer, Bismarck	ĺ	į –	12		
	John R. Fleck, Bismarck	2		) <sup>.</sup>	2	.20
	Walter E. Sellens, Bismarck	20	1		20	
<b>28</b>	Peter Peterson, Antler			594		61.40
	Arlan Stair, Newburg			574		
90	Duncan Fraser, Omemee	10		560		
29	A. W. Benno, Minot	16		390 390		
29	Brynhild Haugland, Minot Dave Hovey, Minot		ŀ	380		
20	Roy Larson, Minot	22		380		
30	W. M. Nelson, Mandan			000	14	1.40
	Tony Starck, Judson	88		ĺ	88	8.80
	Richard E. Wolf, New Salem		70		70	7.00
31	A. H. Schmalenberger, Hebron	180	İ.	1	180	
	Ray Schnell, Dickinson			ĺ	220	
	Leo Sticka, New England			220		25.20
32	A. H. Nystrom, Sheyenne		354	000	372	37.20
0.0	A. I. Sharpe, Glenfield			382	382	
$\frac{33}{34}$	Morris Larson, Heimdal			530		
94	L. W. Belzer, Balfour		386	280	292 386	29.20 38.60
	Andrew Halvorson, Upham Theodore Monson, Bergen	5		320		
35	G. M. Iszler, Streeter	28	112		140	14.00
00	Harold T. Morrison, Robinson			i	170	
36	Ed Haag, Fredonia		Í	260	260	
	S. N. Welder, Napoleon	I —			None—	
	Ben J. Wolf, Zeeland	210			210	21.00
37	Maurice S. Aker, Hankinson.	1	162	398		
37	H. C. Williams, Lidgerwood	-	ļ	540		
38	Carl Manstrom, Litchville	304		000	304	
39	M. B. Hogoboom, Alpha	60	¶   ዓ ሮ	360		
	L. K. Morland, Scranton	29	1990	l I	385	38.50

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# JOURNAL OF THE HOUSE

Dist. No.	NAME AND ADDRESS	By Car	By Bus	By Rail	Total Miles	Amt. Due at 10c Per Mile
$\overline{40}$	Harold Burau, Larson	594			594	59.40
	J. H. Heckman, Alkabo		1	664	664	66.40
	E. J. Marks, Flaxton	18	150	240	408	40.80
41	Bernt Anderson, Charlson	258		325		58.30
	Iver Drovdal, Arnegard		224	317	541	54.10
42	George Allen, Pleasant Lake	14		500		51.40
	Wm. H. Tuff, Barton	14		500	514	51.40
43	Olaf Ostgulen, Donnybrook		240			
44	J. N. Mollet, Powers Lake	ļ		510		51.00
	T. O. Rohde, Van Hook			136		
45	Asle Bjella, Epping			1	565	56.50
	P. I. Dahlen, Williston				609	60.90
	S. A. Forseth, Williston				609	60.90
46	Donnell Haugen, Roseglen				220	
	J. W. Jennings, Washburn			•	100	10.00
	Fred Braun, Turtle Lake				150	
47	Ralph Beede, Elgin	160			160	16.00
	Wm. Bauer,	050			050	05 00
40	Thunder Hawk, S. D.				953	95.30
48	Walter Bubel, Center			1100	96	9.60
48	Wm. H. Rettke, Beulah			158		18.00
40	Edwin G. Sailer, Stanton				130	13.00
49	Elmer Hegge, New England				310	31.00
	George Schwartz, Mott	240			240	24.00
	Totals				46,467	\$4,646.70

# ROLL CALL

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The question being on adoption of the Mileage and Per Diem Committee Report, the roll was called and there were ayes, 102; nays, 1; absent and not voting, 9.

Those voting in the affirmative were:

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0		
Aker	Haag	Ohnstad
Allen, Pierce	Halcrow	Ostgulen
Anderson	Halvorson	Peterson, Bottin'au
Arndt	Haugen	Peterson, Ransom
Bagge	Haugland	Pyle
Bauer	Heckman	Rettke
Baumgartner	Hildre	Rohde
Belzer	Hofstrand	Rohrer
Benno	Hogoboom	Runck
Bergesen	Holm	Sailer
Bjella	Hovey	Sandness
Blair	Iszler	Saumur
Bolmeie <b>r</b>	Jennings	Schwartz
Boulden	Johnson, Richland	Schmalenberger
Braun	Johnson, Rolette	Schnell
Bubel	Kolpin	Severson
Burau	Langley	Sharpe
Bymers	Larson, Ward	Shure
Callahan	Larson, Wells	Stair
	Leet	Starck
Coghlan	Levin	Sticka

# FRIDAY, MARCH 24, 1944

Collette Dahlen Dalzell Devlin Drovdal Falconer Fleck Forseth Fraser

Fuglestad

Gackle

Gainor

Graham

Lillehaugen Lunde McInnes Manstrom Mittag Mollet Monson Morland Morrison Mortenson Nelson Nystrom Olson, Barnes

Those voting in the negative were: Marks

Absent and not voting: Allen, Grand Forks Fitch Crockett Hegge Ekren Johnson, Cass

So the report was adopted.

Moe Olson, Bowman Sellens

Stormon

Twichell

Welder

Westby

Welk

Wambheim

Williams, Richland

Williams, Sargent

Williams, Stutsm'n Wolf, McIntosh

Wolf, Morton

Mr. Speaker

Tuff

# HOUSE COMMITTEE ON ENROLLMENT AND ENGROSSMENT

The Committee on Enrollment and Engrossment made the following report:

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

House Bill No. 5. House Bill No. 8. House Bill No. 9. House Bill No. 10. House Bill No. 11. House Bill No. 12. House Bill No. 26. House Bill No. 27.

House Concurrent Resolution No. 1.

#### And find the same correctly engrossed.

# REP. MORLAND, Chairman.

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

#### **REPORTS OF STANDING COMMITTEES**

Mr. Speaker: Your Committee on State Affairs to whom was referred the communication of the Attorney General to the House, dated March 20, 1944. A similar communication having gone to the Senate, have had the same under consideration and in view of the fact that the Senate has already acted on this matter and we are advised has formulated legislation to meet the pleas of such communication, hereby reports that they have unanimously considered that the matter is now in the hands of the Senate Committee and is being taken care of and, therefore, at this time, takes no action on this matter, except to in this manner dispose of it.

#### **REP. TWICHELL**, Chairman.

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

Mr. Speaker: Your Committee on State Affairs to whom was referred the communication of the Commissioner of Insurance to the House, dated March 21, 1944. A similar communication having gone to the Senate, have had the same under consideration and in view of the fact that the Senate has already acted on this matter and we are advised has formulated legislation to meet the pleas of such communication, hereby reports that they have unanimously considered that the matter is now in the hands of the Senate Committee and is being taken care of and, therefore, at this time, takes no action on this matter, except to in this manner dispose of it.

# REP. TWICHELL, Chairman.

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

Rep. Ohnstad moved that a messenger be sent to the Senate to inquire the present status of Senate Bill No. 6 and inquire when we may expect to receive the same, which motion prevailed. It was so ordered by the Speaker.

# MESSAGE TO THE SENATE

House of Representatives,

Bismarck, March 24, 1944.

Mr. President: I have the honor to transmit to you the request of the House that the House be informed as to the present status of Senate Bill No. 6.

W. M. SMART, Chief Clerk.

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

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

#### MESSAGES FROM THE SENATE

Senate Chamber,

Bismarck, March 24, 1944.

Mr. Speaker: I have the honor to return:

House Bill No. 6. A Bill for an Act Amending and Reenacting the Initiated Act Approved by the Electors of the State of North Dakota on November 8, 1932, Which Act Amended and Re-enacted Section 719 of the 1925 Supplement to the Compiled Laws of the State of North Dakota for 1913, Relating to the Salaries of Judges of the Supreme Court of the State of North Dakota, and Providing for an Increase of Salaries for Said Supreme Court Judges from Five Thousand Dollars (\$5,000.00) to Five Thousand, Five Hundred Dollars (\$5,500.00) a Year; and Declaring an Emergency.

Which the House has requested.

W. J. TROUT, Secretary.

Senate Chamber,

Bismarck, March 24, 1944.

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 6. A Bill for an Act Permitting Electors Engaged in the Defense of Their Country or Members of the American Red Cross, Merchant Marine, or the United Service Organizations Outside the Territorial Limits of the United States, as a Result of Any War in Which the United States of America May Be Engaged, and Until Six Months After the Termination Thereof, to Vote by Proxy During the Emergency of Any Such War, Defining the Duty of the County Auditor, and Declaring an Emergency.

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

#### W. J. TROUT, Secretary.

#### FIRST READING OF SENATE BILL

Senate Bill No. 6. A Bill for an Act Permitting Electors Engaged in the Defense of Their Country or Members of the American Red Cross, Merchant Marine, or the United Service Organizations Outside the Territorial Limits of the United States, as a Result of Any War in Which the United States of America May Be Engaged, and Until Six Months After the Termination Thereof, to Vote by Proxy During the Emergency of Any Such War, Defining the Duty of the County Auditor, and Declaring an Emergency.

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

#### REPORTS OF STANDING COMMITTEES

Mr. Speaker: Your Committee on State Affairs to whom was referred Senate Bill No. 3, have had the same under consideration and recommend that the same do pass.

# REP. TWICHELL, Chairman.

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

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

# REP. FALCONER, Chairman.

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

# HOUSE COMMITTEE ON ENROLLMENT

AND ENGROSSMENT

The Committee on Enrollment and Engrossment made the following report:

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

House Concurrent Resolution No. 6.

And find the same correctly engrossed.

REP. MORLAND, Chairman.

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

The House was on the seventh order of business.

HOUSE CONCURRENT RESOLUTION No. 8

Introduced by Committee on Irrigation and Drainage

BE IT RESOLVED BY THE HOUSE OF REPRESENTA-TIVES OF THE STATE OF NORTH DAKOTA, THE SENATE CONCURRING:

WHEREAS, both the United States Army Engineers and

the United States Bureau of Reclamation have proposed water development projects for North Dakota;

AND WHEREAS, these projects or any combination of them depend for their success upon an adequate water supply which can be made available only from the Missouri river;

AND WHEREAS, it now appears that there may not be sufficient water in the Missouri river to supply all of the demands which may be made upon it;

AND WHEREAS, proposed navigation developments alone may be of sufficient magnitude to require all of the water available in a dry season;

AND WHEREAS, the vital needs of North Dakota, for the maintenance of economic stability, and for future development depend upon an adequate quantity of water for domestic, farm, irrigation and industrial purposes;

AND WHEREAS, the Congress of the United States ought to allot the waters of the Missouri river on the basis of the greatest good to the greatest number and to the Nation as a whole,

NOW, THEREFORE BE IT RESOLVED by the Twenty-Eighth General Assembly of the State of North Dakota in extraordinary session duly assembled, both House and Senate concurring, that the Congress and the President of the United States are hereby petitioned to inquire into the relative value of water for domestic, farm, irrigation and industrial purposes, as well as for the needs of navigation, and to allot to domestic, farm, irrigation and industrial purposes—upon which an adequate food supply for the Nation may easily depend in the near future—that proportion of the water of the Missouri river which it needs for domestic purposes and for the development and maintenance of irrigation projects in this and other states, both present and prospective.

AND BE IT FURTHER RESOLVED, that the Congress of the United States is further petitioned to adopt a policy for the development of streams in the Western Part of the United States which will allocate their waters on the following basis: First for domestic, farm, irrigation, industrial and mining needs, second for the needs of and purposes of navigation.

AND BE IT FURTHER RESOLVED that the senators and representatives from North Dakota in the Congress of the United States are hereby requested to work for the adoption of such a policy so that the interests of North Dakota may be properly protected;

AND BE IT FURTHER RESOLVED that copies of this resolution be sent to the President of the United States, to the secretaries of the United States Senate and House of Representatives, to the chairmen of committees on Appropriations, Irrigation, Flood Control and Rivers and Harbors of the House of Representives and to the proper committees of the United States Senate, before which such measures will probably come for consideration, and to the Governors of each of the several states in the Missouri valley.

Rep. Rohde moved that the rules be suspended and House Concurrent Resolution No. 8 be adopted at this time, which motion prevailed and the Resolution was adopted.

The House was on the Eighth Order of Business.

Rep. Boulden moved that the rules be suspended for the purpose of considering House Bills Nos. 23 and 19, which motion prevailed.

Rep. Leet moved that the rules be suspended and House Bill No. 23 be considered properly engrossed and placed on second reading and final passage at this time.

Which motion prevailed.

# SECOND READING OF HOUSE BILLS

House Bill No. 23. A Bill for an Act Providing for an Actuarial Audit of State Hail Insurance Rates, Report to Insurance Commissioner and Twenty-ninth Legislative As-. sembly, Appropriation, and Declaring an Emergency. Was read the second time.

# ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 75; nays, 17; absent and not voting, 20.

Those voting in the affirmative were:

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

Dahlen Gackle Haag

Haag.

Olson, Barnes Olson, Bowman Runck Stormon Welder

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

Rep. Rohde moved that the vote by which House Bill No. 23 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed. House Bill No. 19. A Bill for an Act to Provide for the

House Bill No. 19. A Bill for an Act to Provide for the Development of Aviation and Aeronautics in the State of North Dakota, Creating a State Aeronautics Committee Under the Jurisdiction of the Public Service Commission; Creating an Aeronautics Fund Authorizing the Transfer of Appropriated 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, 59; nays, 49; absent and not voting, 4.

Those voting in the affirmative were:

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

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#### Absent and not voting:

# Welder

Olson, Bowman

Hofstrand

So the bill passed and the title was agreed to.

Severson

Rep. Fitch moved that the vote by which House Bill No. 19 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

# MESSAGE FROM THE SENATE

Senate Chamber,

Bişmarck, March 24, 1944.

Mr. Speaker: I have the honor to return: House Concurrent Resolution No. 1.

Which the Senate has indefinitely postponed.

# W. J. TROUT, Secretary.

# SECOND READING OF HOUSE BILLS

House Bill No. 6. A Bill for an Act Amending and Reenacting the Initiated Act Approved by the Electors of the State of North Dakota on November 8, 1932, Which Act Amended and Re-enacted Section 719 of the 1925 Supplement to the Compiled Laws of the State of North Dakota for 1913, Relating to the Salaries of Judges of the Supreme Court of the State of North Dakota, and Providing for an Increase of Salaries for Said Supreme Court Judges from Five Thousand Dollars (\$5,000.00) to Five Thousand, Five Hundred Dollars (\$5,500.00) a Year; and Declaring an Emergency.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 83; nays, 27; absent and not voting, 2.

Those voting in the affirmative were:

Aker	Fleck	Nystrom
Allen, Grand Forks	Forseth	Olson, Barnes
Allen, Pierce	Fraser	Ohnstad
Anderson	Fuglestad	Peterson, Ransom
Arndt	Gackle	Pyle
Bagge	Gainor	Rettke
Bauer	Graham	Runck
Baumgartner	Halcrow	Sailer
Belzer	Haugland	Sandness
Benno '	Heckman	Saumur
Bergesen	Hildre	Schmalenberger
Bjella	Hogoboom	Schnell
Blair	Holm	Sellens
Bolmeier	Hovey	Severson
Boulden	Johnson, Cass	Sharpe
Burau	Johnson, Richland	Shure
Bymers	Johnson, Rolette	Stair
Callahan	Kolpin	Starck
Carlson	Langley	Sticka
Coghlan	Larson, Ward	Stormon
Collette	Larson, Wells	Twichell
Dahlen	Leet	Wambheim
Dalzell	Lunde	Welder

# JOURNAL OF THE HOUSE

Devlin McInnes Drovdal Manstrom Ekren Monson Falconer Mortenson Fitch Nelson Those voting in the negative were: Braun Levin Bubel Lillehaugen Crockett Marks Haag Mittag Halvorson Moe Mollet Haugen Hegge Morland Iszler Morrison Jennings Ostgulen Absent and not voting:

Westby Williams, Stutsm'n Wolf, Morton Mr. Speaker

Peterson, Bottin'au Rohde Rohrer Schwartz Tuff Welk Williams, Richland Williams, Sargent Wolf, McIntosh

Hofstrand Olson, Bowman

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

Rep. Johnson of Cass moved that the vote by which House Bill No. 6 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

MESSAGE FROM THE SENATE

Senate Chamber.

Bismarck, March 24, 1944.

Mr. Speaker: I have the honor to return:

Joint Memorial Resolution "A."

Joint Memorial Resolution "B." Joint Memorial Resolution "C."

Which the President has signed.

# W. J. TROUT, Secretary.

# REPORTS OF STANDING COMMITTEES

Mr. Speaker: Your Committee on Public Welfare to whom was referred Senate Concurrent Resolution "C," have had the same under consideration and recommend that the same do pass.

# REP. HAUGLAND, Chairman.

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

Mr. Speaker: Your Committee on Appropriations to whom was referred Senate Bill No. 8, have had the same under consideration and recommend that the same do pass.

REP. JOHNSON of Cass, Chairman.

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

Mr. Speaker: Your Committee on Appropriations to whom was referred Senate Bill No. 15, have had the same under consideration and recommend that the same do pass.

**REP. JOHNSON. of Cass. Chairman.** 

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

Mr. Speaker: Your Committee on Appropriations to whom was referred Senate Concurrent Resolution E, have had the

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same under consideration and recommend that the same do pass.

#### **REP. JOHNSON of Cass, Chairman.**

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

Mr. Speaker: A majority of your Committee on Printing to whom was referred Senate Concurrent Resolution "A," have had the same under consideration and recommend that the same do pass.

W. E. SELLENS, Chairman.

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

# HOUSE COMMITTEE ON ENROLLMENT AND ENGROSSMENT

The Committee on Enrollment and Engrossment made the following report:

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

House Bill No. 23.

And find the same correctly engrossed.

REP. MORLAND, Chairman.

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

# MESSAGES TO THE SENATE

House of Representatives,

Bismarck, March 24, 1944.

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

House Concurrent Resolution No. 7.

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

W. M. SMART, Chief Clerk.

House of Representatives,

Bismarck, March 24, 1944.

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

House Bill No. 19. A Bill for an Act to Provide for the Development of Aviation and Aeronautics in the State of North Dakota, Creating a State Aeronautics in the State of North Dakota, Creating a State Aeronautics Committee Under the Jurisdiction of the Public Service Commission; Creating an Aeronautics Fund Authorizing the Transfer of Appropriated Funds; and Declaring an Emergency. House Bill No. 23. A Bill for an Act Providing for an Actuarial Audit of State Hail Insurance Rates, Report to

Insurance Commissioner and Twenty-ninth Legislative Assembly, Appropriation, and Declaring an Emergency.

House Bill No. 6. A Bill for an Act Amending and Re-enacting the Initiated Act Approved by the Electors of the State of North Dakota on November 8, 1932, Which Act Amended and Re-enacted Section 719 of the 1925 Supplement to the Compiled Laws of the State of North Dakota for 1913, Relating to the Salaries of Judges of the Supreme Court of the State of North Dakota, and Providing for an Increase of Salaries for Said Supreme Court Judges from Five Thousand Dollars (\$5,000.00) to Five Thousand Five Hundred Dollars (\$5,500.00) a Year; and Declaring an Emergency.

House Concurrent Resolution No. 6.

House Concurrent Resolution No. 8:

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

# W. M. SMART, Chief Clerk.

# MESSAGE FROM THE SENATE

Senate Chamber,

#### Bismarck, March 24, 1944.

Mr. Speaker: I have the honor to transmit:

Concurrent Resolution "B." To Establish an Interim Legislative Committee to Investigate Charges Made Against the Department of Insurance, to Fix the Duties of Such Committee and Provide Its Procedure and to Compel the Attendance of Witnesses and the Production of Records Before the Committee and/or Its Representatives, and Fix Penalties for Refusal.

Senate Bill No. 16. A Bill for an Act to Establish an Interim Legislative Committee to Investigate Charges Made Against the Department of Insurance, to Fix the Duties of Such Committee and Provide the Procedure for Such Committee, to Compel the Attendance of Witnesses and the Production of Records Before the Committee and/or Its Representatives, and Fix Penalties for Refusal, and to Appropriate the Sum of \$10,000.00 for the Use of Said Committee.

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

# W. J. TROUT, Secretary.

# FIRST READING OF SENATE BILL AND RESOLUTION

Concurrent Resolution "B." To Establish an Interim Legislative Committee to Investigate Charges Made Against the Department of Insurance, to Fix the Duties of Such Committee and Provide Its Procedure and to Compel the Attendance of Witnesses and the Production of Records Before the Committee and/or Its Representatives, and Fix Penalties for Refusal.

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

Senate Bill No. 16. A Bill for an Act to Establish an Interim Legislative Committee to Investigate Charges Made Against the Department of Insurance, to Fix the Duties of Such Committee and Provide the Procedure for Such Committee, to Compel the Attendance of Witnesses and the Production of Records Before the Committee and/or Its Representatives, and Fix Penalties for Refusal, and to Appropriate the Sum of \$10,000.00 for the Use of Said Committee.

Was read the first time and referred to the Committees on Judiciary and Appropriations.

Rep. Haugen moved that the House do now adjourn, which motion prevailed and the House stood adjourned.

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# SIXTH DAY

#### Bismarck, March 24, 1944.

The House convened pursuant to adjournment, Speaker Beede presiding.

Prayer was offered by Rev. Schweitzer.

Roll call: All members were present except Rep. Olson of Bowman.

Rep. Johnson of Cass requested that Senate Bill No. 15 be placed at the head of the calendar, which request was granted.

Rep. Johnson of Richland moved that Senate Bills Nos. 13, 12, 11 and 10 be made a special order of business beginning at 8:30 o'clock p. m., tonight, the same to be taken up consecutively, which motion prevailed.

Rep. Westby moved that the House do now recess until 7:30 o'clock p. m., which motion prevailed and the House stood recessed.

The House reconvened at 7:30 o'clock p. m., pursuant to recess taken, Speaker Beede presiding.

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

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

Add the letter s to the word Committee in line 3, page 51.

Insert the title "Message to the Senate" before the Message as it appears on page 57.

In line 17, page 64, correct the spelling of the name Monahan.

On page 89 insert the line "Introduced by Rep Graham" between the lines 12 and 13.

On page 66 on roll call Rep. Marks voted nay instead of aye and explanation of vote is on page 67. The total of roll call should be changed to 62 instead of 63 aye and 28 instead of 27 nay.

On page 91 in the roll call Blair should have read voting nay instead of aye.

On page 53, line 16, after the word "that" insert the following, on and after January 1, 1945.

And when so corrected recommends that the same be approved.

#### REP. WELDER, Chariman.

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

#### SECOND READING OF SENATE BILLS

Senate Bill No. 15. A Bill for an Act Making an Appropriation to Defray the Expenses of the Extraordinary Legislative Session of 1944, and the Expenses of the Governor's Advisory Committee, and Declaring an Emergency.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as

amended, the roll was called and there were ayes, 97; nays, 2; absent and not voting, 13.

Those voting in the affirmative were:

I nose voting in the	a an armative were:	
Aker	Gainor	Nelson
Allen, Grand Forks	Graham	Nystrom
Allen, Pierce	Haag	Ohnstad
Anderson	Halcrow	Ostgulen
Arndt	Halvorson	Peterson,
Bagge	Haugen	Peterson,
Bauer	Haugland	Pyle
Baumgartner	Heckman	Rettke
Belzer	Hegge	Rohde
Benno	Hildre	Rohrer
Bergesen	Hofstrand	Runck
Bjella	Hogoboom	Schwartz
Blair	Holm	Schmalen
Boulden	Hovey	Schnell
Braun	Iszler	Sellens
Bubel	Jennings	Severson
Burau	Johnson, Rolette	Sharpe
Bymers	Kolpin	Shure
Callahan	Langley	Stair
Carlson	Larson, Ward	Starck
Coghlan	Leet	Stormon
Collette	Lillehaugen	Twichell
Crockett	Lunde	Tuff
Dahlen	McInnes	Wambhei
Dalzell	Manstrom	Welk
Devlin	Mittag	Westby
Drovdal	Moe	Williams,
Ekren	Mollet	Williams,
Falconer	Monson	Williams,
Forseth	Morland	Wolf, Mcl
Fraser	Morrison	Wolf, Moi
Fuglestad	Mortenson	Mr. Speak
Gackle		
Those voting in the	negative were:	
Fitch	Marks	
Absent and not voti	ng:	
Bolmeier	Levin	Sandness
Fleck	Olson, Barnes	Saumur
Johnson, Cass	Olson, Bowman	Sticka
	Q-11	TT7.1.1.

n, Bottin'au n, Ransom z nberger n eim 🗉 s, Richland s, Sargent s, Stutsm'n cIntosh orton aker

LO O MINICICI		Sanuncoo
Fleck	Olson, Barnes	Saumur
Johnson, Cass	Olson, Bowman	$\mathbf{Sticka}$
Johnson, Richland	Sailer	Welder
Larson, Wells		

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

Rep. Bauer moved to amend Senate Bill No. 1 by inserting the word "foxes" after the word "and" in line 4 of the title and in line 5 of page 2.

Also striking out the words "other Predatory Animals" in lines 4 and 5 of the title and lines 5 and 6, page 2, which motion prevailed.

Rep. Aker moved that the rules be suspended and that Senate Bill No. 1 be placed on second reading and final passage, which motion prevailed.

Senate Bill No. 1. A Bill for an Act to Appropriate Fifteen Thousand (\$15,000.00) Dollars for the Biennium Beginning

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July 1, 1943, and Ending June 30, 1945, 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 of the State of North Dakota to Carry Out the Provisions of this Act; Providing for a Transfer to the State Emergency Fund of \$5,000.00 from the Appropriation Herein Made to Reimburse Said Fund for Monies Transferred Therefrom in Anticipation of Said Appropriation; Declaring an Emergency 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, 100; nays, 3; absent and not voting, 9.

Those voting in the affirmative were:

Aker Allen, Grand Forks Allen. Pierce Anderson Arndt Bagge Bauer Belzer Benno Bergesen Bjella BlairBoulden -Braun Bubel Burau **B**vmers Callahan Carlson Coghlan Collette Crockett Dahlen Dalzell Devlin Drovdal Ekren Falconer Fitch Forseth Fraser Fuglestad Gackle Gainor

Graham Haag Halcrow Halvorson Haugen Haugland Heckman Hegge Hildre Hofstrand Hogoboom Holm Hovey Iszler Jennings Johnson, Rolette Kolpin Langley Larson, Ward Larson, Wells Leet Levin Lillehaugen Lunde McInnes Manstrom Marks Mittag Mollet Monson Morland Morrison Mortenson

Nystrom Ohnstad Ostgulen Peterson, Bottin'au Peterson, Ransom Pyle Rohde Rohrer Runck Schwartz Schmalenberger Schnell Sellens Severson Sharpe Shure Stair Starck Sticka Stormon Twichell Tuff Wambheim WelderWelk Westby Williams, Richland Williams, Sargent Williams, Stutsm'n Wolf, McIntosh Wolf, Morton Mr. Speaker

Nelson

Rettke

Those voting in the negative were:

Baumgartner	Moe
-------------	-----

Absent and not voting:

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

Rep. Starck moved that the vote by which Senate Bill No. 1 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Rep. Halcrow moved to amend Senate Bill No. 2 as follows: Strike out the period at the end of Section One, add a comma and the words "except at the option of the County Commissioners of any county."

After considerable discussion by several members, Rep. Westby moved the previous question.

The question therefore was on the adoption of the amendment offered by Rep. Halcrow, which motion was lost.

Senate Bill No. 2. A Bill for an Act to Amend and Reenact Section 9498 of the 1913 Compiled Laws Prohibiting the Setting of Spring—or Other Gun or Trap or Device, Operated by Firing or Exploding of Gunpowder or Other Explosive; Providing 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, 98; nays, 11; absent and not voting, 3.

Those voting in the affirmative were:

	Those voting in the	aiiiiiiauive weie.	
	Aker	Graham	Ohnstad
	Allen, Grand Forks	Haag	Ostgulen
	Allen, Pierce	Halvorson	Peterson, Bottin'au
	Anderson	Haugen	Peterson, Ransom
	Arndt	Haugland	Pyle
	Bagge	Heckman	Rettke
	Baumgartner	Hegge	Rohde
	Belzer	Hildre	Rohrer
	Benno	Hofstrand	Runck
	Bergesen	Hogoboom	Sailer
	Bjella	Holm	Sandness ·
	Blair	Hovey	Saumur
,	Bolmeier	Iszler	Schwartz
	Boulden	Jennings	Schmalenberger
	Braun	Johnson, Richland	Schnell
	Bubel	Johnson, Rolette	Sellens
	Burau	Kolpin	Severson
	Bymers	Langley	Sharpe
	Carlson	Larson, Ward	Stair
	Coghlan	Larson, Wells	Starck
	Collette	Leet	Sticka
	Crockett	Lillehaugen	Stormon
	Dahlen	Lunde	Twichell
	Devlin	McInnes	Tuff
	Drovdal	Manstrom	Wambheim

# FRIDAY, MARCH 24, 1944

Ekren	Marks	Welk
Falconer	Mollet	Westby
Fleck	Monson	Williams, Sa
Forseth	Morland	Williams, St
Fraser	Morrison ·	Wolf, McIn
Fuglestad	Mortenson	Wolf, Morte
Gackle	Nystrom	Mr. Speake
Gainor	Olson, Barnes	-
Those voting in	the negative were:	
Bauer	Halcrow	Shure
Callahan	Mittag	Welder
Dalzell	' Moe	Williams, R
Fitch	Nelson	•
Absort and not	voting.	

Levin

Sargent tutsm'n ıtosh on  $\mathbf{r}$ 

Richland

Absent and not voting:

Johnson, Cass

Olson. Bowman

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

Rep. Moe: "I don't think we were called down here to kill coyotes. I was called here to arrange so the soldiers could vote who are now in foreign service and therefore I vote no."

Rep. Crockett: "I vote ave for the purpose of re-consideration."

Rep. Kolpin moved to amend Senate Bill No. 13 as follows:

In the first line after "A Bill", strike out the words and figures "13, and 19,".

In the second line after "1943", strike out the words and figures within the parenthesis.

In the sixth line of the title, after the word law, strike out the balance of the line and all of line 7 and line 9 to and including the word "buildings."

Strike out all of Sec. 2 and Sec. 3.

Rep. Johnson offered a substitute amendment to Senate Bill No. 13 as follows:

In line 7 of the title after the word "Fund", strike out "and providing the method of repair or replacement of destroyed buildings."

In line 69 after the word "contractors", insert a "period" and strike out the balance of lines 69, 70, 71, 72 and 73 to and including the word building."

Strike out all of lines, 77, 78 and 79 and re-number the lines.

A rising vote revealed 59 for and 41 against, so the motion prevailed.

Rep. Fitch moved that further action be deferred on Senate Bill No. 13 for thirty minutes, which motion prevailed.

Senate Bill No. 12. A Bill for an Act Making an Appropriation for the Return of Assessments to State Institutions, State Departments, State Industries and Political Sub-divisions for Assessments Paid by Them to the State Fire and Tornado Fund Contrary to the Provisions of Chapter 159 of the Session Laws of 1943.

Was read the second time.

# ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 93; nays, 15; absent and not voting. 4.

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

Levin

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

Rep. Westby moved that the vote by which Senate Bill No. 12 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Rep. Fitch moved to amend Senate Bill No. 11 by changing the period to a comma at the end of line 6 and adding the words "and only to companies authorized to do business in the State of North Dakota.", which motion was lost.

Rep. Wolf of McIntosh moved to lay Senate Bill No. 11 on the table.

On a rising vote the motion was lost 46 for and 60 against.

Rep. Johnson of Richland moved the previous question. Eighty-one having seconded the request for the previous question, the previous question was ordered.

SECOND READING OF SENATE BILLS

Senate Bill No. 11. A Bill for an Act Making an Appropriation for the Payment of Premiums on Insurance Provided for in Chapter 152 of the Session Laws of 1943, and Declaring an Emergency.

Was read the second time.

# ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 71; nays, 40; absent and not voting, 1.

Those voting in the affirmative were:

Alson	Cainan	Moleon
Aker	Gainor	Nelson
Allen, Grand Forks	Halcrow	Nystrom
Allen, Pierce	Halvorson	Olson, Barnes
Arndt	Haugen	Ohnstad
Bagge .	Haugland	Peterson, Ransom
Bauer	Heckman	Pyle
Benno	Hildre	Runck
Bergesen	Hofstrand	Sailer
Bjella	Hogoboom	Sandness
Blair	Holm	Saumur
Bolmeier	Hovey	Schmalenberger
Boulden .	Jennings	Schnell
Braun	Johnson, Cass	Sellens •
Burau	Johnson, Richland	Severson
Callahan	Johnson, Rolette 🚶	Sharpe
Carlson	Langley	Shure
Coghlan	Leet	Sticka
Collette	Levin	Stormon
Dahlen	Lunde	Twichell
Dalzell	McInnes	Wambheim
Ekren	Manstrom	Westby
Fleck	Moe	Williams, Stutsm'n
Fuglestad	Morland	Mr. Speaker
Gackle	Mortenson	
Those voting in the		
Anderson	Hegge	Rettke
	Iszler	Rohde
Baumgartner Belzer		Rohrer
Bubel	Kolpin Lorgon Word	
	Larson, Ward	Schwartz
Bymers	Larson, Wells	Stair
Crockett	Lillehaugen	Starck
Devlin Draada	Marks	Tuff
Drovdal	Mittag	Welder
Falconer	Mollet	Welk
Fitch	Monson	Williams, Richland
Forseth	Morrison	Williams, Sargent
Fraser	Ostgulen	Wolf, McIntosh
Graham	Peterson, Bottin'au	Wolf, Morton
Haag	• •	
Absent and not voti	ing:	
Olson, Bowman		
O (1 1 11) 1		

So the bill passed, as amended, and the title was agreed to.

Rep. Moe moved that the vote by which Senate Bill No. 11 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Rep. Fitch: "I vote 'no' for the simple reason, Mr. Speaker, that I have asked every member of this House what we are appropriating the \$20,000 for and no one has told me what it is for. My question is 'what is catastrophe insurance'?"

Rep. Bauer: "I don't know when I have been so disgusted as I am with this insurance bill. We were called here to pass some laws which would insure our service boys they would get a vote. We are still here threshing over some insurance bills which have nothing to do with voting. I wish I wouldn't have to vote at all. I vote yes."

Rep. Crockett: "I am voting 'no' for the reason I think we were called down here for one or two purposes and I didn't think an issue like this would come up. I call this political sabotage and therefore I vote no."

# MESSAGE FROM THE SENATE

#### Senate Chamber,

#### Bismarck, March 24, 1944.

Mr. Speaker: I have the honor to return:

House Concurrent Resolution No. 2. Resolution Regarding Additional Quota Allotment Specifically Designated for Returning Soldiers, Sailors, and Marines.

House Concurrent Resolution No. 3.

House Concurrent Resolution No. 5.

House Concurrent Resolution No. 6. A Concurrent Resolution Memorializing Congress and the President to Take Immediate Steps for Securing Necessary Tires for the Use of Farmers.

House Concurrent Resolution No. 8.

Which the Senate has passed unchanged.

# W. J. TROUT, Secretary.

# SECOND READING OF SENATE BILLS

Senate Bill No. 10. A Bill for an Act Making an Appropriation to Pay the Per Diem of Examiners as Provided for in Chapter 155 of the Session Laws of 1943 and Declaring an Emergency.

Was read the second time.

# ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 78; nays, 32; absent and not voting, 2.

Those voting in the affirmative were:

Aker	Fuglestad	Mortenson
Allen, Grand Forks	Gackle	Nelson
Allen, Pierce	Gainor	Nystrom
Arndt	Halcrow	Olson, Barnes
Bagge	Halvorson	Ohnstad
Benno	Haugen	Peterson, Ransom
Bergesen	Haugland	Pyle
Bjella	Heckman	Rohde
Blair	Hegge	Runck

# FRIDAY, MARCH 24, 1944

Bolmeier Boulden Bubel Burau **Bymers** Callahan Carlson Coghlan Collette Dahlen Dalzell Devlin Ekren Fitch Fleck Forseth

Fraser

Hildre Hogoboom Holm Hovev Johnson, Cass Johnson, Richland Johnson, Rolette Langley Leet Levin Lillehaugen Lunde **McInnes** Manstrom Moe Mollet Morland

Saumur Schmalenberger Schnell Sellens Severson Sharpe Shure Stair Sticka Stormon Twichell Wambheim Westby Williams, Stutsm'n Wolf. Morton Mr. Speaker

Sailer

Those voting in the negative were: Anderson Jennings Rohrer Baumgartner Kolpin Belzer Larson, Ward Larson, Wells Braun Crockett Marks Drovdal Mittag Falconer Monson Graham Morrison Haag Ostgulen Hofstrand Peterson, Bottin'au Iszler Rettke

Sandness Schwartz Starck Tuff Welder Welk Williams, Richland Williams, Sargent Wolf, McIntosh

Absent and not voting:

Bauer

Olson, Bowman

The Speaker announced the vote on Senate Bill No. 10 and informed the House that attention had been called to an error in the Senate amendment to the bill.

Rep. Johnson of Richland, therefore, moved that the vote by which Senate Bill No. 10 was passed be reconsidered, which motion prevailed.

Rep. Johnson of Richland moved to amend Senate Bill No. 10 by striking out the phrase "and expenses" in line 4, which motion prevailed.

Rep. Johnson of Richland moved that the rules be suspended and Senate Bill No. 10, as amended, be placed on second reading and final passage at this time, which motion prevailed.

Senate Bill No. 10. A Bill for an Act Making an Appropriation to Pay the Per Diem of Examiners as Provided for in Chapter 155 of the Session Laws of 1943 and Declaring an Emergency.

Was read the second time.

# ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 82; nays, 26; absent and not voting, 4.

Those voting in the affirmative were:

Aker	Gainor	Nelson
Allen, Grand Forks	Halcrow	Nystrom

Allen, Pierce Arndt Bagge Bauer Benno Bergesen Biella Blair Bolmeier Boulden Bubel Callahan Carlson Coghlan Collette Dahlen Dalzell Devlin Ekren Fleck Fuglestad Gackle Those voting in the negative were: Anderson Baumgartner Belzer Braun Crockett Drovdal Falconer Fitch Forseth Fraser Graham Morrison Haag Ostgulen

Halvorson Haugen Haugland Heckman Hildre Hogoboom Holm Hovev Johnson, Cass Johnson, Richland Johnson, Rolette Langley Leet Levin Lillehaugen Lunde McInnes Manstrom Moe Mollet Morland Mortenson Hegge Hofstrand Iszler Jennings Kolpin Larson, Ward Larson, Wells Marks Mittag Monson

Olson, Barnes Ohnstad Peterson. Ransom Pvle Rohde Runck Sailer Sandness Saumur Schmalenberger Schnell Severson Sharpe Shure Sticka Stormon Twichell Wambheim Westby Williams, Stutsm'n Wolf. Morton Mr. Speaker

Peterson, Bottin'au Rettke Rohrer Schwartz Stair Starck Tuff Welder Welk Williams, Richland Williams, Sargent Wolf, McIntosh

Absent and not voting:

Burau Olson, Bowman Bymers

Sellens

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

Rep. Johnson of Richland moved that the vote by which Senate Bill No. 10 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Rep. Fitch: "I vote 'No' for the reason that we have no examination as the Bill has now been amended."

Rep. Kolpin moved that Senate Bill No. 13 be laid on the table.

Rep. Bergesen demanded a call of the House, which was granted.

The Sergeant-at-Arms reported all present except Rep. Devlin.

Rep. Aker moved that further proceedings under the call of the House be dispensed with.

The question was on the motion of Rep. Kolpin, which motion was lost.

A division was called for and revealed 43 for and 62 against, so the motion was declared lost.

The question was then on the final passage of Senate Bill No. 13.

Rep. Haugen moved to amend Senate Bill No. 13 as follows:

Strike out the figure 13 in the first line and in the third line "26-2413" and in the sixth and seventh lines strike out "Providing for the assessments to be made for such fund. Strike out lines 23 to 57, inclusive. Renumber the sections and the lines.

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

The question was on the motion to amend Senate Bill No. 13, which motion was lost.

A division was called for which revealed 49 for and 61 against, so the amendment of Rep. Haugen was lost.

The question was on the final passage of Senate Bill No. 13.

Rep. Fitch arose to a point of personal privilege and proceeded to read his question. The Speaker ruled that his question was out of order.

Rep. Aker moved that the rules be suspended and Senate Bill No. 13, as amended, be placed on second reading and final passage, which motion prevailed.

Senate Bill No. 13. A Bill for an Act to Amend and Reenact Section 1, 13 and 19 of Chapter 159 of the Laws of 1943 (being Sections 26-2401, 26-2413 and 26-2419 of the Revised Code for 1943), defining the words "Commissioner", "Fund", "Political Subdivision", and "Permanent Contents" as Used in the State Fire and Tornado Fund Law; Providing for the Assessments to Be Made for Such Fund; and Providing the Method of Repair or Replacement of Destroyed Buildings, and Declaring an Emergency.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 60; nays, 51; absent and not voting, 1.

Those voting in the	e affirmative were:	
Aker	Fleck	Nelson
Allen, Grand Forks	Fuglestad	Nystrom
Allen, Pierce	Gackle	Olson, Barnes
Arndt	Gainor	Ohnstad
Bagge	Halcrow	Peterson, Ransom
Bauer	Haugland ,	Pyle
Benno	Hildre	Runck
Bergesen	Hogoboom	Sailer
Bjella	Holm	Sandness
Blair	Hovey	Saumur
Bolmeier	Johnson, Cass	Sellens
Boulden	Johnson, Richland	Severson
Callahan	Johnson, Rolette	Sharpe
Carlson	Langley	Shure
Coghlan	$\mathbf{Leet}$	Sticka
Collette	Lunde	Stormon
Dahlen	McInnes	Twichell
Dalzell	Manstrom	Wambheim
Ekren	Moe	Westby
Fitch	Morland	Williams, Stutsm'n

Anderson Baumgartner Belzer Braun Bubel Burau **Bymers** Crockett Devlin Drovdal Falconer Forseth Fraser Graham Haag Halvorson Haugen

Those voting in the negative were: Heckman Hegge Hofstrand Iszler Jennings Kolpin Larson, Ward Larson, Wells Levin Lillehaugen Marks Mittag Mollet Monson Morrison Mortenson Ostgulen

Peterson. Bottin'au Rettke Rohde Rohrer Schwartz Schmalenberger Schnell Stair Starck Tuff Welder Welk Williams, Richland Williams, Sargent Wolf, McIntosh Wolf, Morton Mr. Speaker

Absent and not voting:

Olson, Bowman

So the bill passed as amended and the title was agreed to. Rep. Johnson of Richland moved that the vote by which Senate Bill No. 13 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

"I am voting 'No' for the reason that I Rep. Bymers: think we are undoing the outstanding piece of progressive legislation that we passed here at the close of the regular session in 1943. I therefore vote 'No'.'

Senate Bill No. 5. A Bill for an Act Authorizing and Directing the State Health Department to Secure and Process Blood; to Store and Distribute Blood Plasma Free of Charge to the People of the State of North Dakota; Providing an Appropriation of \$10,000.00 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, 103; nays, 2; absent and not voting, 7.

Those voting in the affirmative were:

	Those young in the	allingere were.	
	Aker	Graham	Nelson
	Allen, Grand Forks	Haag	Nystrom
	Allen, Pierce	Halcrow	Olson, Barnes
	Anderson	<b>Halvorson</b>	Ohnstad
	Arndt	Haugen	Ostgulen
	Bagge	Haugland	Peterson, Bottin'au
	Bauer	Heckman	Peterson, Ransom
	Baumgartner	Hegge	Pyle
	Belzer	Hildre	Rettke
-	Benno	Hofstrand	Rohde
	Bergesen	Hogoboom	Rohrer
	Bjella	Holm	Runck
	Blair	Hovey	Sailer
	Bolmeier	Iszler	Sandness
	Braun	Jennings	Schwartz
	Bubel	Johnson, Cass	Schmalenberger

# FRIDAY, MARCH 24, 1944

Bymers Callahan Carlson Coghlan Collette Crockett Dahlen Dalzell Devlin Drovdal Ekren Falconer Fitch Fleck Forseth Fraser Fuglestad Gackle Gainor

Johnson, Rolette Kolpin Langley Larson, Ward Larson, Wells Leet Levin Lillehaugen Lunde McInnes Manstrom Marks Mittag Mollet Monson Morland Morrison Mortenson

Schnell Sellens Severson Sharpe Shure Stair Starck Sticka Stormon Twichell Tuff Wambheim Welk Westby Williams, Sargent Williams, Stutsm'n Wolf, Morton Mr. Speaker

Those voting in the negative were: Williams, Richland Wolf, McIntosh

Moe

Absent and not voting:

Boulden Burau

Saumur Welder

Johnson, Richland

So the bill passed, as amended, and the title was agreed to. Rep. Westby 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.

Olson, Bowman

Rep. Westby moved that the rules be suspended and Senate Bill No. 14, as amended, be placed on second reading and final passage at this time, which motion prevailed.

Senate Bill No. 14. A Bill for an Act to Amend and Reenact Subsection (1) of Section 287 of the Supplement to the Compiled Laws of North Dakota, as Amended by Chapter 215 of the Session Laws for 1929, Relating to the Investment of University and School Land Funds; and Providing that Monies So Invested Shall Bear Interest at the Rate of Three and One-half Percent Per Annum; and Declaring an Emergency.

Was read the second time.

# ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 102; nays, 1; absent and not voting, 9.

Those voting in the affirmative were:

Aker	Gackle
Allen, Grand Forks	Gainor
Allen, Pierce	Graham
Anderson	Halcrow
Arndt	Halvorson
Bagge	Haugen
Bauer	Haugland
Baumgartner	Heckman
Belzer	Hegge
Benno	Hildre

Morrison Mortenson Nystrom Ohnstad Ostgulen Peterson, Bottin'au Peterson, Ransom Pyle Rettke Rohde Bergesen Bjella Blair Boulden Braun Bubel Burau **B**vmers Callahan Carlson Coghlan Collette Crockett Dahlen Dalzell Devlin Drovdal Ekren Falconer Fitch Fleck Forseth Fraser Fuglestad

Hofstrand Hogoboom Holm Hovev Iszler Jennings Johnson, Cass Johnson, Richland Johnson, Rolette Kolnin Langlev Larson, Ward Larson, Wells Leet Levin Lillehaugen Lunde **McInnes** Manstrom Marks Mittag Mollet Monson Morland

Rohrer Runek Sandness Saumur Schwartz Schmalenberger Schnell Sellens Severson Sharpe Shure Stair Starck Sticka Stormon Tuff Wambheim Twichell Welk Westby Williams, Stutsm'n Wolf. McIntosh Wolf. Morton Mr. Speaker

Those voting in the negative were: Moe Absent and not voting:

Bolmeier Haag

Nelson

Ölson, Barnes Olson, Bowman Sailer

Welder

Williams, Richland Williams, Sargent

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

Rep. Stormon moved that the vote by which Senate Bill No .14 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Rep. Graham moved that action on Senate Bill No. 3 be deferred until tomorrow morning, which motion prevailed. Rep. Bergesen moved that Senate Bill No. 4 be placed at

the foot of the calendar, which motion prevailed. Rep. Falconer moved that the rules be suspended and Senate Concurrent Resolution "C" be adopted at this time,

which motion prevailed and the Resolution was adopted. Senate Bill No. 8. A Bill for an Act Reappropriating Monies Heretofore Appropriated for Improvements and Repairs of the North Dakota Soldiers' Home at Lisbon, North Dakota, and Declaring an Emergency.

Was read the second time.

# ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 98; nays, 0; absent and not voting, 14.

Those voting in the affirmative were:				
Aker	Halcrow	Nelson		
Allen, Grand Forks	Halvorson	Nystrom		
Allen, Pierce	Haugen	Olson, Barnes		
Anderson	Haugland	Ohnstad		
Bagge	Heckman	Ostgulen		
Bauer	Hegge	Peterson, Bottin'au		
Baumgartner	Hildre	Peterson, Ransom		

# FRIDAY, MARCH 24, 1944

Hofstrand

Belzer Benno Bergesen Bjella Blair Boulden Braun Bubel Burau **Bymers** Callahan Carlson Coghlan Collette Dahlen Dalzell Devlin Drovdal Ekren Falconer Fleck Forseth Fraser Fuglestad Gackle Graham Absent and not voting:  $\mathbf{Arndt}$ Bolmeier Crockett Fitch Gainor

Hogoboom Holm Hovey Iszler Jennings Johnson, Cass Johnson, Richland Kolpin Langley Larson, Ward Larson, Wells Leet Levin Lillehaugen Lunde McInnes Manstrom Marks Mittag Moe Mollet Monson Morland Morrison Mortenson Haag Johnson, Rolette Olson, Bowman

Rettke Rohde Rohrer Runck Sandness Schwartz Schmalenberger Schnell Sellens Severson Sharpe Shure Stair Starck Sticka Stormon Twichell Tuff Wambheim Westby Williams, Stutsm'n Wolf, McIntosh Wolf, Morton Mr. Speaker

Pyle

Welder Welk Williams, Richland Williams, Sargent

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

Sailer

Saumur

Rep. Bergesen 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.

Senate Concurrent Resolution "E."

Was read the second time.

# ROLL CALL

The question being on the adoption of Senate Concurrent Resolution "E," the roll was called and there were ayes, 90; nays, 2; absent and not voting, 16; passed, 4.

Those voting in the affirmative were: Aker Fuglestad Allen, Grand Forks Gackle Allen, Pierce Gainor Anderson Halcrow Halvorson  $\mathbf{Arndt}$ Bagge Haugen Haugland Bauer Heckman Baumgartner Belzer Hegge Benno Hildre Biella Hofstrand Blair Hogoboom Boulden Holm Braun Hovev

Moe Mollet Monson Morland Morrison Mortenson Nelson Nystrom Olson, Barnes Ohnstad Peterson, Ransom Pyle Rettke Rohrer

		•
Bubel	Iszler	Runck
Burau	Jennings	Sandness
Bymers	Johnson, Cass	Schwartz
Carlson	Johnson, Richland	Schmalenberger
Coghlan	Johnson, Rolette	Schnell
Collette	Kolpin	Sellens
Dahlen	Langley	Severson
Dalzell	Larson, Ward	Sharpe
Devlin	Larson, Wells	Starck
Drovdal	Leet	Sticka
Ekren .	Levin	Stormon
Falconer	Lillehaugen	Twichell
Fitch	Lunde	Wambheim
Fleck	McInnes	Westby
Forseth	Manstrom	Williams, Stutsm'n
Fraser	Mittag	Wolf, Morton
Those voting in the	negative were:	
Marks	Ostgulen	
Absent and not votin	ng:	
Bolmeier	Rohde	Welder
Callahan	Sailer	Welk
Crockett	Shure	Williams, Richland
Haag	Stair	Williams, Sargent
Olson, Bowman	Tuff	Wolf, McIntosh
Peterson, Bottin'au		
Passed:		
Bergesen	Saumur	Mr. Speaker

Graham

So the Resolution was adopted.

Rep. Johnson of Richland moved that the rules be suspended and Senate Concurrent Resolution "A" be adopted, which motion prevailed.

Rep. Morland moved that the vote by which Senate Concurrent Resolution "A" was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Rep. Aker moved that Senate Bill No. 4 be amended as follows:

At line 7 of the printed bill, strike out words "discharge papers" and insert in lieu thereof the following words: "discharges from such armed forces, certificates issued in lieu thereof, duly authenticated and certified copies thereof, or duly certified records of their service and discharge from such armed forces" and that the lines be renumbered accordingly. Which motion prevailed.

Rep. Aker moved that the rules be suspended and that Senate Bill No. 4, as amended, be placed on second reading and final passage at this time, which motion prevailed.

# SECOND READING OF SENATE BILL

Senate Bill No. 4. A Bill for an Act to Amend Chapter 178 of the Laws of 1943, Providing for the Recording of the Discharge Papers from the National Guard, the Army, Navy, Marine Corps, and all Other Branches of the Military Forces of the United States, Without Fee; Declaring an Emergency; and Repealing All Acts and Parts of Acts in Conflict Herewith.

Was read the second time.

# ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 94; nays, 0; absent and not voting, 18.

Those voting in the affirmative were:

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

Callanan Peterson, Bottin'au Welk Coghlan Sailer Williams, Richland Crockett Severson Williams, Sargent Haag Shure Wolf, McIntosh

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

Rep. Westby moved that the vote by which Senate Bill No. 4 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 24, 1944.

Mr. President: I have the honor to return:

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Senate Bill No. 1. A Bill for an Act to Appropriate Fifteen Thousand (\$15,000.00) Dollars for the Biennium Beginning July 1, 1943, and Ending June 30, 1945, to Provide for the -

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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 of the State of North Dakota to Carry Out the Provisions of this Act; Providing for a Transfer to the State Emergency Fund of \$5,000.00 from the Appropriation Herein Made to Reimburse Said Fund for Monies Transferred Therefrom in Anticipation of Said Appropriation; Declaring an Emergency and Repealing all Acts or Parts of Acts in Conflict Herewith.

Senate Bill No. 10. A Bill for an Act Making an Appropriation to Pay the Per Diem of Examiners as Provided for in Chapter 155 of the Session Laws of 1943 and Declaring an Emergency.

Senate Bill No. 13. A Bill for an Act to Amend and Reenact Section 1, 13 and 19 of Chapter 159 of the Laws of 1943 (being Sections 26-2401, 26-2413 and 26-2419 of the Revised Code for 1943), defining the words "Commissioner", "Fund", "Political Subdivision", and "Permanent Contents" as Used in the State Fire and Tornado Fund Law; Providing for the Assessments to Be Made for Such Fund; and Providing the Method of Repair or Replacement of Destroyed Buildings, and Declaring an Emergency.

Senate Bill No. 4. A Bill for an Act to Amend Chapter 178 of the Laws of 1943, Providing for the Recording of the Discharge Papers from the National Guard, the Army, Navy, Marine Corps, and all Other Branches of the Military Forces of the United States, Without Fee; Declaring an Emergency; and Repealing all Acts and Parts of Acts in Conflict Herewith.

Senate Bill No. 14. A Bill for an Act to Amend and Reenact Subsection (1) of Section 287 of the Supplement to the Compiled Laws of North Dakota, as Amended by Chapter 215 of the Session Laws for 1929, Relating to the Investment of University and School Land Funds; and Providing that Monies So Invested Shall Bear Interest at the Rate of Three and One-half Percent Per Annum; and Declaring an Emergency.

Which the House has amended.

# W. M. SMART, Chief Clerk.

House of Representatives, Bismarck, March 24, 1944.

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

Senate Bill No. 2. A Bill for an Act to Amend and Reenact Section 9498 of the 1913 Compiled Laws Prohibiting the Setting of Spring or Other Gun or Trap or Device, Operated by Firing or Exploding of Gunpowder or Other Explosive; Providing Certain Exceptions, and Declaring an Emergency.

Senate Bill No. 12. A Bill for an Act Making an Appro-

priation for the Return of Assessments to State Institutions, State Departments, State Industries and Political Subdivisions for Assessments Paid by Them to the State Fire and Tornado Fund Contrary to the Provisions of Chapter 159 of the Session Laws of 1943.

Senate Bill No. 11. A Bill for an Act Making an Appropriation for the Payment of Premiums on Insurance Provided for in Chapter 152 of the Session Laws of 1943, and Declaring an Emergency.

Senate Bill No. 5. A Bill for an Act Authorizing and Directing the State Health Department to Secure and Process Blood; to Store and Distribute Blood Plasma Free of Charge to the People of the State of North Dakota; Providing an Appropriation of \$10,000.00 Therefor; and Declaring an Emergency.

Senate Concurrent Resolution "C."

• Senate Bill No. 8. A Bill for an Act Reappropriating Monies Heretofore Appropriated for Improvements and Repairs of the North Dakota Soldiers' Home at Lisbon, North Dakota, and Declaring an Emergency.

Senate Concurrent Resolution "E."

Senate Concurrent Resolution "A." Reference to Publishing a Popular and Authenticated Edition of the Session Laws of the Special Session of the Twenty-eighth Legislative Assembly.

Which the House has passed unchanged.

#### W. M. SMART, Chief Clerk.

Rep. Bergesen moved that all Senate Bills not out of committee by 1:00 o'clock tomorrow be considered before the House for action, which motion prevailed.

Rep. Bergesen moved that the House do now recess until 12:55 o'clock p. m., which motion prevailed and the House stood recessed.

#### W. M. SMART, Chief Clerk.

# JOURNAL OF THE HOUSE

# SIXTH DAY AFTER RECESS AND THE SEVENTH DAY

# Bismarck, March 25, 1944.

The House convened at 12:55 o'clock p. m., pursuant to recess taken, Speaker Beede presiding.

# House of Representatives,

March 25, 1944.

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

Senate Bill No. 15. A Bill for an Act Making an Appropriation to Defray the Expenses of the Extraordinary Legislative Session of 1944, and the Expenses of the Governor's Advisory Committee, and Declaring an Emergency.

W. M. SMART, Chief Clerk.

#### **REPORT OF STANDING COMMITTEE** ·

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

# REP. OHNSTAD, Chairman.

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

Mr. Speaker: Your Committee on Judiciary to whom was referred Senate Bill No. 16, have had the same under consideration and recommend that the same be placed on the calendar.

#### REP. OHNSTAD, Chairman.

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

Mr. Speaker: Your Committee on Judiciary to whom was referred Senate Concurrent Resolution B, have had the same under consideration and recommend that the same be amended as follows:

In Section 6, line 105 of the bill after the word "Committee", strike out the words "shall, except" and strike out all of line 106 and strike out the words "individually, are members, shall be in session," in line 107.

After the word "expense" in line 111 of the bill, add these words: "Provided, however, that no members of the committee shall receive per diem or expenses while in attendance or traveling to or from any session of the Legislature of which he is a member," and re-number the lines.

And when so amended recommend that the bill be placed on the calendar.

REP. OHNSTAD, Chairman.

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

Mr. Speaker: Your Committee on Judiciary to whom was referred Senate Bill No. 6, have had the same under consideration and recommend that the same do pass.

REP. OHNSTAD, Chairman.

Rep. Graham moved that the report be adopted. Rep. Bergesen offered as a substitute motion that Senate Bill No. 6 be indefinitely postponed.

# MESSAGES FROM THE SENATE

# Senate Chamber, Bismarck, March 25, 1944.

Mr. Speaker: I have the honor to return:

House Bill No. 20. A Bill for an Act to Amend and Reenact Section 11 and Section 13 of Chapter 269 of the Session Laws of 1943, Relating to Veterans Aid Commission, and Increasing the Amount Which May Be Expended by the Commission, and Providing for Compensation for the Members of the Commission and Providing for Compensation for the Executive Secretary of the Commission; and Declaring an Emergency.

Which the Senate has amended.

# W. J. TROUT, Secretary.

Senate Chamber,

#### Bismarck, March 25, 1944.

Mr. Speaker: I have the honor to return:

House Bill No. 14. A Bill for an Act Making an Appropriation for Payment of the Increase in the Elevator Maintenance Contract for the State Capitol, and Declaring an Emergency.

House Bill No. 15. A Bill for an Act Making an Appropriation for the Increase of Salaries of the Appointive Members of the Board of Administration, and Declaring an Emergency.

House Bill No. 17. A Bill for an Act Fixing the Salary of the State Tax Commissioner at Four Thousand Dollars (\$4,000.00) Per Annum, and Repealing All Acts or Parts of Acts in Conflict Herewith.

House Bill No. 18. A Bill for an Act Authorizing Counties, Cities, Villages, School Districts and Townships to Invest Surpluses in Their General Fund in Bonds of the United States and the State of North Dakota; Declaring an Emergency.

House Bill No. 24. A Bill for an Act Authorizing the Board of County Commissioners to Appoint, Employ, and Pay a County Veterans' Service Officer to Assist Returning Members of the Armed Forces in the Solution of Their Problems.

House Bill No. 26. A Bill for an Act to Amend and Reenact Section 2486 of the 1925 Supplement to the 1913 Compiled Laws, as Amended by Chapter 118 of the 1943 Session Laws, Relating to Repairs of Existing Drains, and Declaring an Emergency.

House Bill No. 27. A Bill for an Act to Amend and Reenact Section 2472 of the Compiled Laws Relating to Letting
of Contracts by Board of Drain Commissioners, and Declaring an Emergency.

House Bill No. 6. A Bill for an Act Amending and Reenacting the Initiated Act Approved by the Electors of the State of North Dakota on November 8, 1932, Which Act Amended and Re-enacted Section 719 of the 1925 Supplement to the Compiled Laws of the State of North Dakota for 1913, Relating to the Salaries of Judges of the Supreme Court of the State of North Dakota, and Providing for an Increase of Salaries for Said Supreme Court Judges from Five Thousand Dollars (\$5,000.00) to Five Thousand, Five Hundred Dollars (\$5,500.00) a Year; and Declaring an Emergency.

House Concurrent Resolution No. 7.

Which the Senate has passed unchanged.

Senate Chamber,

Bismarck, March 25, 1944.

Mr. Speaker: I have the honor to inform you that the Senate requests the return of Senate Bill No. 3.

W. J. TROUT, Secretary.

Rep. Bubel moved that the House accede to the request of the Senate and return Senate Bill No. 3, which motion prevailed.

#### MESSAGE TO THE SENATE

House of Representatives,

Bismarck, March 25, 1944.

Mr. President: I have the honor to return Senate Bill No. 3 as requested by the Senate.

W. M. SMART, Chief Clerk.

The question was on the substitute motion offered by Rep. Bergesen. Discussion followed.

#### MESSAGES TO THE HOUSE

Senate Chamber,

Bismarck, March 25, 1944.

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 3. A Bill for an Act Suspending Sales of Farm and Grazing Lands Owned by the State of North Dakota, Its Agencies and Subdivisions, Subject to Specified Exceptions, and Declaring an Emergency.

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

W. J. TROUT, Secretary.

Senate Chamber.

Bismarck, March 25, 1944.

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 15. A Bill for an Act Making an Appropriation to Defray the Expenses of the Extraordinary Legislative Session of 1944, and the Expenses of the Governor's Advisory Committee, and Declaring an Emergency.

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

W. J. TROUT, Secretary.

The question was on the substitute motion by Rep. Bergesen to indefinitely postpone Senate Bill No. 6.

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After discussion had been had at length on Senate Bill No. 6, Rep. Aker arose to a point of order stating Rep. Graham had spoken three times on the bill.

The Speaker inquired whether or not he wished to enter his objection to which he replied "I do."

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

The question then was on the motion to indefinitely postpone Senate Bill No. 6.

A roll call was requested and granted.

Senate Bill No. 6. A Bill for an Act Permitting Electors Engaged in the Defense of Their Country or Members of the American Red Cross, Merchant Marine, or the United Service Organizations Outside the Territorial Limits of the United States, as a Result of Any War in Which the United States of America May Be Engaged, and Until Six Months After the Termination Thereof, to Vote by Proxy During the Emergency of Any Such War, Defining the Duty of the County Auditor, and Declaring an Emergency.

#### ROLL CALL

The question being on the motion to indefinitely postpone Senate Bill No. 6, the roll was called and there were ayes, 66; nays, 44; absent and not voting 2.

Those voting in the affirmative were:

Those voting in the	aiiiiiative were.	
Aker	Fleck	Morland
Allen, Grand Forks	Forseth	Mortenson
Allen, Pierce	Fuglestad	Nystrom
Arndt	Gačkle	Olson, Barnes
Bagge	Gainor	Ohnstad
Bauer	Graham	Peterson, Ransom
Benno	Halcrow	Pyle
		Rettke
		Runck
Blair	Hildre	Sailer
Bolmeier	Hogoboom	Sandness
Boulden	Holm '	Saumur
Bubel	Hovey	Sellens
Bymers	Johnson, Cass	Severson
Carlson		Sharpe
Coghlan		Shure
Collette		Stormon
Dahlen	Leet	Twichell
Dalzell	Lunde	Wambheim
Devlin	McInnes	Westby
Ekren	Manstrom	Williams, Stutsm'n
Fitch	Moe	Mr. Speaker
Those voting in the	negative were:	-
Anderson	Iszler	Rohde
Baumgartner	Jennings	Rohrer
Belzer	Langley	Schwartz
Braun		Schmalenberger
Burau	Larson, Wells	Schnell
Callahan	Levin	Stair
Crockett	Lillehaugen	Starck
Drovdal	Marks	Sticka
Falconer		Tuff
Fraser	Mollet	Welk
	Aker Allen, Grand Forks Allen, Pierce Arndt Bagge Bauer Benno Bergesen Bjella Blair Bolmeier Boulden Bubel Bymers Carlson Coghlan Collette Dahlen Dalzell Devlin Ekren Fitch Those voting in the Anderson Baumgartner Belzer Braun Burau Callahan Crockett Drovdal Falconer	Allen, Grand ForksForsethAllen, PierceFuglestadArndtGackleBaggeGainorBauerGrahamBennoHalcrowBergesenHaugenBjellaHauglandBlairHildreBolmeierHogoboomBouldenHolmBubelHoveyBymersJohnson, CassCarlsonJohnson, RichlandCoghlanJohnson, RoletteColletteKolpinDalzellLundeDevlinMcInnesEkrenMastromFitchMoeThose voting in thenegative were :AndersonIszlerBaumgartnerJenningsBelzerLarson, WardBurauLarson, WellsCallahanLevinCrockettLillehaugenDrovdalMarksFalconerMittag

Haag Halvorson Heckman Hegge Hofstrand Monson Morrison Nelson Ostgulen Peterson, Bottin'au Williams, Riehland Williams, Sargent Wolf, McIntosh Wolf, Morton

Absent and not voting:

Olson, Bowman Welder

So the motion prevailed and Senate Bill No. 6 was indefinitely postponed.

Rep. Bauer: "I used to hear about politics back in Illinois and how those politicians would go out and give so much for a vote. It was a shameful condition, but I never expected to get up here with the pure air of North Dakota where people live pure and are pure, and find politicians who would try to go to work and ruin the intention of the ballot. I vote against this bill. I vote aye."

Rep. Graham: "I vote 'aye' for the purpose of reconsideration."

Rep. Fitch moved that the Page pick up all these propaganda sheets and return them to the Senate with the instructions that we can get along by taking care of our own business, which motion prevailed, and the Page so instructed.

Rep. Levin moved that Senate Bill No. 7 be placed on the calendar, which motion prevailed.

#### HOUSE CONCURRENT RESOLUTION No. 9

Introduced by Rep. Johnson of Cass County

WHEREAS, Senate Bill No. 15, being a bill for an Act, making an appropriation to defray the expenses of the extraordinary session of the 28th Legislative Assembly of 1944, has been passed by said extraordinary session, and

WHEREAS, provision has been made in said Senate Bill No. 15 for the payment of mileage and per diem of officers and employees of the said extraordinary session, and

WHEREAS, the aforesaid provision with respect to the payment of such mileage and per diem of officers and employees, found in lines 8 and 9 of the original Bill, is not sufficiently clear,

NOW, THEREFORE, BE IT RESOLVED by the House of Representatives of the 28th Legislative Assembly, in extraordinary session, the Senate concurring therein:

That the mileage for officers and employees referred to in lines 8 and 9 of the original Senate Bill No. 15, means the same amount of mileage as provided for State officers and employees at the present time under North Dakota State laws.

Rep. Benno moved that the rules be suspended and House Concurrent Resolution No. 9 be adopted at this time, which motion previled and the Resolution was adopted.

HOUSE CONCURRENT RESOLUTION No. 10

Introduced by Joint Committee on Employment

BE IT RESOLVED BY THE HOUSE OF REPRESENTA-TIVES OF THE STATE OF NORTH DAKOTA, THE SENATE CONCURRING THEREIN: That W. J. Trout, Secretary of the Senate; Ruth Smith, Desk Reporter for the Senate; W. M. Smart, Chief Clerk of the House; and Marie Tunell, Desk Reporter of the House, are hereby authorized, empowered to compare an index of the Journal of the Extraordinary Session of the Twenty-eighth Legislative Assembly, and perform whatever other duties their positions require.

BE IT FURTHER RESOLVED, that the said W. J. Trout, Ruth Smith, W. M. Smart, and Marie Tunell, as above set forth, be retained at their present salary, or its equivalent, not to exceed six legislative days, all to be paid as legislative expense and paid when the respective claims are verified by affidavits of the said W. J. Trout and W. M. Smart.

Rep. Mittag moved that the rules be suspended and House Concurrent Resolution No. 10 be adopted at this time, which motion prevailed.

#### ROLL CALL

The question being on the adoption of House Concurrent Resolution No. 10, the roll was called and there were ayes, 93; nays, 0; absent and not voting, 19.

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

### JOURNAL OF THE HOUSE

### SIGNING OF BILLS

The Chief Clerk announced that the Speaker was about to sign:

Senate Bill No. 15.

And the Speaker signed the same in the presence of the House.

#### MESSAGES TO THE SENATE

House of Representatives,

March 25, 1944.

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

House Concurrent Resolution No. 9.

House Concurrent Resolution No. 10.

W. M. SMART, Chief Clerk.

#### March 25, 1944.

Mr. President: I have the honor to transmit to you a copy of a motion introduced by Rep. Fitch and adopted by the House as follows: Rep. Fitch moved that the Page pick up all the propaganda sheets and return them to the Senate with the instructions that we can get along by taking care of our own business. Motion adopted unanimously.

W. M. SMART, Chief Clerk.

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

Rep. Leet moved that the House do now adjourn, which motion prevailed and the House stood adjourned.

#### SEVENTH DAY

Bismarck, March 25, 1944.

The House convened pursuant to adjournment, Speaker Beede presiding.

Prayer was offered by Rev. J. H. Paynor of Mandan.

Roll Call: All members were present except Rep. Olson of Bowman.

#### REPORT OF COMMITTEE ON REVISION AND CORRECTION

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

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

On page 95, between lines 17 and 18, insert, "Rep. Graham offered as a substitute motion that House Bill No. 22 be indefinitely postponed, which motion prevailed."

Between lines 27 and 28 insert, Rep. Schnell offered as a substitute motion that House Bill No. 28 be indefinitely postponed, which motion prevailed.

After the 6th line from the bottom of page 97 insert, "The question was on the adoption of the report as amended, which motion prevailed."

Change the period at the end of page 97 to a comma and add, "and the Resolution as amended was adopted."

On page 101 change lines 17 and 18 to read, "In line 8 of the printed bill, change the words fifteen years to twelve years."

Change the period to a comma after the word "to" on page 130 and add "and the emergency clause was declared carried." Also, "Rep. Bergesen 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."

On page 96 show House Concurrent Resolution No. 6 as introduced by Reps. Graham and Starck.

And when so corrected recommends that the same be approved.

REP. WELDER, Chairman.

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

#### HOUSE COMMITTEE ON ENROLLMENT AND ENGROSSMENT

The Committee on Enrollment and Engrossment made the following report:

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

House Concurrent Resolution No. 2.

House Concurrent Resolution No. 6.

And find the same correctly enrolled. REP. MORLAND, Chairman.

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

#### HOUSE COMMITTEE ON ENROLLMENT AND ENGROSSMENT

The Committee on Enrollment and Engrossment made the following report:

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

Joint Memorial Resolution "B".

Joint Memorial Resolution "C".

House Resolution No. 1.

House Resolution No. 2.

Were delivered to the Secretary of State for his approval at the hour of 1:00 o'clock P. M. March 25, 1944.

REP. MORLAND, Chairman.

# CONSIDERATION OF MESSAGES FROM THE SENATE

Amendments to House Bill No. 20:

In lines 24 and 25, strike out the "a monthly salary of Seventy-Five Dollars (\$75.00) per months and," which motion prevailed on ruling of the presiding officer.

Rep. Boulden moved that the House concur in the Senate Amendment to House Bill No. 20, which motion was lost.

Rep. Crockett moved that the House do not concur and that a conference committee be appointed, which motion prevailed.

Rep. Crockett moved that the action taken on the amend-

ment to House Bill No. 20 be reconsidered, which motion prevailed.

Rep. Fitch moved that the House concur in the Senate Amendment to House Bill No. 20, which motion prevailed.

Rep. Fitch moved that the rules be suspended and that House Bill No. 20 be considered properly re-engrossed and that it has again been read after the amendment and that it be placed on second reading and final passage, which motion prevailed.

#### SECOND READING OF HOUSE BILLS

House Bill No. 20. A Bill for an Act to Amend and Reenact Section 11 and Section 13 of Chapter 269 of the Session Laws of 1943, Relating to Veterans Aid Commission, and Increasing the Amount Which May Be Expended by the Commission, and Providing for Compensation for the Members of the Commission and Providing for Compensation for the Executive Secretary of the Commission; and Declaring an Emergency.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 91; nays, 0; absent and not voting, 21.

Those voting in the affirmative were:

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

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Blair Burau Bymers Coghlan Forseth Hildre Holm Nystrom Olson, Barnes Olson, Bowman Sellens Wambheim Welder Williams, Richland Williams, Sargent

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

Rep. Westby moved that the vote by which House Bill No. 20 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 25, 1944.

Mr. President: I have the honor to inform you that the House has concurred in the Senate amendment to House Bill No. 20.

#### W. M. SMART, Chief Clerk.

# SIGNING OF BILLS

The Chief Clerk announced that the Speaker was about to sign:

House Concurrent Resolution No. 2.

House Concurrent Resolution No. 6.

And the Speaker signed the same in the presence of the House.

#### MESSAGES TO THE SENATE

House of Representatives, Bismarck, March 25, 1944.

Mr. President: I have the honor to transmit:

House Concurrent Resolution No. 6.

House Concurrent Resolution No. 2.

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

W. M. SMART, Chief Clerk.

House of Representatives,

Bismarck, March 25, 1944.

Mr. Speaker: I have the honor to return:

Senate Bill No. 15.

Which the Speaker has signed.

# W. M. SMART, Chief Clerk.

#### REPORT OF SELECT COMMITTEES

TO THE MEMBERS OF THE TWENTY-EIGHTH LEGIS-LATIVE ASSEMBLY:

Gentlemen:

At the close of the last session, the House authorized the Burleigh County representatives to make arrangements for a group picture of the legislative assembly. The State Secretarys' office helped us to obtain the pictures from the different members and the same were not received until about 60 days ago.

As soon as the same arrived, we took them to the Risem Studio in this city and asked them to make up the picture. They informed us that they would check over the photos and advised us later that they were not very much interested in doing the job because the Butler Studio had the negatives. At that time, the Butler Studio was being operated by administrators as Mr. Butler had passed away and the studio was not active in business for some time.

We have made every effort to have the Risem Studio and the administrators of the Butler Studio get together and try to have them make up the pictures for us, but they have turned us down. At the present time, there is a lady running the Butler Studio and I have seen her and have asked her if she wouldn't consider doing this work for us. We gave her the photos to check and she has flatly refused to do so.

During the last session, we appropriated \$200.00 to do this work. I asked her if she would do this work provided this legislature pay her more money. She said she would not do the work at any price. I had also offered to obtain priority for the materials to make these pictures so it would not interfere with the regular quota of materials she receives, but under these conditions she still refuses to do the work. However, she said that if anyone wanted to take this work, she will cooperate and furnish the negatives.

Sincerely yours,

REP. FLECK.

The report of Rep. Fleck was referred to the Committee on Appropriations.

Rep. Stormon moved that the House stand recessed for twenty minutes, which motion prevailed.

The House reconvened pursuant to recess, Speaker Beede presiding.

#### MESSAGES FROM THE SENATE

Senate Chamber,

Bismarck, March 25, 1944.

Mr. Speaker: I have the honor to return:

House Bill No. 3.

Which the Senate has amended.

#### W. J. TROUT, Secretary.

Mr. Speaker: I have the honor to return:

House Concurrent Resolution No. 9.

House Concurrent Resolution No. 10.

Which the Senate has passed unchanged.

#### W. J. TROUT, Secretary.

#### SECOND READING OF SENATE BILLS

Rep. Bergesen moved that the rules be suspended and that Senate Bill No. 3 be placed on final passage at this time, which motion prevailed.

Rep. Langley moved that Senate Bill No. 3 be indefinitely postponed, which motion prevailed.

A division was called for which revealed 54 for and 37 against, so Senate Bill No. 3 was indefinitely postponed.

A Roll Call was demanded.

#### ROLL CALL

The question being on the motion to indefinitely postpone

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Senate Bill No. 3, the roll was called and there were ayes, 49; nays, 58; absent and not voting, 5.

Those voting in the	affirmative were:	
Aker	Hildre	Peterson, Ransom
Allen, Grand Forks	Hofstrand	Pyle
Arndt	Holm	Rettke
Bagge	Hovey	Rohde
Benno	Iszler	Rohrer
Blair	Jennings	Runck
Qallahan	Johnson, Cass	Sailer
Collette	Johnson, Rolette	Schnell
Crockett	Langley	Sellens
Dalzell	Leet	Sharpe
Devlin	Levin	Shure
Ekren	Lunde	Sticka
Fitch	McInnes	Stormon
Fleck	Manstrom	Wambheim
Gainor	Moe	Westby
Halcrow	Nystrom	Williams, Stutsm'n
Heckman		

Allen, Pierce Anderson Bauer Baumgartner Belzer Bergesen Biella Bolmeier Braun Bubel Burau **Bymers** Carlson Coghlan Dahlen Drovdal Falconer 'Fraser Fuglestad Gackle

Those voting in the negative were: Graham Haag Halvorson Haugen Haugland Hegge Hogoboom Johnson, Richland Kolpin Larson, Ward Larson, Wells Lillehaugen Marks Mittag Mollet Monson Morland Morrison Mortenson

Nelson Olson, Barnes Ohnstad Ostgulen Peterson, Bottin'au Sandness Saumur Schwartz Schmalenberger Stair Starck Twichell Tuff Welk Williams, Richland Williams, Sargent Wolf, McIntosh Wolf, Morton Mr. Speaker

Absent and not voting: Boulden Forseth

Olson, Bowman Severson

Welder

So the motion was lost.

Rep. Fitch: "I am going to vote against this motion. In other words, I propose killing the Bill, and I do so because I want to leave the impression with the returned veterans that it is my honest and sincere desire to do something for them. I introduced a Bill to set aside a million dollars for their use which unanimously passed this House but which the Senate saw fit to kill, and therefore I vote in this manner for the benefit of the returning veterans."

Rep. Halcrow: "I am voting against this Bill for the reason that we have so much poor land lying idle and I would hate to see any of the soldier boys get caught with any of it, as they might, through some high-powered salesmen. I vote aye."

Rep. Marks: "I am going to vote against the indefinite postponement of this Bill. I bought a section of land in the last year, it is back on the tax roll—any ex-serviceman or any man now in the service can have it or any part of that land for just exactly what it cost me. The records show exactly what I paid for it and therefore I vote no."

Rep. Schnell: "I vote 'aye' on this Bill for the reason I feel that the best land in the State of North Dakota is already sold and it would be an injustice to the boys to designate the poorest land in the State of North Dakota for them to settle down on. Some of these boys haven't had much experience and don't realize the low value of the land and it would probably take them twenty years to find out that they were broke when they started. It is a good way for those boys to lose their homes some day. Had we started this three years ago it would have been different."

The question was on the final passage of Senate Bill No. 3. Rep. Bergesen moved to amend Senate Bill No. 3 as follows:

In line 15 of the original Bill, insert the word "the" before the word "land", which motion prevailed.

#### MESSAGES FROM THE SENATE

Senate Chamber,

Bismarck, March 25, 1944.

Mr. Speaker: I have the honor to return:

House Bill No. 2. A Bill for an Act to Amend and Reenact Section 853 of the Compiled Laws of North Dakota for 1913, Relating to the Obtaining and Filing of Petitions of Candidates for United States Senate, Members of Congress, State Officers, Judge of the Supreme and District Courts, and Declaring an Emergency.

House Bill No. 4. A Bill for an Act to Amend and Reenact Section 1003 of the 1925 Supplement to the Compiled Laws of North Dakota for 1913, Relating to the Duties of the Secretary of State, County Auditor or any Other Officer by Law Required to Prepare General or Primary Election Ballots; Fixing Time When Said Ballots Are to Be Prepared; Declaring an Emergency.

House Bill No. 5. A Bill for an Act to Amend and Reenact Section 920 of the Compiled Laws of North Dakota for 1913, Relating to Certification by the Secretary of State to County Auditors of a Certified List of Names and Addresses of Candidates at the Primary Election, and Declaring an Emergency.

House Bill No. 7. A Bill for an Act to Amend and Reenact Chapter 138 of the Session Laws of 1939, Relating to Filing of Vacancies of Elective County Officers, Superintendent of Schools, and County Commissioners on the Noparty Ballot; Declaring an Emergency.

House Bill No. 8. A Bill for an Act to Amend and Reenact Section 979 of the Compiled Laws of North Dakota for 1913, Relating to Certification by Secretary of State to County Auditors of Proposed Constitutional Amendment and Publication for Same in the Several Counties of the State; and Declaring an Emergency.

House Bill No. 10. A Bill for an Act to Amend and Re-

enact Sections 973 and 974 of the 1925 Supplement to the Compiled Laws of North Dakota for 1913, Relating to the Time of Certification of Nomination to Be Filed with the Secretary of State and Certificates of Nomination to Be Filed with the County Auditors; Certification by the Secretary of State to County Auditors, and Declaring an Emergency.

House Bill No. 11. A Bill for an Act Amending and Reenacting Section 854 of the 1925 Supplement to the Compiled Laws of North Dakota for 1913, as Amended by Chapter 139° of the Session Laws of 1931, Relating to the Obtaining and Filing of Petitions for County Officers, County Commissioners and Legislative Candidates, Filing Fees Therefor and Declaring an Emergency.

House Bill No. 12. A Bill for an Act to Amend and Reenact Sections 1 and 3 of Chapter 135 of the Session Laws of 1935, Fixing Time for the Primary Election, for the Election of Precinct Committeemen and Declaring an Emergency.

House Bill No. 13. A Bill for an Act to Amend and Reenact Section 976 of the Compiled Laws of North Dakota for 1913, Relating to Withdrawal of Nominees from Public Office as Candidates; Fixing Time Within Which Such Withdrawal May Be Made; Declaring an Emergency.

Which the Senate has passed unchanged.

W. J. TROUT, Secretary.

Rep. Morland moved to amend Senate Bill No. 3 as follows: In lines 4 and 5 of the original bill after the comma strike out the words "and by the several counties of the State of North Dakota" and amend the title by striking out the words "agencies and subdivisions" in lines 2 and 3. Which motion was lost.

A division was requested and granted, which division revealed 33 for and 46 against, so the motion was lost.

Rep. Allen of Grand Forks moved to amend Senate Bill No. 3 as follows: In Section 3, lines 14 and 15, strike out the words "actually operating or residing on land at the time of purchase." Which motion was lost.

#### MESSAGE FROM THE SENATE

Senate Chamber,

Bismarck, March 25, 1944.

Mr. Speaker: I have the honor to return:

House Bill No. 2. A Bill for an Act to Amend and Reenact Section 853 of the Compiled Laws of North Dakota for 1913, Relating to the Obtaining and Filing of Petitions of Candidates for United States Senate, Members of Congress, State Officers, Judge of the Supreme and District Courts, and Declaring an Emergency.

House Bill No. 6. A Bill for an Act Amending and Reenacting the Initiated Act Approved by the Electors of the State of North Dakota on November 8, 1932, Which Act Amended and Re-enacted Section 719 of the 1925 Supplement to the Compiled Laws of the State of North Dakota for 1913, Relating to the Salaries of Judges of the Supreme Court of the State of North Dakota, and Providing for an Increase of Salaries for Said Supreme Court Judges from Five Thousand Dollars (\$5,000.00) to Five Thousand, Five Hundred Dollars (\$5,500.00) a Year; and Declaring an Emergency.

Which the President has signed.

#### W. J. TROUT, Secretary.

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

The question was on the final passage of Senate Bill No. 3 as amended.

Rep. Bergesen moved that the rules be suspended and that Senate Bill No. 3 be considered properly engrossed and that it has been read a second time and be now placed on final passage, which motion prevailed.

#### SECOND READING OF SENATE BILLS

Senate Bill No. 3. A Bill for an Act Suspending Sales of Farm and Grazing Lands Owned by the State of North Dakota, Its Agencies and Subdivisions, Subject to Specified Exceptions, and Declaring an Emergency.

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, 68; nays, 37; absent and not voting, 7.

ROLL CALL			
Those voting in the affirmative were:			
Allen, Pierce	Gainor	Nelson	
Anderson	Graham	Olson, Barnes	
Arndt	Haag	Ohnstad	
Baumgartner	Halcrow	Ostgulen	
Belzer	Halvorson	Peterson, Bottin'au	
Bergesen	Haugen	Rohde	
Bjella	Haugland	Sandness	
Bolmeier	Hogoboom	Saumur	
Braun	Hovey	Schwartz	
Bubel	Jennings	Schmalenberger	
Burau	Johnson, Richland	Severson	
Bymers	Kolpin	Stair	
Carlson	Larson, Ward	Starck	
Coghlan	Larson, Wells	Stormon	
Dahlen	Leet	Tuff	
Dalzell	Lillehaugen	Welk	
Devlin	Marks	Williams, Richland	
Drovdal	Mittag	Williams, Sargent	
Ekren	Mollet	Williams, Stutsm'n	
Falconer	Monson	Wolf, McIntosh	
Fraser	Morland	Wolf, Morton	
Fuglestad	Morrison	Mr. Speaker	
Gackle	Mortenson		
Those voting in the	negative were:		
Aker	Hofstrand	Peterson, Ransom	
Allen, Grand Forks	Holm	Pyle	
Bagge	Iszler	Rettke	
Bauer	Johnson, Cass	Rohrer	
Benno	Johnson, Rolette	Runck	
Blair	Langley	Sailer	
Callahan	Levin	Schnell	
Collette	Lunde	Sellens	
Crockett	McInnes	Sharpe	
Fitch	Manstrom	Shure	

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# SATURDAY, MARCH 25, 1944

Fleck	Moe	Sticka
Heckman	Nystrom	Wambheim
Hildre		
Absent and not	voting:	
Boulden	Ölson, Bowman	Welder
Forseth	Twichell	Westby
Hegge		

So the bill passed as amended and the title was agreed to.

Rep. Allen of Grand Forks: "I would like to see this land held up for sale to the boys but as long as this bill takes the privilege of redemption of land away from some and not from others, I consider it class legislation and for that reason I am compelled to vote against it."

I am compelled to vote against it." Rep. Heckman: "I have worked 45 years out on the prairies trying to establish a home and I don't want the soldiers to come back and apply their labors under similar conditions. I also take into consideration the schools. They want to function at this time but if you tie up this land so they can get no taxes from the land, they cannot function. I therefore vote 'No'."

Rep. Wolf of McIntosh moved that the vote by which Senate Bill No. 3 was passed be reconsidered, which motion prevailed.

Rep. Allen of Grand Forks moved that the rules be suspended and Senate Bill No. 3 be placed on second reading and final passage at this time, which motion prevailed.

#### SECOND READING OF SENATE BILLS

Senate Bill No. 3. A Bill for an Act Suspending Sales of Farm and Grazing Lands Owned by the State of North Dakota, Its Agencies and Subdivisions, Subject to Specified 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, 81; nays, 24; absent and not voting, 7.

absent and not voting, t.			
Those voting in the			
Allen, Grand Forks		Olson, Barnes	
Allen, Pierce	Halvorson	Ohnstad	
Anderson	Haugen	Ostgulen	
Arndt	Haugland	Peterson, Bottin'au	
Baumgartner	Heckman	Rohde	
Belzer	Hildre	Rohrer	
Benno	Hofstrand	Sailer	
Bergesen	Hogoboom	Sandness	
Bjella	Holm	Saumur	
Bolmeier	Hovey	Schwartz	
Braun	Iszler	Schmalenberger	
Bubel	Jennings	Schnell	
Burau	Johnson, Cass	Severson	
Bymers	Johnson, Richland	Sharpe	
Carlson	Johnson, Rolette	Shure	
Coghlan	Kolpin	Stair	
Dahlen	Larson, Ward	Starck	
Dalzell	Larson, Wells	Sticka	
Devlin	Leet	Stormon	
Drovdal	Lillehaugen	Twichell	
Ekren	Marks	Tuff	

Falconer	Mittag	Welk
Fraser	Mollet	Westby
Fuglestad	Monson	Williams, Richland
Gackle	Morland	Williams, Sargent
Gainor	Morrison	Wolf, McIntosh
Graham	Mortenson	Wolf, Morton
Haag	Nelson	Mr. Speaker
Those voting in the	negative were:	-
Aker	Fleck	Peterson, Ransom
Bagge	Langley	Pyle
Bauer	Lunde	Rettke
Oallahan	McInnes	Runck
Collette	Manstrom	Sellens
Crockett	Moe	Wambheim
Fitch ·	Nystrom	Williams, Stutsm'n
Absent and not voti	ng:	
Blair	Hegge	Olson, Bowman
Boulden	Levin	Welder
Forseth		

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

Rep. Allen of Grand Forks: "I still disagree with this Bill, but it evidently is going to pass and if it be passed it should be passed with a vote large enough to make it effective immediately, so I vote aye."

Rep. Heckman: "It seems to be inconsistent on my part but as the tendency seems to demand it, I vote aye."

Rep. Fitch: "I desire to change my vote from 'aye' to 'no." This is merely an attempt to tell the servicemen we are trying to do something for them, when in fact we are not. I introduced a Bill in this House, which was passed unanimously, which would have done something for the servicemen when they returned, which was the Bill setting aside one million dollars, but the Senate killed it, and therefore I vote no."

Rep. Halcrow: "I find it necessary to vote for this Bill contrary to my first vote for the reason that I now understand that the County Commissioners and the Bank of North Dakota are going to have charge of the selling of this land and I know that the boys will not be charged exorbitant prices for it."

Rep. Fitch moved that the House do not concur in the Senate amendments to House Bill No. 3, which motion prevailed.

Rep. Fitch moved that a conference committee of three be appointed by the Speaker, which motion prevailed.

The Speaker appointed Reps. Fitch, Graham and Bergesen.

#### MESSAGE TO THE SENATE

House of Representatives,

Bismarck, March 25, 1944.

Mr. President: I have the honor to inform you that the House has refused to concur in the Senate amendment to House Bill No. 3, and the Speaker has appointed as a conference committee to act with a like committee from the Senate, Reps. Fitch, Graham and Bergesen.

W. M. SMART, Chief Clerk.

#### SECOND READING OF SENATE BILLS

Senate Bill No. 9. A Bill for an Act to Include in the Printed Volumes of the North Dakota Revised Code of 1943, All of the Laws Enacted at the Extraordinary Session of the North Dakota 28th Legislative Assembly, Commencing March 20, 1944, and Declaring an Emergency.

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, 103; nays, 0; absent and not voting, 9.

# ROLL CALL

Nystrom Olson, Barnes

Ohnstad Ostgulen

Pyle

Rettke

Rohrer Runck Sailer Sandness

Schwartz Schmalenberger

Schnell Sellens Severson

Sharpe

Stormon Twichell Tuff

Wambheim Welk Westby

Mr. Speaker

Williams, Richland Williams, Sargent Williams, Stutsm'n Wolf, McIntosh Wolf, Morton

Shure Stair Starck Sticka

Peterson, Bottin'au Peterson, Ransom

Those voting in the	affirmative were:
Aker	Halcrow
Allen, Grand Forks	Halvorson
Allen, Pierce	Haugen
Anderson	Haugland
Arndt	Heckman
Bagge	Hildre
Bauer	Hofstrand
Baumgartner	Hogoboom
Belzer	Holm
Benno	Hovey
Bergesen	Iszler
Bjella	Jennings
Blair	Johnson, Cass
Bolmeier	Johnson, Richland
Braun	Johnson, Rolette
Bubel	Kolpin
Bymers	Langley
Oallahan	Larson, Ward
Carlson	Larson, Wells
Coghlan	Leet
Collette	Levin
Crockett	Lillehaugen
Dahlen	Lunde
Devlin	McInnes
Drovdal	Manstrom
Ekren	Marks
Falconer	Mittag
Fitch	Moe
Fleck	Mollet
Fraser	Monson
Fuglestad	Morland
Gackle	Morrison
Gainor	Mortenson
Graham	Nelson
Haag	
Absent and not vot	ing:

Absent and not	voting:	
Boulden	Forseth	Rohde
Burau	Hegge	Saumur
Dalzell	Olson, Bowman	Welder

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

Rep. Haugen moved that Senate Bill No. 7 be placed at the head of the calendar, which motion prevailed.

Senate Bill No. 7. A Bill for an Act to Amend and Reenact Section 2125 of the Compiled Laws of North Dakota for 1913 as Amended by Section 1 of Chapter 248 of the Session Laws of 1929, Providing for the Election, Qualifications and Compensation of Officers in Townships and in Unorganized Districts; Declaring an Emergency. Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes 89; nays, 14; absent and not voting, 9.

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

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

Rep. Bergesen moved that Senate Concurrent Resolution "B" be placed at the head of the calendar, which motion prevailed.

MESSAGE FROM THE SENATE

Senate Chamber,

Bismarck, March 25, 1944.

Mr. Speaker: I have the honor to inform you that the President has appointed as a Conference Committee, to

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#### act with a like committee from the House on House Bill No. 3, Senators Day, Page and Morgan of Richland.

#### W. J. TROUT, Secretary.

Rep. Bergesen moved to amend Senate Concurrent Resolution "B" as follows: At the end of line 5 after the word "serve" insert "from July first, 1944," which motion prevailed.

Rep. Bergesen moved that the rules be suspended and Senate Concurrent Resolution "B" be placed on second reading and final passage at this time, which motion prevailed.

Rep. Bergesen demanded a call of the House.

The Sergeant-at-arms was instructed to close the doors to the Chamber and proceed to bring all absent members in. The roll was called which revealed all present except Reps. Allen of Grand Forks, Boulden, Forsyth, Hegge, Olson of Bowman and Welder.

Rep. Bergesen moved that further proceedings under the call of the House be dispensed with.

Rep. Bergesen moved that the corridors be cleared, which motion prevailed.

#### SECOND READING OF SENATE CONCURRENT RESOLUTION

Concurrent Resolution "B." To Establish an Interim Legislative Committee to Investigate Charges Made Against the Department of Insurance, to Fix the Duties of Such Committee and Provide Its Procedure and to Compel the Attendance of Witnesses and the Production of Records Before the Committee and/or Its Representatives, and Fix Penalties for Refusal.

Was read the second time.

#### ROLL CALL

The question being on adoption of Senate Concurrent Resolution "B", the roll was called and there were ayes, 68; nays, 40; absent and not voting, 4.

Those voting in the	affirmative were:	
Aker	Fleck	Moe
Allen, Grand Forks	Forseth	Morland
Allen, Pierce	Fuglestad	Nystrom
Arndt	Gackle	Olson, Barnes
Bagge .	Gainor	Peterson, Ransom
Benno	Halcrow	Pyle
Bergesen	Halvorson	Runck
Bjella	Haugland	Sailer
Blair	Heckman	Sandness '
Bolmeier 🕔	Hildre	Saumur
Boulden	Hofstrand	Schnell
Burau	Hogoboom	Sellens
Bymers	Holm	Severson
Callahan	Hovey	Sharpe
Carlson	Johnson, Cass	Shure
Coghlan	Johnson, Richland	Stair
Collette	Johnson, Rolette	Sticka
Crockett	Kolpin	Stormon
Dahlen	Langley	Twichell
Dalzell	Leet	Wambheim

Lunde

Levin

Marks

Mittag

Mollet

Nelson

Ohnstad

Ostgulen

Monson

Morrison

Mortenson

**McInnes** 

Manstrom

Larson, Wells

Lillehaugen

Devlin Falconer Fitch Those voting in the negative were: Anderson Bauer Baumgartner Belzer Braun Bubel Drovdal Fraser Graham Haag Haugen Iszler Jennings Larson, Ward

Rettke Rohde Rohrer Schwartz Schmalenberger Starck Tuff Welk Williams, Richland Williams, Sargent Wolf, McIntosh Wolf, Morton

Williams, Stutsm'n

Westby

Absent and not voting:

Ŏlson, Bowman Ekren Hegge

Welder

Mr. Speaker

So the resolution was adopted. Rep. Boulden moved that the vote by which Senate Concurrent Resolution "B" was passed be reconsidered and the motion to reconsider be laid on the table.

Peterson, Bottin'au

Which motion prevailed.

Rep. Halcrow: "I somewhat agree with Mr. Graham on the investigations conducted by the legislature. I happen to be one of the members who was on the committee that investigated the Highway Department in 1925. The majority had Attorneys Graham and Lounsberry but we had no attorney on our side, we had to fight our own battle and I don't think it was a very fair deal. However, though the investigation was completed and was adopted by the House, so far as I know that was the last that was done with it. But this time I understand that we are to get attorneys from outside the State and I understand that since that has been noised around the men who were asking for the investigation are rather wishing it would not be put through so I am going to vote 'Aye'.'

Rep. Williams of Richland: "I have worked in this House since 1935, nearly ten years, and I don't think we have had one session without an investigation. With all this money we have put into investigations there has been no one put behind bars whether they were guilty or not guilty. When we have these investigations it costs a lot of money and who pays it? It is us old sod-busters who pay the bill-we pay the taxes-not the other fellows. If this man is guilty, and if Mr. Vold has made any false accusations, Mr. Strutz can come back at him on his own expense. I vote no."

Rep. Graham moved to amend Senate Bill No. 16 in line 130 of the original bill that the figures \$20,000 be changed to \$10,000., which motion was lost.

Rep. Lillehaugen moved that Senate Bill No. 16 be indefinitely postponed.

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

The question then was on Rep. Lillehaugen's motion, which motion was lost.

#### SECOND READING OF SENATE BILLS

Senate Bill No. 16. A Bill for an Act to Establish an Interim Legislative Committee to Investigate Charges Made Against the Department of Insurance, to Fix the Duties of Such Committee and Provide the Procedure for Such Committee, to Compel the Attendance of Witnesses and the Production of Records Before the Committee and/or Its Representatives, and Fix Penalties for Refusal, and Making an Appropriation for the Use of Said Committee, and Declaring an Emergency.

Was read the second time.

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#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 67; nays, 40; absent and not voting, 5.

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

Ekren Olson, Bowman Hegge Welder Williams, Richland

So the bill passed and the title was agreed to.

Rep. Rohde: "I can see the political football that is going to be made out of this. I don't think it is a matter of going out of the State to get competent attorneys to handle this investigation at all, it is a case of going outside the State to get good political campaign managers—so I vote no."

Rep. Falconer: "I am voting 'no' because it has been indicated here that the intention is to hire lawyers from outside of North Dakota. I believe that we have enough honest lawyers within the boundary of this State who are capable of handling an investigation dealing with anything that the Legislature might have any business with. Therefore I vote no."

Rep. Lillehaugen: "I vote 'aye' for the purpose of reconsideration."

Rep. Fitch moved to recess until 8:00 o'clock p. m., which motion prevailed and the House stood recessed.

The House reconvened pursuant to recess taken, Speaker Beede presiding.

#### MESSAGES TO THE SENATE

House of Representatives,

Bismarck, March 25, 1944.

Mr. President: I have the honor to return:

Concurrent Resolution "B." To Establish an Interim Legislative Committee to Investigate Charges Made Against the Department of Insurance, to Fix the Duties of Such Committee and Provide Its Procedure and to Compel the Attendance of Witnesses and the Production of Records Before the Committee and/or Its Representatives, and Fix Penalties for Refusal.

Senate Bill No. 3. A Bill for an Act Suspending Sales of Farm and Grazing Lands Owned by the State of North Dakota, Its Agencies and Subdivisions, Subject to Specified Exceptions, and Declaring an Emergency.

Which the House has amended.

#### W. M. SMART, Chief Clerk.

House of Representatives,

Bismarck, March 25, 1944.

Mr. President: I have the honor to return:

Senate Bill No. 9. A Bill for an Act to Include in the Printed Volumes of the North Dakota Revised Code of 1943, All of the Laws Enacted at the Extraordinary Session of the North Dakota 28th Legislative Assembly, Commencing March 20, 1944, and Declaring an Emergency.

Senate Bill No. 7. A Bill for an Act to Amend and Reenact Section 2125 of the Compiled Laws of North Dakota for 1913 as Amended by Section 1 of Chapter 248 of the Session Laws of 1929, Providing for the Election, Qualifications and Compensation of Officers in Townships and in Unorganized Districts; Declaring an Emergency.

Which the House has passed unchanged.

W. M. SMART, Chief Clerk.

#### HOUSE CONCURRENT RESOLUTION No. 11 JOINT MEMORIAL RESOLUTION

Introduced by Rep. Maurice Aker and Senator H. R. Morgan BE IT RESOLVED BY THE HOUSE OF REPRESENTA-

TIVES OF THE STATE OF NORTH DAKOTA, THE SENATE CONCURRING,

THAT WHEREAS the Creator did on Friday, the 24th day of March, 1944, end the earthly life of Nels Odegaard, of Kindred, North Dakota, a member of the House of Representatives in the terms of 1911 and 1913 and again in 1919 and 1921,

AND WHEREAS, Nels Odegaard served as a member of the House at such terms with integrity and ability, and who beyond that, bore the respect and affection of all those knowing him in public and private life,

NOW THEREFORE BE IT RESOLVED by the House of Representatives of the State of North Dakota at the 1944 Extraordinary Session assembled, the Senate concurring, that the Legislature does hereby express its appreciation for the public life of Nels Odegaard, and its sympathy to the family of the deceased.

BE IT FURTHER RESOLVED that an engrossed copy of this resolution be sent by the clerk of the House to his sons and daugthers who survive him.

Rep. Sandness moved that the rules be suspended and that House Concurrent Resolution No. 11 be adopted by a rising vote, which motion prevailed, and the Resolution was unanimously adopted by a rising vote.

#### HOUSE RESOLUTION No. 5

#### Introduced by Reps. Fleck, Falconer and Sellens LEGISLATIVE GROUP PICTURE

WHEREAS, the Legislative Assembly of the State of North Dakota passed a resolution, and appointed a Committee consisting of Representatives John Fleck, William B. Falconer and Walter E. Sellens, with authority and instructions to take charge of the assembling of individual photographs of the members of the House of Representatives of the 28th Legislative Assembly at the earliest possible moment, and to perform such other acts as were enumerated in said Resolution, and

WHEREAS, said resolution made a provision for an appropriation of the sum of \$200.00 to be paid as Legislative expense for the purpose of defraying the expenses of assembling such photographs and making such group pictures, and

WHEREAS, the members of said committee having found that the amount appropriated is insufficient and that at least an additional \$100.00 will be needed in order to comply with the provisions of said resolution:

NOW, THEREFORE, BE IT RESOLVED, that there is hereby appropriated the sum of \$100.00 in addition to the appropriation made by House Resolution 1-R of the 28th Legislative Assembly to enable the members of said committee to complete the work and to assemble the photographs of the members of the House of Representatives, the Chief Clerk and desk force, as provided in House Resolution 1-R of the 28th Legislative Assembly.

Dated this 25th day of March, 1944.

Rep. Fleck moved that the rules be suspended and House Resolution No. 5 be adopted, which motion prevailed.

#### ROLL CALL

The question being on the adoption of House Resolution No. 5, the roll was called and there were ayes, 84; nays, 0; absent and not voting, 28.

Those voting in the affirmative were: Allen, Pierce Halcrow Ohnstad Anderson Halvorson Ostgulen Arndt Peterson, Ransom Haugland Bauer Heckman Rettke Baumgartner Rohde Hildre Belzer Hofstrand Rohrer Benno Hogoboom Runck Bjella Holm Sailer Blair Sandness Hovev Bolmeier Iszler Schwartz Boulden Johnson, Cass Schnell Burau Johnson, Rolette Severson Bymers Langley Sharpe Larson, Ward Callahan Shure Carlson Larson, Wells Stair Coghlan Leet Starck Dahlen Lillehaugen Sticka Dalzell Lunde Stormon Devlin Manstrom Twichell Drovdal Marks Tuff Ekren Mittag Wambheim Falconer Welder Moe Fleck Welk Mollet Forseth Monson Westby Fuglestad Morrison Williams, Sargent Gackle Mortenson Williams, Stutsm'n Gainor Nelson Wolf, Morton Haag Mr. Speaker Nystrom

Absent and not voting:

Aker Graham Allen, Grand Forks Haugen Bagge Hegge Bergesen Jennings Braun Johnson, Richland Bubel Kolpin Collette Levin Crockett McInnes Fitch Morland Fraser

Olson, Barnes Olson, Bowman Peterson, Bottin'au Pyle Saumur Schmalenberger Sellens Williams, Richland Wolf, McIntosh

So the resolution was adopted.

#### MESSAGES FROM THE SENATE

Senate Chamber, Bismarck, March 25, 1944.

#### Mr. Speaker: I have the honor to transmit:

Senate Bill No. 2. A Bill for an Act to Amend and Reenact Section 9498 of the 1913 Compiled Laws Prohibiting the Setting of Spring—or Other Gun or Trap or Device, Operated by Firing or Exploding of Gunpowder or Other Ex-

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plosive; Providing Certain Exceptions, and Declaring an Emergency.

Senate Bill No. 5. A Bill for an Act Authorizing and Directing the State Health Department to Secure and Process Blood; to Store and Distribute Blood Plasma Free of Charge to the People of the State of North Dakota; Providing an Appropriation of \$10,000.00 Therefor; and Declaring an Emergency.

Senate Bill No. 8. A Bill for an Act Reappropriating Monies Heretofore Appropriated for Improvements and Repairs of the North Dakota Soldiers' Home at Lisbon, North Dakota, and Declaring an Emergency.

Senate Bill No. 11. A Bill for an Act Making an Appropriation for the Payment of Premiums on Insurance Provided for in Chapter 152 of the Session Laws of 1943, and Declaring an Emergency.

Senate Bill No. 12. A Bill for an Act Making an Appropriation for the Return of Assessments to State Institutions, State Departments, State Industries and Political Subdivisions for Assessments Paid by Them to the State Fire and Tornado Fund Contrary to the Provisions of Chapter 159 of the Session Laws of 1943.

Senate Concurrent Resolution "E."

Senate Concurrent Resolution "A." Reference to Publishing a Popular and Authenticated Edition of the Session Laws of the Special Session of the Twenty-eighth Legislative Assembly.

Senate Concurrent Resolution "C."

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

W. J. TROUT, Secretary.

Rep. Dalzell moved that the House retain Miles Nelson for three days after the session, at his present pay, for the purpose of mailing out the Journals and such other work as may be necessary and that the same be charged to legislative expense.

The question being on the motion of Rep. Dalzell, Chairman of the Employment Committee, the roll was called and there were ayes, 93; nays, 0; absent and not voting, 19.

ROLL CALL

Those voting in the affirmative were:

Aker Allen, Pierce Anderson Arndt Bagge Bauer Baumgartner Belzer Benno Bjella Blair Bolmeier Boulden Burau Bymers Haag Halcrow Halvorson Haugland Heckman Hildre Hofstrand Hogoboom Holm Howy Iszler Johnson, Cass Johnson, Rolette Kolpin Langley

Ohnstad Ostgulen Peterson, Ransom Pyle Rettke Rohde Rohrer Runck Saller Sandness Schwartz Schwartz Schmalenberger Schnell Sellens Severson

# JOURNAL OF THE HOUSE

Callahan Carlson Coghlan Collette Crockett Dahlen Dalzell Devlin Drovdal Ekren Falconer Fleck Forseth Fuglestad Gackle Gainor

Bergesen

Braun

Bubel

Fitch

Fraser

Graham

Larson, Ward Larson, Wells Leet Lillehaugen Lunde McInnes Manstrom Marks Mittag Moe Mollet Monson Morrison Mortenson Nelson Nystrom Absent and not voting:

Haugen

Jennings

Morland

Hegge

Levin

Sharpe Stair Starck Sticka Stormon Twichell Tuff Wambheim Welder Welk Westhy Williams, Richland Williams, Stutsm'n Wolf, McIntosh Wolf, Morton Mr. Speaker

Olson, Barnes Olson, Bowman Peterson, Bottin'au Saumur Shure Williams, Sargent

So the motion carried and Miles Nelson was retained for three days.

Johnson, Richland

HOUSE COMMITTEE ON ENROLLMENT AND ENGROSSMENT

The Committee on Enrollment and Engrossment made the following report:

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

House Bill No. 20.

Allen, Grand Forks

And find the same correctly re-engrossed.

REP. MORLAND, Chairman.

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

The Committee on Enrollment and Engrossment made the following report:

Your Committee on Enrollment and En-Mr. Speaker: grossment respectfully report that they have examined the following bill:

House Bill No. 14.

And find the some correctly enrolled.

REP. MORLAND, Chairman.

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

#### MESSAGES TO THE SENATE

House of Representatives,

Bismarck, March 25, 1944.

Mr. President: I have the honor to transmit:

House Concurrent Resolution 11.

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

W. M. SMART, Chief Clerk.

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#### SATURDAY, MARCH 25, 1944

#### SIGNING OF BILLS

The Chief Clerk announced that the Speaker was about to sign:

House Bill No. 14.

House Concurrent Resolution "C."

Senate Concurrent Resolution "A."

Senate Concurren Resolution "E."

Senate Bill No. 2.

Senate Bill No. 5. Senate Bill No. 8.

Senate Bill No. 11.

Senate Bill No. 12.

And the Speaker signed the same in the presence of the House.

#### MESSAGES FROM THE SENATE

Senate Chamber, Bismarck, March 25, 1944.

Mr. Speaker: I have the honor to return:

House Concurrent Resolution No. 11.

Which the Senate has passed unchanged.

W. J. TROUT, Secretary

Senate Chamber,

Bismarck, March 25, 1944.

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

House Bill No. 19. A Bill for an Act to Provide for the Development of Aviation and Aeronautics in the State of North Dakota, Creating a State Aeronautics Committee Under the Jurisdiction of the Public Service Commission; Creating an Aeronautics Fund Authorizing the Transfer of Appropriated Funds; and Declaring an Emergency.

Which the Senate has indefinitely postponed. W. J. TROUT, Secretary

House of Representatives, Bismarck, March 25, 1944.

Mr. President: I have the honor to return:

Joint Memorial Resolution "A."

Joint Memorial Resolution "B."

Senate Bill No. 11. A Bill for an Act Making an Appropriation for the Payment of Premiums on Insurance Provided for in Chapter 152 of the Session Laws of 1943, and Declaring an Emergency.

Senate Bill No. 12. A Bill for an Act Making an Appropriation for the Return of Assessments to State Institutions, State Departments, State Industries and Political Sub-divisions for Assessments Paid by Them to the State Fire and Tornado Fund Contrary to the Provisions of Chapter 159 of the Session Laws of 1943.

Senate Bill No. 2. A Bill for an Act to Amend and Reenact Section 9498 of the 1913 Compiled Laws Prohibiting the Setting of Spring-or Other Gun or Trap or Device, Operated by Firing or Exploding of Gunpowder or Other Explosive; Providing Certain Exceptions, and Declaring an Emergency.

Senate Bill No. 5. A Bill for an Act Authorizing and

Directing the State Health Department to Secure and Process Blood; to Store and Distribute Blood Plasma Free of Charge to the People of the State of North Dakota; Providing an Appropriation of \$10,000.00 Therefor; and Declaring an Emergency.

Senate Bill No. 8. A Bill for an Act Reappropriating Monies Heretofore Appropriated for Improvements and Repairs of the North Dakota Soldiers' Home at Lisbon, North Dakota, and Declaring an Emergency.

Senate Concurrent Resolution "A." Reference to Publishing a Popular and Authenticated Edition of the Session Laws of the Special Session of the Twenty-eighth Legislative Assembly.

Senate Concurrent Resolution "C."

Which the Speaker his signed.

#### W. M. SMART, Chief Clerk.

House of Representatives, Bismarck, March 25, 1944.

Mr. President: I have the honor to transmit: House Bill No. 14. A Bill for an Act Making an Appropriation for Payment of the Increase in the Elevator Maintenance Contract for the State Capitol, and Declaring an Emergency.

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

#### W. M. SMART, Chief Clerk.

## SENATE COMMITTEE ON ENROLLMENT AND ENGROSSMENT

The Committee on Enrollment and Engrossment made the following report:

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

House Bill No. 6.

House Bill No. 15.

House Bill No. 17.

House Bill No. 18.

House Bill No. 24. House Bill No. 26.

House Bill No. 27.

House Concurrent Resolution No. 3.

House Concurrent Resolution No. 5.

And find the same correctly enrolled.

#### REP. MORLAND, Chairman.

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

#### SIGNING OF BILLS

The Chief Clerk announced that the Speaker was about to sign:

House Bill No. 6. House Bill No. 15. House Bill No. 17. House Bill No. 18. House Bill No. 24. House Bill No. 26.

House Bill No. 27.

House Concurrent Resolution No. 3.

House Concurrent Resolution No. 5.

And the Speaker signed the same in the presence of the House.

#### MESSAGE FROM THE SENATE

Senate Chamber,

Bismarck, March 25, 1944.

Mr. Speaker: I have the honor to inform you that the Senate has concurred in the House amendment to Senate Bills No. 1, 3, 4, 10, 13 and Senate Concurrent Resolution "B.'

#### W. J. TROUT, Secretary.

#### MESSAGES TO THE SENATE

House of Representatives,

Bismarck, March 25, 1944.

Mr. President: I have the honor to transmit:

House Bill No. 24. A Bill for an Act Authorizing the Board of County Commissioners to Appoint, Employ, and Pay a County Veterans' Service Officer to Assist Returning Members of the Armed Forces in the Solution of Their Problems.

House Bill No. 3. A Bill for an Act to Amend and Reenact Sections 992, 993 and 995 of the Compiled Laws of North Dakota for 1913, as Amended by Chapter 148 of the Session Laws of 1941, Repealing Sections 1002a1, 1002a2, 1002a5 of the 1925 Supplement to the Compiled Laws of North Dakota for 1913; Declaring an Emergency.

House Bill No. 27. A Bill for an Act to Amend and Reenact Section 2472 of the Compiled Laws Relating to Letting of Contracts by Board of Drain Commissioners, and Declaring an Emergency.

House Bill No. 26. A Bill for an Act to Amend and Reenact Section 2486 of the 1925 Supplement to the 1913 Compiled Laws, as Amended by Chapter 118 of the 1943 Session Laws, Relating to Repairs of Existing Drains, and Declaring an Emergency.

House Bill No. 17. A Bill for an Act Fixing the Salary of the State Tax Commissioner at Four Thousand Dollars (\$4,000.00) Per Annum, and Repealing All Acts or Parts of Acts in Conflict Herewith.

House Bill No. 18. A Bill for an Act Authorizing Counties, Cities, Villages, School Districts and Townships to Invest Surpluses in Their General Fund in Bonds of the United States and the State of North Dakota; Declaring an Emergency.

House Bill No. 15. A Bill for an Act Making an Appropriation for the Increase of Salaries of the Appointive Members of the Board of Administration, and Declaring an Emergency.

House Bill No. 6. A Bill for an Act Amending and Reenacting the Initiated Act Approved by the Electors of the · State of North Dakota on November 8, 1932, Which Act Amended and Re-enacted Section 719 of the 1925 Supplement to the Compiled Laws of the State of North Dakota for 1913, Relating to the Salaries of Judges of the Supreme Court of the State of North Dakota, and Providing for an Increase of Salaries for Said Supreme Court Judges from Five Thousand Dollars (\$5,000.00) to Five Thousand, Five Hundred Dollars (\$5,500.00) a Year; and Declaring an Emergency.

House Concurrent Resolution No. 5.

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

# W. M. SMART, Chief Clerk.

#### **REPORT OF STANDING COMMITTEE**

Mr. Speaker: Your Conference Committee on House Bill No. 3 to whom was referred House Bill No. 3, beg leave to report that the committee is unable to agree and request that the committee be discharged.

**REP.** FITCH, Chairman.

# REP. BERGESEN REP. GRAHAM.

Rep. Bergesen moved that the report be adopted.

Rep. Bergesen moved that the Speaker appoint another conference committee on House Bill No. 3.

Rep. Aker moved to amend the motion of Rep. Bergesen to include that the Speaker appoint Reps. Fitch, Bergesen and Graham as such conference committee, which motion prevailed.

The question being on the motion of Rep. Bergesen as amended, which motion prevailed and the Speaker re-appointed Reps. Fitch, Bergesen and Graham.

#### MESSAGE TO THE SENATE

House of Representatives,

Bismarck, March 25, 1944.

Mr. President: I have the honor to inform you that the Speaker has appointed as a new conference committee on House Bill No. 3, Reps. Bergesen, Fitch and Graham. W. M. SMART, Chief Clerk.

#### MESSAGE TO THE HOUSE

Senate Chamber,

Bismarck, March 25, 1944.

Mr. Speaker: I have the honor to return:

House Bill No. 14. A Bill for an Act Making an Appropriation for Payment of the Increase in the Elevator Maintenance Contract for the State Capitol, and Declaring an Emergency.

Which the President has signed.

#### W. J. TROUT, Secretary.

Mr. Speaker: I have the honor to inform you that the President has appointed a new conference committee to act with a like committee of the House, on House Bill No. 3, Senators O'Brien, Streibel and Rashko.\_\_\_\_

W. J. TROUT, Secretary.

#### MESSAGE FROM THE SENATE

Senate Chamber,

Bismarck, March 25, 1944.

Mr. Speaker: I have the honor to return:

House Bill No. 6. A Bill for an Act Amending and Reenacting the Initiated Act Approved by the Electors of the

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State of North Dakota on November 8, 1932, Which Act Amended and Re-enacted Section 719 of the 1925 Supplement to the Compiled Laws of the State of North Dakota for 1913, Relating to the Salaries of Judges of the Supreme Court of the State of North Dakota, and Providing for an Increase of Salaries for Said Supreme Court Judges from Five Thousand Dollars (\$5,000.00) to Five Thousand, Five Hundred Dollars (\$5,500.00) a Year; and Declaring an Emergency.

House Bill No. 15. A Bill for an Act Making an Appropriation for the Increase of Salaries of the Appointive Members of the Board of Administration, and Declaring an Emergency.

House Bill No. 17. A Bill for an Act Fixing the Salary of the State Tax Commissioner at Four Thousand Dollars (\$4,000.00) Per Annum, and Repealing All Acts or Parts of Acts in Conflict Herewith.

House Bill No. 18. A Bill for an Act Authorizing Counties, Cities, Villages, School Districts and Townships to Invest Surpluses in Their General Fund in Bonds of the United States and the State of North Dakota; Declaring an Emergency.

House Bill No. 24. A Bill for an Act, Authorizing the Board of County Commissioners to Appoint, Employ, and Pay a County Veterans' Service Officer to Assist Returning Members of the Armed Forces in the Solution of Their Problems.

House Bill No. 26. A Bill for an Act to Amend and Reenact Section 2486 of the 1925 Supplement to the 1913 Compiled Laws, as Amended by Chapter 118 of the 1943 Session Laws, Relating to Repairs of Existing Drains, and Declaring an Emergency.

House Bill No. 27. A Bill for an Act to Amend and Reenact Section 2472 of the Compiled Laws Relating to Letting of Contracts by Board of Drain Commissioners, and Declaring an Emergency.

House Concurrent Resolution No. 3.

House Concurrent Resolution No. 5.

Which the President has signed.

#### W. J. TROUT, Secretary.

#### REPORT OF SELECT COMITTEES

The Conference Committee on House Bill No. 3 made the following report:

Mr. Speaker: Your Conference Committee to whom was referred House Bill No. 3, have had the same under consideration and beg leave to report that the committee is unable to agree and request that the committee be discharged.

For the Senate:

SEN. O'BRIEN. SEN. STREIBEL SEN. RASCHKO.

For the House:

REP. FITCH REP. BERGESEN REP. GRAHAM.

# JOURNAL OF THE HOUSE

#### Rep. Fitch moved that the report be adopted. which motion prevailed and the report was adopted.

#### MESSAGES FROM THE SENATE

Senate Chamber,

Bismarck, March 25, 1944.

Mr. Speaker: I have the honor to inform you that the President has appointed a new Conference Committee to act with a like committee of the House, on House Bill No. 3, Senators Stucke, Brant and Day.

#### W. J. TROUT, Secretary.

Senate Chamber.

#### Bismarck, March 25, 1944.

Mr. Speaker: I have the honor to transmit:

Senate Concurrent Resolution "F."

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

#### W. J. TROUT, Secretary.

Rep. Aker moved that the Speaker appoint a new Con-ference Committee on Senate Bill No. 3, and on that committee be included Rep. Twichell, which motion prevailed.

The Speaker appointed Reps. Twichell, Bymers and Crockett.

# SENATE CONCURRENT RESOLUTION "F"

BE IT RESOLVED BY THE SENATE OF THE TWENTY-

EIGHTH EXTRAORDINARY LEGISLATIVE ASSEM-BLY OF THE SENATE OF NORTH DAKOTA AND THE HOUSE CONCURRING:

That for and during this twenty-eighth Extraordinary 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
A. J. Anderson, Sergeant-at-Arms	5.00
Arthur Herk, Assistant Secretary	6.50
John W. Benson, Proofreader	5.00
Helen MacLachlan, Enroll. & Engross. Clerk	
Ray Unzelman, Page	4.50
Jerry Stair, Page	
E. Willoughby, Clerk Room Attendant	

#### HOUSE

W. M. Smart, Chief Clerk	\$8.00
Kenneth Morgan, Ass't. Chief Clerk	6.50
Marie Tunell, Desk Reporter	8.00
Emil Braun, Page	4.50
Oswald Krusick, Doorkeeper	4.50
Barney Monahan, Proofreader	5.00
Fred Ingstad, Sergeant-at-arms	5.00
Clara Rishling Trout, Enrolling & Engrossing Clerk	5.00
Miles Nelson, Mailing Clerk	5.00

BE IT FURTHER RESOLVED that the Speaker of the House and the President Pro-Tem of the Senate each receive \$2.00 per day.

Rep. Halcrow moved that the rules be suspended and Joint Resolution "F" be adopted, which motion prevailed.

# SECOND READING OF JOINT RESOLUTION

# ROLL CALL

The question being on the adoption of Joint Resolution "F", the roll was called and there were ayes, 99; nays, 0; absent and not voting, 13.

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

House of Representatives, Bismarck, March 25, 1944.

Mr. President: I have the honor to return: Senate Concurrent Resolution "F". Which the House has passed unchanged.

W. M. SMART, Chief Clerk.

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# JOURNAL OF THE HOUSE

#### MESSAGE FROM THE SENATE

#### Senate Chamber,

#### Bismarck, March 25, 1944.

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 1. A Bill for an Act to Appropriate Fifteen Thousand (\$15,000.00) Dollars for the Biennium Beginning July 1, 1943, and Ending June 30, 1945, to Provide for the Control of Predatory Animals Such as Wolves, Coyotes, Bobcats and Other Predatory Animals Such 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 of the State of North Dakota to Carry Out the Provisions of this Act; Providing for a Transfer to the State Emergency Fund of \$5,000.00 from the Appropriation Herein Made to Reimburse Said Fund for Monies Transferred Therefrom in Anticipation of Said Appropriation; Declaring an Emergency and Repealing all Acts or Parts of Acts in Conflict Herewith.

Senate Bill No. 3. A Bill for an Act Suspending Sales of Farm and Grazing Lands Owned by the State of North Dakota, Its Agencies and Subdivisions, Subject to Specified Exceptions, and Declaring an Emergency.

Senate Bill No. 4. A Bill for an Act to Amend Chapter 178 of the Laws of 1943, Providing for the Recording of the Discharge Papers from the National Guard, the Army, Navy, Marine Corps, and all Other Branches of the Military Forces of the United States, Without Fee; Declaring an Emergency; and Repealing All Acts and Parts of Acts in Conflict Herewith.

Senate Bill No. 10. A Bill for an Act Making an Appropriation to Pay the Per Diem of Examiners as Provided for in Chapter 155 of the Session Laws of 1943 and Declaring an Emergency.

Senate Bill No. 13. A Bill for an Act to Amend and Reenact Section 1, 13 and 19 of Chapter 159 of the Laws of 1943 (being Sections 26-2401, 26-2413 and 26-2419 of the Revised Code for 1943), defining the words "Commissioner", "Fund", "Political Subdivision", and "Permanent Contents" as Used in the State Fire and Tornado Fund Law; Providing for the Assessments to Be Made for Such Fund; and Providing the Method of Repair or Replacement of Destroyed Buildings, and Declaring an Emergency.

Senate Bill No. 14. A Bill for an Act to Amend and Reenact Subsection (1) of Section 287 of the Supplement to the Compiled Laws of North Dakota, as Amended by Chapter 215 of the Session Laws for 1929, Relating to the Investment of University and School Land Funds; and Providing that Monies So Invested Shall Bear Interest at the Rate of Three and One-half Percent Per Annum; and Declaring an Emergency.

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

W. J. TROUT, Secretary.

#### SATURDAY, MARCH 25, 1944

#### SIGNING OF BILLS

The Chief Clerk announced that the Speaker was about to sign:,

Senate Bill No. 1.

Senate Bill No. 3. Senate Bill No. 4.

Senate Bill No. 10. Senate Bill No. 13.

Senate Bill No. 14.

And the Speaker signed the same in the presence of the House.

#### MESSAGE TO THE SENATE

House of Representatives,

Bismarck, March 25, 1944.

I have the honor to return the following bills:

Senate Bill No. 14. A Bill for an Act to Amend and Reenact Subsection (1) of Section 287 of the Supplement to the Compiled Laws of North Dakota, as Amended by Chapter 215 of the Session Laws for 1929, Relating to the Investment of University and School Land Funds; and Providing that Monies So Invested Shall Bear Interest at the Rate of Three and One-half Percent Per Annum; and Declaring an Emergency.

Senate Bill No. 13. A Bill for an Act to Amend and Resenate Bill No. 13. A Bill for an Act to Amend and Re-enact Section 1, 13 and 19 of Chapter 159 of the Laws of 1943 (being Sections 26-2401, 26-2413 and 26-2419 of the Revised Code for 1943), defining the words "Commissioner", "Fund", "Political Subdivision", and "Permanent Contents" as Used in the State Fire and Tornado Fund Law; Providing for the Assessments to Be Made for Such Fund; and Pro-viding the Method of Repair or Replacement of Destroyed Buildings and Declaring ar Emergency Buildings, and Declaring an Emergency. Senate Bill No. 10. A Bill for an Act Making an Appro-

priation to Pay the Per Diem of Examiners as Provided for in Chapter 155 of the Session Laws of 1943 and Declaring an Emergency.

Senate Bill No. 4. A Bill for an Act to Amend Chapter 178 of the Laws of 1943, Providing for the Recording of the Discharge Papers from the National Guard, the Army, Navy, Marine Corps, and all Other Branches of the Military Forces of the United States, Without Fee; Declaring an Emergency; and Repealing All Acts and Parts of Acts in Conflict Herewith.

Senate Bill No. 3. A Bill for an Act Suspending Sales of Farm and Grazing Lands Owned by the State of North Dakota, Its Agencies and Subdivisions, Subject to Specified Exceptions, and Declaring an Emergency.

Senate Bill No. 1. A Bill for an Act to Appropriate Fifteen Senate Bill No. 1. A Bill for an Act to Appropriate Fifteen Thousand (\$15,000.00) Dollars for the Biennium Beginning July 1, 1943, and Ending June 30, 1945, to Provide for the Control of Predatory Animals Such as Wolves, Coyotes, Bob-cats and Other Predatory Animals Which are Injurious to Livestock, Poultry and Game Animals and Birds; to Author-ize Cooperation with the United States in the Control of Such Predatory Animals; and in Addition Thereto Appropriating for the Same Durnose the Nat Proceeds of Fure Skips or 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 of the State of North Dakota to Carry Out the Provisions of this Act; Providing for a Transfer to the State Emergency Fund of \$5,000.00 from the Appropriation Herein Made to Reimburse Said Fund for Monies Transferred Therefrom in Anticipation of Said Appropriation; Declaring an Emergency and Repealing all Acts or Parts of Acts in Conflict Herewith.

Which the Speaker has signed.

# W. M. SMART, Chief Clerk.

#### MESSAGE FROM THE SENATE

# Senate Chamber,

#### Bismarck, March 25, 1944.

Mr. Speaker: I have the honor to inform you that the President has appointed a new conference committee, to act with a like committee of the House, on House Bill No. 3, Senators Feton, Blank and Lynch.

# W. J. TROUT, Secretary.

Senate Chamber,

#### Bismarck, March 25, 1944.

Mr. Speaker: I have the honor to return:

House Bill No. 23. A Bill for an Act Providing for an Actuarial Audit of State Hail Insurance Rates, Report to Insurance Commissioner and Twenty-ninth Legislative Assembly, Appropriation, and Declaring an Emergency.

Which the Senate has indefinitely postponed.

#### W. J. TROUT, Secretary.

#### REPORT OF SELECT COMMITTEES

The Conference Committee on Senate Bill No. 3 made the following report:

Mr. Speaker: Your Conference Committee, to whom was referred Senate Bill No. 3, have had the same under consideration and recommend:

Beg leave to report that the Committee is unable to agree and request that the Committee be discharged, and that a new committee be appointed.

#### For the Senate: SEN. STUCKE SEN. BRANT SEN. DAY

For the House: REP. TWICHELL REP. BYMERS

#### REP. CROCKETT

. W. M. Crockett moved that the report be adopted, which motion prevailed and the report was adopted.

Rep. Graham moved that the Speaker appoint a new Conference Committee on Senate Bill No. 3, which motion prevailed and the Speaker appointed Reps. Levin, Ohnstad and Johnson of Richland.

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

Rep. Rohde moved that the House do now adjourn, which moiton prevailed and the House stood adjourned.

W. M. SMART, Chief Clerk.

# NINTH DAY

#### Bismarck, March 27, 1944.

The House convened pursuant to adjournment, Speaker Beede presiding.

Prayer was offered by Lt. Col. Burtenshaw of Chicago.

Roll call: All members were present except Reps. Olson of Bowman, Manstrom, Ekren, Hegge, Iszler and Kolpin.

PETITIONS AND COMMUNICATIONS

A card of thanks was read from Mrs. Henry Holt and family of Grand Forks, N. D.

Rep. Morland moved that the communication be printed in the Journal, which motion prevailed.

To thank you for your kindness and sympathy at a time when it was deeply appreciated.—Mrs. Henry Holt and children.

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

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

Page 138, at the end of line 1, add "No. 6".

Page 139, line 22, change "Pages" to read "Page".

Page 163, change "Senator Ekren" to read "Rep Ekren".

Page 167 correct the spelling of the name "MacLachlan".

Page 142, the first line under "Consideration of Messages from the Senate" should read "Senate Amendments to House Bill No. 20". Strike out the sentence as it now appears.

Page 145, change the spelling of the name "Stormon".

On page 156 change the title of Senate Bill No. 16 to correspond with the title of the original bill.

And when so corrected recommends that the same be approved.

S. N. WELDER, Chairman.

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

#### HOUSE COMMITTEE ON ENROLLMENT AND ENGROSSMENT

The Committee on Enrollment and Engrossment made the following report:

Mr. Speaker: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bills and resolutions:
House Bill No. 2. House Bill No. 4. House Bill No. 5. House Bill No. 7. House Bill No. 8. House Bill No. 10. House Bill No. 11. House Bill No. 12. House Bill No. 13. House Bill No. 20. House Resolution No. 3. House Resolution No. 5. House Concurrent Resolution No. 7. House Concurrent Resolution No. 8. House Concurrent Resolution No. 9. House Concurrent Resolution No. 10. House Concurrent Resolution No. 11. And find the same correctly enrolled.

# REP. MORLAND, Chairman.

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

#### MESSAGE TO THE SENATE

## House of Representatives, Bismarck, March 27, 1944.

Mr. President: I have the honor to return:

Senate Bill No. 16. A Bill for an Act to Establish an Interim Legislative Committee to Investigate Charges Made Against the Department of Insurance, to Fix the Duties of Such Committee and Provide the Procedure for Such Committee, to Compel the Attendance of Witnesses and the Production of Records Before the Committee and/or Its Representatives, and Fix Penalties for Refusal, and Making an Appropriation for the Use of Said Committee, and Declaring an Emergency.

Which the House has passed unchanged.

## W. M. SMART, Chief Clerk.

## REPORT OF SELECT COMMITTEE

The Conference Committee on House Bill No. 3 made the following report:

Mr. Speaker: Your Conference Committee to whom was referred House Bill No. 3, have had the same under con-sideration and failed to agree and recommend that the committee be discharged.

REP. LEVIN REP. JOHNSON of Richland **REP. OHNSTAD** 

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

## MESSAGE FROM THE SENATE

# Senate Chamber.

Bismarck, March 27, 1944.

Mr. Speaker: I have the honor to transmit:

Senate Concurrent Resolution "B." To Establish an Interim Legislative Committee to Investigate Charges Made Against the Department of Insurance, to Fix the Duties of Such Committee and Provide Its Procedure and to Compel the

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Attendance of Witnesses and the Production of Records Before the Committee and/or Its Representatives, and Fix Penalties for Refusal.

Senate Concurrent Resolution "F."

Senate Bill No. 7. A Bill for an Act to Amend and Reenact Section 2125 of the Compiled Laws of North Dakota for 1913 as Amended by Section 1 of Chapter 248 of the Session Laws of 1929, Providing for the Election, Qualifications and Compensation of Officers in Townships and in Unorganized Districts; Declaring an Emergency.

Senate Bill No. 9. A Bill for an Act to Include in the Printed Volumes of the North Dakota Revised Code of 1943, All of the Laws Enacted at the Extraordinary Session of the North Dakota 28th Legislative Assembly, Commencing March 20, 1944, and Declaring an Emergency.

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

# W. J. TROUT, Secretary.

## SIGNING OF BILLS

The Chief Clerk announced that the Speaker was about to sign:

House Bill No. 2. House Bill No. 4. House Bill No. 5. House Bill No. 7. House Bill No. 8. House Bill No. 10. House Bill No. 11. House Bill No. 12. House Bill No. 13. House Bill No. 20. House Resolution No. 3. House Resolution No. 5. House Concurrent Resolution No. 7. House Concurrent Resolution No. 8. House Concurrent Resolution No. 9. House Concurrent Resolution No. 10. House Concurrent Resolution No. 11. Senate Concurrent Resolution "B." Senate Concurrent Resolution "F." Senate Bill No. 9. Senate Bill No. 7.

And the Speaker signed the same in the presence of the House.

## MESSAGES TO THE SENATE

House of Representatives,

Bismarck, March 27, 1944.

Mr. President: I have the honor to transmit herewith the following bills which the Speaker has signed and your signature is respectfully requested:

House Bill No. 2. A Bill for an Act to Amend and Reenact Section 853 of the Compiled Laws of North Dakota for 1913, Relating to the Obtaining and Filing of Petitions of Candidates for United States Senate, Members of Congress, State Officers, Judges of the Supreme and District Courts, and Declaring an Emergency House Bill No. 4. A Bill for an Act to Amend and Reenact Section 1003 of the 1925 Supplement to the Compiled Laws of North Dakota for 1913, Relating to the Duties of the Secretary of State, County Auditor or any Other Officer by Law Required to Prepare General or Primary Election Ballots; Fixing Time When Said Ballots Are to Be Prepared; Declaring an Emergency.

House Bill No. 5. A Bill for an Act to Amend and Reenact Section 920 of the Compiled Laws of North Dakota for 1913, Relating to Certification by the Secretary of State to County Auditors of a Certified List of Names and Addresses of Candidates at the Primary Election, and Declaring an Emergency.

House Bill No. 7. A Bill for an Act to Amend and Reenact Chapter 138 of the Session Laws of 1939, Relating to Filing of Vacancies of Elective County Officers, Superintendent of Schools, and County Commissioners on the Noparty Ballot; Declaring an Emergency.

House Bill No. 8. A Bill for an Act to Amend and Reenact Section 979 of the Compiled Laws of North Dakota for 1913, Relating to Certification by Secretary of State to County Auditors of Proposed Constitutional Amendment and Publication for Same in the Several Counties of the State; and Declaring an Emergency.

House Bill No. 10. A Bill for an Act to Amend and Reenact Sections 973 and 974 of the 1925 Supplement to the Compiled Laws of North Dakota for 1913, Relating to the Time of Certification of Nomination to Be Filed with the Secretary of State and Certificates of Nomination to Be Filed with the County Auditors; Certification by the Secretary of State to County Auditors, and Declaring an Emergency.

House Bill No. 11. A Bill for an Act Amending and Reenacting Section 854 of the 1925 Supplement to the Compiled Laws of North Dakota for 1913, as Amended by Chapter 139 of the Session Laws of 1931, Relating to the Obtaining and Filing of Petitions for County Officers, County Commissioners and Legislative Candidates, Filing Fees Therefor and Declaring an Emergency.

House Bill No. 12. A Bill for an Act to Amend and Reenact Sections 1 and 3 of Chapter 135 of the Session Laws of 1935, Fixing Time for the Primary Election, for the Election of Precinct Committeemen and Declaring an Emergency.

House Bill No. 13. A Bill for an Act to Amend and Reenact Section 976 of the Compiled Laws of North Dakota for 1913, Relating to Withdrawal of Nominees from Public Office as Candidates; Fixing Time Within Which Such Withdrawal May Be Made; Declaring an Emergency.

House Bill No. 20. A Bill for an Act to Amend and Reenact Section 11 and Section 13 of Chapter 269 of the Session Laws of 1943, Relating to Veterans Aid Commission, and Increasing the Amount Which May Be Expended by the Commission, and Providing for Compensation for the Members of the Commission and Providing for Compensation for the Executive Secretary of the Commission; and Declaring an Emergency.

House Concurrent Resolution 7. House Concurrent Resolution 8. House Concurrent Resolution 9. House Concurrent Resolution 10.

House Concurrent Resolution 11.

## W. M. SMART, Chief Clerk.

House of Representatives, Bismarck, March 27, 1944.

Mr. President: I have the honor to return herewith the following bills which the Speaker has signed:

Senate Bill No. 7. A Bill for an Act to Amend and Re-enact Section 2125 of the Compiled Laws of North Dakota for 1913 as Amended by Section 1 of Chapter 248 of the Session Laws of 1929, Providing for the Election, Qualifica-tions and Compensation of Officers in Townships and in Unorganized Districts; Declaring an Emergency.

Senate Bill No. 9. A Bill for an Act to Include in the Printed Volumes of the North Dakota Revised Code of 1943, All of the Laws Enacted at the Extraordinary Session of the North Dakota 28th Legislative Assembly, Commencing March 20, 1944, and Declaring an Emergency.

W. M. SMART, Chief Clerk.

#### MESSAGE FROM THE SENATE

Senate Chamber,

Bismarck, March 27, 1944.

Mr. Speaker: I have the honor to request the return of:

House Bill No. 3. A Bill for an Act to Amend and Reenact Sections 992, 993 and 995 of the Compiled Laws of North Dakota for 1913, as Amended by Chapter 148 of the Session Laws of 1941, Repealing Sections 1002a1, 1002a2, 1002a5 of the 1925 Supplement to the Compiled Laws of North Dakota for 1913; Declaring an Emergency. W. J. TROUT, Secretary.

## CONSIDERATION OF MESSAGES FROM THE SENATE ·

Rep. Bergesen moved that the House accede to the request of the Senate and return House Bill No. 3, which motion prevailed.

## MESSAGE TO THE SENATE

House of Representatives.

Bismarck, March 27, 1944.

Mr. President: I have the honor to return to the Senate: House Bill No. 3. A Bill for an Act to Amend and Reenact Sections 992, 993 and 995 of the Compiled Laws of North Dakota for 1913, as Amended by Chapter 148 of the Session Laws of 1941, Repealing Sections 1002a1, 1002a2, 1002a5 of the 1925 Supplement to the Compiled Laws of North Dakota for 1913; Declaring an Emergency

As you request.

# W. M. SMART, Chief Clerk.

Rep. Shure moved that under provisions of Senate Bill No. 16 the following members be appointed by the House: Reps. Johnson of Cass, Callahan of Cavalier, Bagge of Traill and Bymers of Dickey.

Rep. Graham offered as a substitute motion that the House

direct that a caucus be called of each faction and that each faction select two members and present their selections to the House to be voted upon.

## MESSAGES FROM THE SENATE

Senate Chamber, Bismarck, March 27, 1944.

Mr. Speaker: I have the honor to return:

House Bill No. 2. A Bill for an Act to Amend and Reenact Section 853 of the Compiled Laws of North Dakota for 1913, Relating to the Obtaining and Filing of Petitions of Candidates for United States Senate, Members of Congress, State Officers, Judges of the Supreme and District Courts, and Declaring an Emergency.

House Bill No. 4. A Bill for an Act to Amend and Reenact Section 1003 of the 1925 Supplement to the Compiled Laws of North Dakota for 1913, Relating to the Duties of the Secretary of State, County Auditor or any Other Officer by Law Required to Prepare General or Primary Election Ballots; Fixing Time When Said Ballots Are to Be Prepared; Declaring an Emergency.

House Bill No. 5. A Bill for an Act to Amend and Reenact Section 920 of the Compiled Laws of North Dakota for 1913, Relating to Certification by the Secretary of State to County Auditors of a Certified List of Names and Addresses of Candidates at the Primary Election, and Declaring an Emergency.

House Bill No. 7. A Bill for an Act to Amend and Reenact Chapter 138 of the Session Laws of 1939, Relating to Filing of Vacancies of Elective County Officers, Superintendent of Schools, and County Commissioners on the Noparty Ballot; Declaring an Emergency.

House Bill No. 8. A Bill for an Act to Amend and Reenact Section 979 of the Compiled Laws of North Dakota for 1913, Relating to Certification by Secretary of State to County Auditors of Proposed Constitutional Amendment and Publication for Same in the Several Counties of the State; and Declaring an Emergency.

House Bill No. 10. A Bill for an Act to Amend and Reenact Sections 973 and 974 of the 1925 Supplement to the Compiled Laws of North Dakota for 1913, Relating to the Time of Certification of Nomination to Be Filed with the Secretary of State and Certificates of Nomination to Be Filed with the County Auditors; Certification by the Secretary of State to County Auditors, and Declaring an Emergency.

House Bill No. 11. A Bill for an Act Amending and Reenacting Section 854 of the 1925 Supplement to the Compiled Laws of North Dakota for 1913, as Amended hy Chapter 139 of the Session Laws of 1931, Relating to the Obtaining and Filing of Petitions for County Officers, County Commissioners and Legislative Candidates, Filing Fees Therefor and Declaring an Emergency.

House Bill No. 12. A Bill for an Act to Amend and Reenact Sections 1 and 3 of Chapter 135 of the Session Laws of 1935, Fixing Time for the Primary Election, for the Election of Precinct Committeemen and Declaring an Emergency. House Bill No. 13. A Bill for an Act to Amend and Reenact Section 976 of the Compiled Laws of North Dakota for 1913, Relating to Withdrawal of Nominees from Public Office as Candidates; Fixing Time Within Which Such Withdrawal May Be Made; Declaring an Emergency.

House Bill No. 20. A Bill for an Act to Amend and Reenact Section 11 and Section 13 of Chapter 269 of the Session Laws of 1943, Relating to Veterans Aid Commission, and Increasing the Amount Which May Be Expended by the Commission, and Providing for Compensation for the Members of the Commission and Providing for Confpensation for the Executive Secretary of the Commission; and Declaring an Emergency.

Which the President has signed.

## W. J. TROUT, Secretary.

Senate Chamber,

Bismarck, March 27, 1944.

Mr. Speaker: I have the honor to return:

House Concurrent Resolution No. 7.

House Concurrent, Resolution No. 8.

House Concurrent Resolution No. 9.

House Concurrent Resolution No. 10.

House Concurrent Resolution No. 11.

Which the President has signed.

W. J. TROUT, Secretary.

The question was on the substitute motion of Rep. Graham. Rep. Graham requested a roll call, which request was granted.

#### ROLL CALL

The question being on the substitute motion of Rep. Graham, the roll was called and there were ayes, 49; nays ,56; absent and not voting, 7.

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Benno Bergesen Bjella Blair Bolmeier Boulden Burau **Bymers** Callahan Carlson Coghlan Collette Dahlen Dalzell Absent and not voting: Kolpin Forseth

Hegge

Halcrow Haugland Heckman Hildre Hogoboom Holm Hovey Johnson, Cass Johnson, Richland Johnson, Rolette Langlev Leet Lunde McInnes

Pyle Runck Sailer Sandness Saumur Sellens Severson Shure Stormon Twichell Wambheim Westby Williams. Stutsm'n

Olson, Bowman Sharpe

So the substitute motion was declared lost.

Rep. Schnell: "I vote 'aye' on this motion just to save the majority group a lot of unfavorable criticism."

Manstrom

Rep. Twichell: "I am going to vote 'no' for the reason that I think as I look at it, it involves the whole question of whether Judge Graham should go on this committee. If any man ever disqualified himself to go on that committee, the Judge did the other day."

Rep. Williams of Richland: "I am voting 'aye' because I think this is the rawest and boldest thing that has ever happened on this floor."

The question was on the motion of Rep. Shure that Reps. Johnson of Cass, Callahan, Bagge and Bymers be selected as members of the investigating committee.

Rep. Haugen requested that the question be divided and that the House first proceed to the election of Reps. Johnson of Cass, Callahan and Bagge, then to the election of Rep. Bymers.

Rep. Bubel called attention of the House to Rule No. 20.

The Speaker ruled that any member had the right to ask that the selection of the members to serve upon the committee be divided.

The question was on the selection first of Reps. Johnson of Cass, Callahan and Bagge, which motion prevailed.

The question then was on the selection of Rep. Bymers.

Rep. Haugen requested a roll call, which request was granted.

## ROLL CALL

The question being on the selection of Rep. Bymers, the roll was called and there were ayes, 57; nays, 47; absent and not voting, 7; passed, 1.

Those voting in the affirmative were: Fitch Aker Allen, Grand Forks Fuglestad Allen, Pierce Gackle Arndt Gainor Bagge Halcrow Haugland Benno

Moe -Morland Nystrom **Olson**, Barnes Peterson, Ransom Pyle

## MONDAY, MARCH 27, 1944

Bergesen Bjella Blair Bolmeier Boulden Burau Callahan Carlson Coghlan Collette Dahlen Dalzell Fleck Anderson Bauer Baumgartner Belzer Braun Bubel Crockett Devlin Drovdal Falconer Fraser Graham Haag Halvorson Haugen Iszler Ekren Forseth

Heckman Hildre Hofstrand Hogoboom Holm Hovey Johnson, Cass Johnson, Richland Johnson, Rolette Langley Leet Lunde

McInnes Those voting in the negative were: Jennings Larson, Ward Larson, Wells Levin Lillehaugen Marks Mittag Mollet Monson Morrison Mortenson Nelson Ohnstad Ostgulen Peterson, Bottin'au Rettke

Kolpin

Manstrom

Runck Sailer Sandness Saumur Schnell Sellens Severson Shure Stormon Twichell Wambheim Westby Williams, Stutsm'n

Rohde Rohrer Schwartz Schmalenberger Stair Starck Sticka Tuff Welder Welk Williams, Richland Williams, Sargent Wolf, McIntosh Wolf, Morton Mr. Speaker

Olson. Bowman

Sharpe

Absent and not voting:

Hegge

Passed: Bymers

So Rep. Bymers was selected to serve on the joint investigating committee.

Rep. Crockett: "I am going to vote 'no' on this, not because I have anything against Bymers, but it is the principal of the thing that the majority faction is putting over. Therefore I vote 'no'."

Rep. Haugen: "I would like to explain my vote and have it recorded. I made this motion, not because I have anything against Mr. Bymers, but because I don't like to be dictated to. I don't like to have the majority tell me who the representative on my side should be. I vote 'no'."

Rep. Lillehaugen: "I vote 'no' because I am opposed to any member of the so-called minority group being represented on this committee."

"Admitting that we are whipped on every Rep. Marks: proposition that comes up, I hate to be dictated to. I hate to have the opposition tell us who they are going to pick from our group. It seems unfair and unreasonable to think that they would do that. We are willing to go down the line with them on three of their candidates but they are not satisfied with that. They want to come into our group and select the fourth member, one that we might select is not satisfactory. I want to go on record here and I want to take this information back home with me and I will convince a lot of fellows that this opposition is unfair to the farmers of North Dakota."

Rep. Moe: "I think Mr. Bymers is a pretty good fellow. I vote 'aye'."

Rep. Schnell: "I feel more on the spot in this matter than probably anybody in the minority faction. The fact being that Bymers is one of the closest friends I have in the whole assembly. I feel that the majority group is putting one of the best men we have in the House on the spot—I think they are doing an injustice to him by picking a man out of the minority group and turning down the second man and in the face of the situation, putting a man on the spot like that. If I were Mr. Bymers under the circumstances I wouldn't serve on this committee for the best farm in Cass county but I vote 'aye' for the reason Mr. Bymers is a close friend of mine."

Rep. Shure: "I vote 'aye' because it has been suggested by the minority group that we have picked the best man that they have."

Rep. Starck: "I would like to explain my vote. I have nothing against Mr. Bymers, but as I look forward I see the Stars and Stripes, which to me represents freedom, but this doesn't seem 'free' to me and therefore I vote 'no'."

Rep. Sticka: "I have heard the word 'dictate' used several ' times and I think it is getting to be something old. I am going to change that a little bit and I am going to say that I do not want to be 'told' what to do and therefore I vote 'no'."

Rep. Twichell: "I anticipated until this morning that we were going to be able to vote for two of the minority faction on this committee. That's the way I would like to have seen it but the thing was so tied up that it couldn't be done. I don't want to see any man on that committee whether he is on our side or the other side who is opposed to the investigation and that is the reason I am glad to vote for Mr. Bymers as the only League candidate for the committee membership."

Rep. Wolf of McIntosh: "I would like to explain my vote. I have no quarrel with Mr. Bymers. We have always gotten along well but I still believe in our freedom of government. This action reminds me of Russia or Germany—we have only one choice and therefore I vote 'no'."

one choice and therefore I vote 'no'." Rep. Baumgartner: "Mr. Bymers is a friend of mine but I already voted last Saturday to select Reps. Graham and Rohde and I can't change my vote. I vote 'no'."

Rep. Bergesen requested a roll call on the selection of Reps. Johnson of Cass, Callahan and Bagge, which request was granted.

#### ROLL CALL

The question being on the selection of Reps. Johnson of Cass, Callahan and Bagge, the roll was called and there were ayes, 74; nays, 27; absent and not voting, 11.

Those voting in the affirmative were:

THOSE YOUNG IN MIC		
Aker	Fraser	Nelson
Allen, Grand Forks	Fuglestad	Nystrom
Allen, Pierce	Gackle	Olson, Barnes

## MONDAY, MARCH 27, 1944

Arndt Bagge Bauer Benno Bergesen Bjella Blair Bolmeier Boulden Bubel Burau Bymers Callahan Carlson Coghlan Collette Dahlen Dalzell Drovdal Falconer Fitch Fleck

Gainor Halcrow Halvorson Haugen Haugland Heckman Hildre Hogoboom Holm Hovey Johnson, Cass Johnson, Richland Johnson, Rolette Langley Larson, Ward Leet Lillehaugen Lunde McInnes Moe Monson Morland · Those voting in the negative were:

Ohnstad Ostgulen Peterson, Ransom Pyle Runck Sailer Sandness Saumur Schnell Sellens Severson Shure Stair Starck Sticka Stormon Twichell Wambheim Westby Williams, Stutsm'n Wolf, Morton

Anderson Larson, Wells Baumgartner Marks Braun Mittag Devlin Mollet Graham Morrison Haag Mortenson Hofstrand Peterson, Bottin'au Iszler Rettke Jennings Rohde Absent and not voting: Belzer Hegge Crockett Kolpin Ekren Levin

Forseth

Rohrer Schwartz Tuff Welder Welk Williams, Richland Williams, Sargent Wolf, McIntosh Mr. Speaker

Olson, Bowman Schmalenberger Sharpe

So Reps. Johnson of Cass, Callahan and Bagge were elected to serve on the joint investigating committee.

Manstrom

"I have nothing against any of Rep. Wolf of McIntosh: the fifty-seven members the boys have here but as long as we have to vote for three and we have two members coming, I am going to vote 'no'."

Rep. Bauer: "We were called here to give our soldier boys a vote. We have chewed the fat around about different things that have nothing to do with the thing we were called here for. We could have accomplished everything in two or three days but we have been chewing the fat back and forth with a whole lot of stuff that should never have come in here at all: In regard to this measure I want to say there was an investigation asked for-you got it. The committee has been appointed and I personally have nothing but the highest regard for all the members the House has put on this committee and I am going to go to work and believe that this committee will do what is right. Personally, I will say to you that I consider Oscar Erickson one of the most honest men in the State of North Dakota, but the investigation is

called for and I think the members who are going to investigate are all fair and square and honest, and I am going to vote for them."

Rep. Rohde: "I change my vote from 'aye' to 'no'."

Rep. Fitch moved that the House recess until 5:15 o'clock p. m., which motion prevailed.

The House reconvened pursuant to recess taken, Speaker Beede presiding.

## HOUSE COMMITTEE ON ENROLLMENT AND ENGROSSMENT

The Committee on Enrollment and Engrossment made the following report:

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

House Resolution No. 3.

House Resolution No. 5.

House Concurrent Resolution No. 2. House Concurrent Resolution No. 3. House Concurrent Resolution No. 5. House Concurrent Resolution No. 6. House Concurrent Resolution No. 7. House Concurrent Resolution No. 8. House Concurrent Resolution No. 9. House Concurrent Resolution No. 10. House Concurrent Resolution No. 11.

Were delivered to the Secretary of State for his approval at the hour of 5:30 o'clock p. m., March 27, 1944.

## REP. MORLAND, Chairman.

## HOUSE COMMITTEE ON ENROLLMENT AND ENGROSSMENT

The Committee on Enrollment and Engrossment made the following report:

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

House Bill No. 2. House Bill No. 4. House Bill No. 5. House Bill No. 6. House Bill No. 7. House Bill No. 8. House Bill No. 10. House Bill No. 11. House Bill No. 12. House Bill No. 13. House Bill No. 14. House Bill No. 15. House Bill No. 17. House Bill No. 18. House Bill No. 20. House Bill No. 24. House Bill No. 26. House Bill No. 27.

Were delivered to the Governor for his approval at the hour of 5:30 o'clock p. m., March 27, 1944.

REP. MORLAND, Chairman.

# MESSAGE TO THE SENATE

House of Representatives,

Bismarck, March 27, 1944.

Mr. President: I have the honor to return: Senate Concurrent Resolution "F."

Senate Concurrent Resolution "B." To Establish an Interim Legislative Committee to Investigate Charges Made Against the Department of Insurance, to Fix the Duties of Such Committee and Provide Its Procedure and to Compel the Attendance of Witnesses and the Production of Records Before the Committee and/or Its Representatives, and Fix

Penalties for Refusal.

Which the Speaker has signed.

#### W. M. SMART, Chief Clerk.

Rep. Bergesen.moved that the House be on the Eighth Order of Business for fifteen minutes and then recess until 8:00 o'clock p. m., which motion prevailed and the House stood recessed.

The House reconvened at 8:00 o'clock p. m., Speaker Beede presiding.

## MESSAGE FROM THE SENATE

Senate Chamber,

## Bismarck, March 27, 1944.

Mr. Speaker: I have the honor to return:

House Bill No. 3. A Bill for an Act to Amend and Reenact Sections 992, 993 and 995 of the Compiled Laws of North Dakota for 1913, as Amended by Chapter 148 of the Session Laws of 1941, Repealing Sections 1002a1, 1002a2, 1002a5 of the 1925 Supplement to the Compiled Laws of North Dakota for 1913; Declaring an Emergency.

Which the Senate has amended.

#### W. J. TROUT, Secretary.

Senate Chamber,

## Bismarck, March 27, 1944.

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 16. A Bill for an Act to Establish an Interim Legislative Committee to Investigate Charges Made Against the Department of Insurance, to Fix the Duties of Such Committee and Provide the Procedure for Such Committee, to Compel the Attendance of Witnesses and the Production of Records Before the Committee and/or Its Representatives, and Fix Penalties for Refusal, and Making an Appropriation for the Use of Said Committee, and Declaring an Emergency.

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

CONSIDERATION OF MESSAGES FROM THE SENATE

Senate amendments to House Bill No. 3 were read from the desk.

Rep. Bolmeier moved that the House do not concur in the Senate amendments to House Bill No. 3.

Rep. Wolf of McIntosh requested a roll call on the motion of Rep. Bolmeier, which request was granted.

# JOURNAL OF THE HOUSE

The Speaker called Rep. Crockett to the chair.

Rep. Beede offered as a substitute motion to the motion of Rep. Bolmeier that we take a step which is somewhat out of order and appoint a conference committee to meet with a like committee of the Senate to confer with them with regard to putting in proper shape the Senate amendments to House Bill No. 3, which motion prevailed.

The Speaker appointed Reps. Levin, Aker and Fraser on such committee.

Speaker Beede resumed the chair.

## MESSAGE TO THE SENATE

House of Representatives,

#### Bismarck, March 27, 1944.

Mr. President: I have the honor to inform you that the Speaker has appointed as a conference committee to meet with a like committee of the Senate to place the Senate amendments to House Bill No. 3 in proper shape: Reps. Levin, Aker and Fraser.

W. M. SMART, Chief Clerk.

Senate Chamber,

## Bismarck, March 27, 1944.

Mr. Speaker: I have the honor to inform you that the President of the Senate has appointed a conference committee to act with a like committee from the House, to consider House Bill No. 3, Senators Solberg, Brunsdale and Day.

## W. J. TROUT, Secretary.

#### SIGNING OF BILLS

The Chief Clerk announced that the Speaker was about to sign:

Senate Bill No. 16.

And the Speaker signed the same in the presence of the House.

# House of Representatives,

Bismarck, March 27, 1944.

Mr. President: I have the honor to return herewith the following bill, which the Speaker has signed: Senate Bill No. 16.

## W. M. SMART, Chief Clerk.

## MESSAGE FROM THE SENATE

Senate Chamber,

Bismarck, March 27, 1943.

Mr. Speaker: I have the honor to request the return of:

House Bill No. 3. A Bill for an Act to Amend and Reenact Sections 992, 993 and 995 of the Compiled Laws of North Dakota for 1913, as Amended by Chapter 148 of the Session Laws of 1941, Repealing Sections 1002a1, 1002a2, 1002a5 of the 1925 Supplement to the Compiled Laws of North Dakota for 1913; Declaring an Emergency.

W. J. TROUT, Secretary.

Rep. Bubel moved that the House accede to the request of the Senate and return House Bill No. 3, which motion prevailed

## MONDAY, MARCH 27, 1944

## MESSAGE TO THE SENATE House of Representatives, Bismarck, March 27, 1944.

## Mr. President: I have the honor to return herewith:

House Bill No. 3. A Bill for an Act to Amend and Re-enact Sections 992, 993 and 995 of the Compiled Laws of North Dakota for 1913, as Amended by Chapter 148 of the Session Laws of 1941, Repealing Sections 1002a1, 1002a2, 1002a5 of the 1925 Supplement to the Compiled Laws of North Dakota for 1013 Declaring or Emergence North Dakota for 1913; Declaring an Emergency.

W. M. SMART, Chief Clerk.

Rep. Bergesen moved that the committee appointed to assist the Senate with reference to amendments to House Bill No. 3 be dismissed, which motion prevailed and the committee was dismissed.

#### MESSAGE FROM THE SENATE

Senate Chamber, Bismarck, March 27, 1943.

Mr. Speaker: I have the honor to return:

House Bill No. 3. A Bill for an Act to Amend and Re-enact Sections 992, 993 and 995 of the Compiled Laws of North Dakota for 1913, as Amended by Chapter 148 of the Session Laws of 1941, Repealing Sections 1002a1, 1002a2, 1002a5 of the 1925 Supplement to the Compiled Laws of North Dakota for 1913; Declaring an Emergency. Which the Senate has amended

Which the Senate has amended.

## W. J. TROUT, Secretary.

CONSIDERATION OF MESSAGES FROM THE SENATE Senate Amendments to House Bill No. 3:

## REPORT OF SPECIAL COMMITTEE

Mr. President: Your special committee to whom was referred House Bill No. 3, have had the same under consideration and recommend that the same be amended as follows:

Strike out everything after "A Bill" and insert the followstrike out everything after "A Bill" and insert the follow-ing: "For an Act to amend and re-enact Sections 992, 993 and 995 of the Compiled Laws of North Dakota for 1913 as amended by Chapter 148 of the Session Laws of 1941 to amend and re-enact Sections 1002a3 and 1002a4 of the 1925 Supplement to the Compiled Laws of North Dakota for 1913, repealing Sections 1002a1, 1002a2, 1002a5 of the 1925 Sup-plement to the Compiled Laws of North Dakota for 1913, Relating to absort voters and nermitting electors engaged in Relating to absent voters, and permitting electors engaged in the defense of their country or members of the American Red Cross, Merchant Marine or United Service Organizations outside the territorial limits of the United States of America as a result of any war in which the United States of America may be engaged and until six months after the termination thereof, to vote by proxy during the emergency of any such war, defining the duties of the county auditor, providing a saving clause, and declaring an emergency.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF NORTH DAKOTA:

SECTION 1. AMENDMENT.) That Section 992 of the Compiled Laws of North Dakota for 1913 as amended by Chapter 148 of the Session Laws of 1941 is hereby amended and re-enacted to read as follows:

SECTION 992. ABSENT VOTERS' BALLOT. WHO MAY VOTE.) Any qualified elector of the state, who is absent from the county in which he is an elector, or who by reason of physical disability, is unable to attend at the polling place in his precinct to vote at any general or primary election, may vote an absent voters ballot at any such election as hereinafter provided.

SECTION 2.) AMENDMENT.) That Section 993 of the Compiled Laws of 1913, as amended by Chapter 148 of the 1941 Session Laws is hereby amended and re-enacted to read as follows:

SECTION 993. APPLICATION FOR BALLOTS. MADE WHEN.) At any time within seventy (70) days next preceding such election, any voter expecting to be absent on the day of the election from the county in which his voting precinct is situated, or who by reason of physical disability is unable to attend at the polling place in his precinct to vote at such election, may make application to the county auditor of such county for an official absent voters ballot to be voted at such election.

SECTION 3. AMENDMENT.) That Section 995 of the Compiled Laws of North Dakota for 1913, as amended by Chapter 148 of the Session Laws of 1941, is hereby amended and re-enacted to read as follows:

SECTION 995.) **APPLICATION FOR.)** Application for such ballot shall be made on a blank to be furnished by the county auditor of the county of which the applicant is an elector and must be substantially in the following form:

, a duly qualified elector of the township Ι, \_or the village of\_ \_or of the\_ of\_ ward of the city of precinct of the\_ \_of the of the State of North Dakota, to my best county of\_ knowledge and belief entitled to vote in such precinct at the next election, expecting to be absent from said county on the day for holding such election, or by reason of physical dis-ability being unable to attend and vote at such election, hereby make application for an official absent voters ballot to be voted by me at such election.

Date\_

## Signed .

## Postoffice

Provided, that if the application be made for a primary election ballot such application shall also give the name of the political party with which the applicant is affiliated.

Provided that when such application is made upon the ground of physical disability it shall be accompanied by the certificate of the superintendent of a hospital in which the applicant is actually confined or by the certificate of a licensed physician who is attending said applicant to the offect that said applicant is under such physical disability by reason whereof he is confined to such hospital or other place of confinement (stating location thereof) and is unable to attend and vote at such election.

AMENDMENT.) SECTION 4. That Section 1002a3 of the 1925 Supplement to the Compiled Laws of North Dakota for 1913 be amended and re-enacted to read as follows:

ABSENT VOTERS BALLOT.) SECTION 1002a3. It

shall be the duty of each county auditor upon receipt of an application for an absent voters ballot immediately to mail such absent voters ballot to such elector in the manner provided in Section 997 of the Compiled Laws of North Dakota for 1913; provided, however, that the enclosed envelope shall be duly stamped with return air mail postage and the affidavit endorsed thereon may be made by such elector before his immediate commissioned commanding officer, or any commissioned officer, non-commissioned officer not below the rank of a sergeant or petty officer, in the armed forces of the United States and any member of the merchant marine of the United States designated for this purpose by the Administrator of the War Shipping Administration is authorized to administer and attest such oaths as are required by this Act; and provided further that such affidavit need not have any venue. Provided, however, that it shall be the duty of such county auditor, at least sixty (60) days before any primary or general election, of his own accord and without application, to send such absent voters ballot to every elector in the manner provided in Section 997 of the Compiled Laws of North Dakota for 1913, who is a member of the armed forces of the United States of America, in every case wherein the address of such elector is furnished such county auditor.

SECTION 5. AMENDMENT.) That Section 1002a4 of the 1925 Supplement to the Compiled Laws of North Dakota for 1913 be amended and re-enacted to read as follows:

SECTION 1002a4. BALLOT AND CANVASSING.) Such absent voter shall make and subscribe such affidavit before his immediate commissioned commanding officer or any commissioned officer, noncommissioned officer not below the rank of sergeant, or petty officer, in the armed forces of the United States and any member of the merchant marine of the United States designated for this purpose by the Administrator of the War Shipping Administration is authorized to administer and attest such oaths as are required by this Act, and shall thereupon, in the presence of such officer and of no other persons, mark such ballot or ballots in the manner provided in Section 998 of the Compiled Laws of North Dakota for 1913; and the county auditor, upon receipt of such envelope, shall proceed in the same manner as provided in Section 999 of the Compiled Laws of 1913 relating to absent voters ballots; provided, however, that if any such envelope is received by such county auditor too late to be forwarded to the proper voting precinct in time to be canvassed, the same shall be retained by him and canvassed by the canvassing board of the county of such auditor at any time prior to the meeting of the state canvassing board or any adjourned meeting of said board where the same has been received by such auditor in time to canvass and transmit the results to the state canvassing board. In all other respects such absent voter ballots of electors engaged in the military service or merchant marine of the United States shall be treated in the same manner as now provided for the absent voter ballots.

SECTION 6.) That during any National emergency arising out of the United States of America being engaged in war and until the expiration of six months after the termination thereof, the duly qualified electors of the State of North Dakota, men and women, who may be serving in the armed forces of the United States, the American Red Cross, the Merchant Marine or the United Service Organizations outside the territorial limits of the United States, may delegate his right to vote and shall be permitted to vote by proxy at all statewide elections, primary and general.

SECTION 7.) (a) Every qualified elector coming within the provisions of Section 6, desiring to vote by proxy at any such election, shall name in writing either his mother, father, brother, sister, husband, or wife, if any he has in the county of his residence as his proxy to cast his vote at any such election.

Such proxy appointment shall be in substantially the (b) \_a duly qualified elector of the following form: I\_\_\_\_ \_of the village of\_\_\_ township of\_ of the \_precinct of the\_ \_\_\_\_\_ward of the city \_, and of the County of\_\_\_\_ of. \_, of the State of North Dakota, to my best knowledge and belief entitled to vote at such precinct at the next election, and now serving in the defense of the United States of America outside the territorial limits thereof, do hereby name\_ of\_ \_\_County, North Dakota, who is my. as my (father, mother, brother, sister, husband, or wife)

proxy to vote for me in my name at the\_\_\_\_\_\_election to be held in the State of North Dakota on the\_\_\_\_\_ day of \_\_\_\_\_\_, 19\_\_\_\_.

We as witnesses to the signature of the above named elector hereby certify that we know such elector and know that his signature thereto is genuine.

Witnèsses

(c) Such proxy appointment shall be signed in his own hand by the elector on the line of which the letter X appears, in the presence of two of his comrades who shall sign as witnesses to the signature of such elector on the blank lines therefor.

SECTION 8.) Each county auditor in the state of North Dakota, shall, for every such election held during any such national emergency:

(a) Provide such proxy appointment, with a reprint of subdivisions (a) and (c) of Section 7 of this Act on the back thereof.

(b) Any relative or friend of any such elector, having the information, is required to furnish the name and military address and each change in such address as same may occur of such elector to the county auditor of the county of the residence of such elector and such county auditor shall make and preserve a permanent record in his office of the names and addresses so furnished him and the date of mailing each proxy appointment and shall keep such record concealed from the public.

(c) Each county auditor shall include with each absent voters ballot or ballots sent by him to each of the electors coming within the provisions of Section 6 of this Act, who is without the territorial limits of the United States of America, one such proxy appointment and a letter in the following language:

## "LETTER

You may fill out the enclosed proxy appointment and mail it to the one you appoint or if you prefer to vote by absent voters ballot, fill out the enclosed absent voters ballot and return it to this office.

County Auditor, \_\_\_\_\_ County, \_\_\_\_\_ North Dakota."

(d) Such county auditor shall include with each such proxy an unaddressed envelope with the postage thereon fully prepaid by air mail, to be used by the elector in returning the proxy appointment to his proxy.

SECTION 9.) Such proxy appointment must be presented by the proxy to the Election Board of the precinct wherein such elector is qualified to vote, whereupon such proxy shall be furnished such ballot as the elector would be entitled to receive if personally present, and shall be permitted to vote such ballot for and on behalf of such elector unless such election board shall have theretofore received evidence it deems sufficient that such elector is deceased.

SECTION 10.) The proxy appointment shall be filed with the election board and shall, by it, be returned to the county auditor with the other election returns, and by him kept and preserved for the period of two years after the expiration of the emergency.

SECTION 11.) Any elector coming within the provisions of Section 6 of this Act, may at his option vote personally or by his absent voters ballot or by a proxy at any such election, and if he shall vote personally or his absent voters ballot shall have been filed with the election board before his proxy offers to vote, the vote of the proxy shall be rejected. However, if a duly appointed proxy shall have voted before the elector offers to vote personally or before his absent voters ballot shall be presented, his personal vote shall be rejected.

SECTION 12.) The proxy must be a duly qualified voter of the county of the residence of the elector in the State of North Dakota, but need not be a resident of the precinct wherein the elector resides. If he is not a resident of such precinct, he shall file with the election board an affidavit stating of what precinct he is a resident.

SECTION 13. REPEAL.) That Sections 1002a1, 1002a2, 1002a5 of the 1925 Supplement to the Compiled Laws of North Dakota for 1913, are hereby repealed.

SECTION 14. 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.

SECTION 15. SAVINGS CLAUSE.) If any part of this Act shall be declared invalid, such invalidity shall not be held or deemed to impair the operation of the remainder of this Act.

And when so amended recommend the same do pass.

Rep. Graham moved that the House concur in the Senate amendment to House Bill No. 3. Rep. Bergesen offered as a substitute motion that the House do not concur in the Senate amendments to House Bill No. 3.

Rep. Wolf of McIntosh requested a Roll Call on the substitute motion of Rep. Bergesen, which request was granted.

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

The question was on the substitute motion of Rep. Bergesen.

## ROLL CALL

The question being on the substitute motion of Rep. Bergesen, the roll was called and there were ayes, 56; nays, 49; absent and not voting, 7.

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

So the substitute motion prevailed.

Hegge

Rep. Bauer: "In my life I have seen a good deal of politics. I have seen rotten politics in St. Louis, in Chicago and other places, but I never did think when I moved up to North Dakota that I would see anything like this. I vote 'aye'."

Rep. Crockett: "I would like to explain by vote. I came down here for just one purpose and that was to give the boys in the Army of the United States of America or overseas, the privilege of voting. We have been here for eight days. We have passed a number of bills and still what we came for has not been passed. In my opinion, I am going to lay the blame on the Governor of this State and a few men who are trying to dictate the policies to the legislative branch of this State government. Just a few days ago a member of this House, in fact the majority floor leader—"

Rep. Twichell: "I submit the gentleman is out of order. He is not explaining his vote."

Rep. Rohde: "Mr. Speaker, how does Rep. Crockett vote?"

Rep. Crockett: (continuing). "I want my remarks recorded. A few days ago the majority floor leader of this House told us that the Governor called in eight men, four men from the House and four from the Senate. The personnel of the eight men makes no difference to me. I still maintain as a member of this House-elected from my county as every one of you are---the Governor had no right to call in eight men or four men or ten men to lay down the policies and tell us what we should go by. After all, there are about 150 men in this House and this Senate who have something to say about it and the majority floor leader of this House on Saturday afternoon told us all about that conference-which we already knew. He said they agreed on the type of bill and the Attorney General of this State was to draw the bill. Then he said two or three Senators interjected a new idea, namely, the proxy. My God! They had the right didn't they? I si submit, Mr. Speaker, that I represent Cavalier County. I still - I still vote for the thirteen or fourteen thousand people the same as Mr. Callahan and Mr. Moe are representing-by proxy-but the majority floor leader of this House stated this: 'we want the absent voters ballot.' You gentlemen of this House, that Bill which they introduced in the Senate has both. The Senate has now receded a long way, they incorporated the two into one bill."

Mr. Speaker: "Mr. Crockett, I think you have had quite a lot of latitude in the explanation of your vote."

Rep. Rohde: "Mr. Speaker, how does Mr. Crockett vote?"

Mr. Crockett: "I am waiting for your orders, Mr. Speaker ---may I proceed?"

Mr. Speaker: "Try to confine yourself to the explanation of your vote."

Mr. Crockett, continuing: "I am trying to tell you, Mr. Speaker, why I am voting the way I am going to vote. Then, after the Senate receded to the first amendment—that wasn't good enough, the majority floor leader of this House didn't even want that. Then he said: 'We will pass both bills.' The Senate wanted the assurance that they would be signed. Over in the Senate one of the few Democrats went home after making a fine oration in my opinion. Now here comes another compromise and the Senate receded again and the House hasn't receded from anything. I will take my hat off for the first time in fifteen years to the Senate for accomplishing that much. The House stands here like a mule, we expect the Senate to do everything. A little technicality now stands in the way—just because the proxy comes first instead of the absent voters ballot. I don't think the Senate ever thought of that. But, Mr. Speaker, I came down here to do just one thing and if I had just a bunch of farmers to deal with we would have been able to get together quite a few days ago. Therefore, Mr. Speaker, I think this House should concede to the Senate in this last amendment. I vote 'no'."

Rep. Graham: "I vote 'aye' for the purpose of reconsideration."

Rep. Fitch: "I arise to a question—under Rule 35 does Rep. Graham's vote for the purpose of reconsideration apply?"

The Speaker ruled that the notice of reconsideration does not apply in this case.

Rep. Bergesen moved that the Speaker appoint a conference committee of three to meet with a like committee from the Senate on House Bill No. 3, which motion prevailed.

The Speaker appointed on such committee Reps. Sandness, Hofstrand and Shure.

Rep. Haugen moved that the House recess until 9:30 o'clock a. m., which motion was lost.

## MESSAGE TO THE SENATE

House of Representatives,

Bismarck, March 27, 1944.

Mr. President: I have the honor to inform you that the House has refused to concur in the Senate amendment to House Bill No. 3 and the Speaker has appointed as a conference committee to act with a like committee from the Senate, Reps. Sandness, Hofstrand and Shure.

W. M. SMART, Chief Clerk.

## MESSAGE FROM THE SENATE

Senate Chamber,

Bismarck, March 27, 1944.

Mr. Speaker: I have the honor to inform you that the Senate has requested the return of House Bill No. 3.

W. J. TROUT, Secretary.

Rep. Bergesen moved that the House reconsider action taken by which it appointed a conference committee, which motion prevailed.

Rep. Bergesen moved that the conference committee be discharged, which motion prevailed.

Rep. Bergesen moved that the House accede to the request of the Senate and return House Bill No. 3, which motion prevailed.

## MESSAGE TO THE SENATE

House of Representatives,

Bismarck, March 27, 1944.

Mr. President: I have the honor to return:

House Bill No. 3. A Bill for an Act to Amend and Reenact Sections 992, 993 and 995 of the Compiled Laws of North Dakota for 1913, as Amended by Chapter 148 of the Session Laws of 1941, Repealing Sections 1002a1, 1002a2, 1002a5 of the 1925 Supplement to the Compiled Laws of North Dakota for 1913; Declaring an Emergency.

W. M. SMART, Chief Clerk.

Rep. Graham moved that the House do now recess until 11:00 o'clock a. m. tomorrow, which motion prevailed and the House stood recessed.

# W. M. SMART, Chief Clerk.

## NINTH DAY AFTER RECESS AND TENTH DAY

## Bismarck, March 28, 1944.

The House convened at 11:00 o'clock a. m., pursuant to recess taken, Speaker Beede presiding.

## MESSAGE FROM THE SENATE

Senate Chamber,

## Bismarck, March 28, 1944.

Mr. Speaker: I have the honor to return:

House Bill No. 3. A Bill for an Act to Amend and Reenact Sections 992, 993 and 995 of the Compiled Laws of North Dakota for 1913, as Amended by Chapter 148 of the Session Laws of 1941, Repealing Sections 1002a1, 1002a2, 1002a5 of the 1925 Supplement to the Compiled Laws of North Dakota for 1913; Declaring an Emergency.

Which the Senate has ordered.

W. J. TROUT, Secretary.

Rep. Bergesen moved that the House do not appoint a conference committee with reference to House Bill No. 3, explaining that if that motion carries it will simply mean we are not doing anything on it until the Senate requests that it be returned to the Senate.

Rep. Graham offered as a substitute motion that the House do concur in the Senate amendments to House Bill No. 3.

Rep. Graham spoke briefly on the reasons for making his motion.

Rep. Bergesen: "I arise to a point of personal privilege. I cannot have the Governor of this State insulted on the floor of the House without making an answer. If he had wanted to be the smooth politician and if he had not been open and aboveboard, he would have done just as Mr. Graham states—kept silent. He would have led the Senate on to believe he endorsed their amendment and then vetoed it. But he didn't do that; he told the Senate frankly he would veto it. Because he did that, we are not only taking advantage of him but are insulting him on the floor of the House."

Rep. Fitch requested that a roll call be taken to ascertain if a quorum be present.

Roll call: All members were present except Reps. Olson of Bowman, Johnson of Cass, Schnell, Crockett, Ekren, Forseth, Halvorson, Hegge, Kolpin, Levin, Manstrom, Sharpe, Welder and Williams of Sargent.

Rep. Graham: "After conference with the Speaker, I ask consent to change my substitute motion as follows: Moved that a conference committee be appointed to meet with a like committee from the Senate with respect to House Bill No. 3."

The question was on the motion of Rep. Graham as amended, which motion lost.

A division was called for and revealed 42 for and 53 against, so the motion was declared lost.

Rep. Graham requested a roll call.

ROLL CALL

The question being on the substitute motion of Rep. Graham, the roll was called and there were ayes, 44; nays, 54; absent and not voting, 14.

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

So the substitute motion was declared lost.

Rep. Bauer: "I want my remarks recorded. I don't see any sense in going into a conference committee. It is just a further delay. It is keeping us farther from getting in our crops. It is just a continuation of this delay, for which there is no excuse. I vote 'no'." The question was on the motion of Rep. Bergesen.

Rep. Graham requested a call of the house but an insufficient number having seconded the request, the call of the House was not ordered.

Rep. Graham moved that a committee be appointed to consult with a like committee from the Senate on the question of adjourning to a time definite or sine die, which motion prevailed.

The Speaker appointed on such committee Reps. Graham, Bergesen and Anderson.

## MESSAGES TO THE SENATE

House of Representatives,

Bismarck, March 28, 1944.

Mr. President: I have the honor to inform you that the House has voted not to appoint a conference committee with respect to House Bill No. 3.

## W. M. SMART, Chief Clerk.

House of Representatives,

Bismarck, March 28, 1944.

Mr. President: I have the honor to inform you that the Speaker has appointed Reps. Graham, Bergesen and Anderson to meet with a like committee of the Senate to consider adjournment to a definite time or sine die.

W. M. SMART, Chief Clerk.

Rep. Fitch moved that the House recess until 1:30 o'clock p. m., which motion prevailed and the House stood recessed.

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

## MESSAGES FROM THE SENATE

Senate Chamber,

Bismarck, March 28, 1944. Mr. Speaker: I have the honor to inform you that the

President has appointed a conference committee to act with a like committee of the House to confer on the soldiers' vote, Senators Brunsdale, Nelson of Renville and Olson of Mountrail.

# W. J. TROUT, Secretary.

Senate Chamber,

Bismarck, March 28, 1944.

Mr. Speaker: I have the honor to transmit:

Senate Concurrent Resolution "G." Be It Resolved, That the 28th Legislative Assembly of the State of North Dakota, in Extraordinary Session Assembled, Extend Its Sincere Thanks to the President, the Officers, Directors and Members of the Greater North Dakota Association, as Well as to the Hundreds of Farmers and Town People, Who Have Completed Individual Township Surveys, and Who Will Complete the Surveys of the Rest of North Dakota's Townships, Without Charge and Without Cost, for Their Splendid and Patriotic Service, Which We Are Confident Will Be Most Helpful to Our Successor, the 29th Legislative Assembly.

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

## W. J. TROUT, Secretary.

#### FIRST READING OF SENATE RESOLUTION

Senate Concurrent Resolution "G." Be It Resolved, That the 28th Legislative Assembly of the State of North Dakota,

in Extraordinary Session Assembled, Extend Its Sincere Thanks to the President, the Officers, Directors and Members of the Greater North Dakota Association, as Well as to the Hundreds of Farmers and Town People, Who Have Completed Individual Township Surveys, and Who Will Complete the Surveys of the Rest of North Dakota's Townships, Without Charge and Without Cost, for Their Splendid and Patriotic Service, Which We Are Confident Will Be Most Helpful to Our Successor, the 29th Legislative Assembly.

Rep. Callahan moved that the rules be suspended and Senate Concurrent Resolution "G" be adopted at this time, which motion prevailed and the resolution was adopted.

Rep. Bergesen moved that the committee appointed to meet with a like committee from the Senate for the consideration of adjournment also be the committee to confer with the Senate committee on the soldiers' vote, which motion prevailed.

## MESSAGE TO THE SENATE

House of Representatives

Bismarck, March 28, 1944. Mr. President: I have the honor to inform you that the Speaker has appointed as a conference committee to act with a like committee from the Senate on the soldiers' vote, Reps. Graham, Bergesen and Anderson.

W. M. SMART, Chief Clerk.

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

Rep. Rohde moved that the House do now adjourn, which motion prevailed and the House stood adjourned.

#### TENTH DAY

## Bismarck, March 28, 1944.

The House convened pursuant to adjournment, Speaker Beede presiding.

Prayer was offered by Rev. J. H. Mittag.

Roll call: All members present except Reps. Forseth, Fraser, Hegge, Kolpin, Olson of Bowman and Schnell.

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

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

Page 182, insert in line 6 of Rep. Twichell's explanation of vote after the word "side" the following: "who is opposed to the investigation".

Page 184, line 5, correct the spelling of the name "Fitch".

And when so corrected recommends that the same be approved.

S. N. WELDER, Chairman.

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

MESSAGE TO THE SENATE

House of Representatives.

Bismarck, March 28, 1944.

Mr. President: I have the honor to return: Senate Concurrent Resolution "G." Be It Resolved, That the 28th Legislative Assembly of the State of North Dakota,

in Extraordinary Session Assembled, Extend Its Sincere Thanks to the President, the Officers, Directors and Members of the Greater North Dakota Association, as Well as to the Hundreds of Farmers and Town People, Who Have Completed Individual Township Surveys, and Who Will Complete the Surveys of the Rest of North Dakota's Townships, Without Charge and Without Cost, for Their Splendid and Patriotic Service, Which We Are Confident Will Be Most Helpful to Our Successor, the 29th Legislative Assembly.

Which the House has passed unchanged.

#### W. M. SMART, Chief Clerk.

Rep. Graham moved that the House recess until 2:45 o'clock p. m., which motion prevailed.

The House convened at 2:45 o'clock p. m., Speaker Beede presiding.

## MESSAGE FROM THE SENATE

Senate Chamber,

Bismarck, March 28, 1944.

Mr. Speaker: I have the honor to inform you that the Senate has requested the return of House Bill No. 3.

W. J. TROUT, Secretary.

Rep. Graham moved that the House accede to the request of the Senate and that House Bill No. 3 be returned to the Senate, which motion prevailed.

#### MESSAGE TO THE SENATE

House of Representatives,

Bismarck, March 28, 1944.

Mr. President: I have the honor to return:

House Bill No. 3. A Bill for an Act to Amend and Reenact Sections 992, 993 and 995 of the Compiled Laws of North Dakota for 1913, as Amended by Chapter 148 of the Session Laws of 1941, Repealing Sections 1002a1, 1002a2, 1002a5 of the 1925 Supplement to the Compiled Laws of North Dakota for 1913; Declaring an Emergency.

# W. M. SMART, Chief Clerk.

## MESSAGE FROM THE SENATE

Senate Chamber,

Bismarck, March 28, 1944.

Mr. Speaker: I have the honor to transmit:

Senate Concurrent Resolution "G." Be It Resolved, That the 28th Legislative Assembly of the State of North Dakota, in Extraordinary Session Assembled, Extend Its Sincere Thanks to the President, the Officers, Directors and Members of the Greater North Dakota Association, as Well as to the Hundreds of Farmers and Town People, Who Have Completed Individual Township Surveys, and Who Will Complete the Surveys of the Rest of North Dakota's Townships, Without Charge and Without Cost, for Their Splendid and Patriotic Service, Which We Are Confident Will Be Most Helpful to Our Successor, the 29th Legislative Assembly.

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

## W. J. TROUT, Secretary.

Rep. Graham moved that the vote by which Senate Bill No. 6 was indefinitely postponed be reconsidered, which motion prevailed by a two-thirds majority vote.

Rep. Johnson of Richland moved that Senate Bill No. 6,

which was now before the House, be referred to the Committee on Judiciary, which motion prevailed and Senate Bill No. 6 was referred to the Committee on Judiciary.

## MESSAGE TO THE SENATE

# House of Representatives,

Bismarck, March 28, 1944.

Mr. President: I have the honor to inform you that the House has reconsidered its action in indefinitely postponing Senate Bill No. 6 and has referred same to House Judiciary Committee for amendment.

#### W. M. SMART, Chief Clerk.

SIGNING OF RESOLUTION

The Chief Clerk announced that the Speaker was about to sign:

Senate Concurrent Resolution "G."

And the Speaker signed the same in the presence of the House.

MESSAGE TO THE SENATE.

House of Representatives,

Bismarck, March 28, 1944.

Mr. President: I have the honor to return: Senate Concurrent Resolution "G." Be It Resolved, That the 28th Legislative Assembly of the State of North Dakota, in Extraordinary Session Assembled, Extend Its Sincere Thanks to the President, the Officers, Directors and Members of the Greater North Dakota Association, as Well as to the Hundreds of Farmers and Town People, Who Have Completed Individual Township Surveys, and Who Will Complete the Surveys of the Rest of North Dakota's Townships, Without Charge and Without Cost, for Their Splendid and Patriotic Service, Which We Are Confident Will Be Most Helpful to Our Successor, the 29th Legislative Assembly.

Which the Speaker has signed.

## W. M. SMART, Chief Clerk.

#### REPORT OF STANDING COMMITTEE

Mr. Speaker: Your Committee on Judiciary to whom was referred Senate Bill No. 6, have had the same under consideration and recommend that the same be amended as follows:

Strike out everything after "A Bill" and insert the follow-"For an Act to amend and re-enact Sections 992, 993 ing: and 995 of the Compiled Laws of North Dakota for 1913 as amended by Chapter 148 of the Session Laws of 1941 to amend and re-enact Sections 1002a3 and 1002a4 of the 1925 Supplement to the Compiled Laws of North Dakota for 1913, repealing Sections 1002a1, 1002a2, 1002a5 of the 1925 Sup-plement to the Compiled Laws of North Dakota for 1913, Relating to absent voters, and permitting electors engaged in the defense of their country or members of the American Red Cross, Merchant Marine or United Service Organizations outside the territorial limits of the United States of America as a result of any war in which the United States of America may be engaged and until six months after the termination thereof, to vote by proxy during the emergency of any such war, defining the duties of the county auditor, providing a saving clause, and declaring an emergency. BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF

THE STATE OF NORTH DAKOTA:

SECTION 1. AMENDMENT.) That Section 992 of the Compiled Laws of North Dakota for 1913 as amended by Chapter 148 of the Session Laws of 1941 is hereby amended and re-enacted to read as follows:

SECTION 992. ABSENT VOTERS' BALLOT. WHO MAY VOTE.) Any qualified elector of the state, who is absent from the county in which he is an elector, or who by reason of physical disability, is unable to attend at the polling place in his precinct to vote at any general or primary election, may vote an absent voters ballot at any such election as hereinafter provided.

SECTION 2.) AMENDMENT.) That Section 993 of the Compiled Laws of 1913, as amended by Chapter 148 of the 1941 Session Laws is hereby amended and re-enacted to read as follows:

SECTION 993. APPLICATION FOR BALLOTS. MADE WHEN.) At any time within seventy (70) days next preceding such election, any voter expecting to be absent on the day of the election from the county in which his voting precinct is situated, or who by reason of physical disability is unable to attend at the polling place in his precinct to vote at such election, may make application to the county auditor of such county for an official absent voters ballot to be voted at such election.

SECTION 3. AMENDMENT.) That Section 995 of the Compiled Laws of North Dakota for 1913, as amended by Chapter 148 of the Session Laws of 1941, is hereby amended and re-enacted to read as follows:

SECTION 995.) APPLICATION FOR.) Application for such ballot shall be made on a blank to be furnished by the county auditor of the county of which the applicant is an elector and must be substantially in the following form:

I, \_\_\_\_\_, a duly qualified elector of the township of \_\_\_\_\_\_ or the village of \_\_\_\_\_\_ or of the \_\_\_\_\_\_ precinct of the \_\_\_\_\_\_ ward of the city of \_\_\_\_\_\_ of the county of \_\_\_\_\_\_ of the State of North Dakota, to my best knowledge and belief entitled to vote in such precinct at the next election, expecting to be absent from said county on the day for holding such election, or by reason of physical disability being unable to attend and vote at such election, hereby make application for an official absent voters ballot to be voted by me at such election.

Date\_\_\_\_\_.

#### Signed \_\_\_\_\_ Postoffice

Provided, that if the application be made for a primary election ballot such application shall also give the name of the political party with which the applicant is affiliated.

Provided that when such application is made upon the ground of physical disability it shall be accompanied by the certificate of the superintendent of a hospital in which the applicant is actually confined or by the certificate of a licensed physician who is attending said applicant to the effect that said applicant is under such physical disability by reason whereof he is confined to such hospital or other place of confinement (stating location thereof) and is unable to attend and vote at such election.

SECTION 4. AMENDMENT.) That Section 1002a3 of the 1925 Supplement to the Compiled Laws of North Dakota for 1913 be amended and re-enacted to read as follows:

SECTION 1002a3. ABSENT VOTERS BALLOT.) It

shall be the duty of each county auditor upon receipt of an application for an absent voters ballot immediately to mail such absent voters ballot to such elector in the manner provided in Section 997 of the Compiled Laws of North Dakota for 1913; provided, however, that the enclosed envelope shall be duly stamped with return air mail postage and the affidavit endorsed thereon may be made by such elector before his immediate commissioned commanding officer, or any commissioned officer, non-commissioned officer not below the rank of a sergeant or petty officer, in the armed forces of the United States and any member of the merchant marine of the United States designated for this purpose by the Administrator of the War Shipping Administration is authorized to administer and attest such oaths as are required by this Act; and provided further that such affidavit need not have any venue. Provided, however, that it shall be the duty of such county auditor, at least sixty (60) days before any primary or general election, of his own accord and without application, to send such absent voters ballot to every elector in the manner provided in Section 997 of the Compiled Laws of North Dakota for 1913, who is a member of the armed forces of the United States of America, in every case wherein the address of such elector is furnished such county auditor.

SECTION 5. AMENDMENT.) That Section 1002a4 of the 1925 Supplement to the Compiled Laws of North Dakota for 1913 be amended and re-enacted to read as follows:

SECTION 1002a4. BALLOT AND CANVASSING.) Such absent voter shall make and subscribe such affidavit before his immediate commissioned commanding officer or any commissioned officer, noncommissioned officer not below the rank of sergeant, or petty officer, in the armed forces of the United States and any member of the merchant marine of the United States designated for this purpose by the Administrator of the War Shipping Administration is authorized to administer and attest such oaths as are required by this Act, and shall thereupon, in the presence of such officer and of no other persons, mark such ballot or ballots in the manner provided in Section 998 of the Compiled Laws of North Dakota for 1913; and the county auditor, upon receipt of such envelope, shall proceed in the same manner as pro-vided in Section 999 of the Compiled Laws of 1913 relating to absent voters ballots; provided, however, that if any such envelope is received by such county auditor too late to be forwarded to the proper voting precinct in time to be canvassed, the same shall be retained by him and canvassed by the canvassing board of the county of such auditor at any time prior to the meeting of the state canvassing board or any adjourned meeting of said board where the same has been received by such auditor in time to canvass and transmit the results to the state canvassing board. In all other respects such absent voter ballots of electors engaged in the military service or merchant marine of the United States shall be treated in the same manner as now provided for the absent voter ballots.

SECTION 6.) That during any National emergency arising out of the United States of America being engaged in war and until the expiration of six months after the termination thereof, the duly qualified electors of the State of North Dakota, men and women, who may be serving in the armed forces of the United States, the American Red Cross, the Merchant Marine or the United Service Organizations outside the territorial limits of the United States, may delegate his right to vote and shall be permitted to vote by proxy at all statewide elections, primary and general.

SECTION 7.) (a) Every qualified elector coming within the provisions of Section 6, desiring to vote by proxy at any such election, shall name in writing either his mother, father, brother, sister, husband, or wife, if any he has in the county of his residence as his proxy to cast his vote at any such election.

Such proxy appointment shall be in substantially the (b) following form: I\_\_\_\_\_ \_a duly gualified elector of the \_of the village of\_\_\_\_ of the township of\_ \_\_\_\_ward of the city \_precinct of the\_ ., and of the County of\_ , of the State of\_ of North Dakota, to my best knowledge and belief entitled to vote at such precinct at the next election, and now serving in the defense of the United States of America outside the territorial limits thereof, do hereby name. of. \_County, North Dakota, who is \_as my my\_ (father, mother, brother, sister, husband, or wife) proxy to vote for me in my name at the... \_election to be held in the State of North Dakota on the. \_, 19\_ day of\_ X

We as witnesses to the signature of the above named elector hereby certify that we know such elector and know that his signature thereto is genuine.

#### Witnesses

(c) Such proxy appointment shall be signed in his own hand by the elector on the line of which the letter X appears, in the presence of two of his comrades who shall sign as witnesses to the signature of such elector on the blank lines therefor.

SECTION 8.) Each county auditor in the state of North Dakota, shall, for every such election held during any such national emergency:

(a) Provide such proxy appointment, with a reprint of subdivisions (a) and (c) of Section 7 of this Act on the back thereof.

(b) Any relative or friend of any such elector, having the information, is required to furnish the name and military address and each change in such address as same may occur of such elector to the county auditor of the county of the residence of such elector and such county auditor shall make and preserve a permanent record in his office of the names and addresses so furnished him and the date of mailing each proxy appointment and shall keep such record concealed from the public.

(c) Each county auditor shall include with each absent voters ballot or ballots sent by him to each of the electors coming within the provisions of Section 6 of this Act, who is without the territorial limits of the United States of America, one such proxy appointment and a letter in the following language:

## "LETTER

You may fill out the enclosed proxy appointment and mail it to the one you appoint or if you prefer to vote by absent voters ballot, fill out the enclosed absent voters ballot and return it to this office.

County Auditor, \_\_\_\_\_ County, \_\_\_\_\_ North Dakota."

(d) Such county auditor shall include with each such proxy an unaddressed envelope with the postage thereon fully prepaid by air mail, to be used by the elector in returning the proxy appointment to his proxy.

SECTION 9.) Such proxy appointment must be presented by the proxy to the Election Board of the precinct wherein such elector is qualified to vote, whereupon such proxy shall be furnished such ballot as the elector would be entitled to receive if personally present, and shall be permitted to vote such ballot for and on behalf of such elector unless such election board shall have theretofore received evidence it deems sufficient that such elector is deceased.

SECTION 10.) The proxy appointment shall be filed with the election board and shall, by it, be returned to the county auditor with the other election returns, and by him kept and preserved for the period of two years after the expiration of the emergency.

SECTION 11.) Any elector coming within the provisions of Section 6 of this Act, may at his option vote personally or by his absent voters ballot or by a proxy at any such election, and if he shall vote personally or his absent voters ballot shall have been filed with the election board before his proxy offers to vote, the vote of the proxy shall be rejected. However, if a duly appointed proxy shall have voted before the elector offers to vote personally or before his absent voters ballot shall be presented, his personal vote shall be rejected.

SECTION 12.) The proxy must be a duly qualified voter of the county of the residence of the elector in the State of North Dakota, but need not be a resident of the precinct wherein the elector resides. If he is not a resident of such precinct, he shall file with the election board an affidavit stating of what precinct he is a resident.

SECTION 13. REPEAL.) That Sections 1002a1, 1002a2, 1002a5 of the 1925 Supplement to the Compiled Laws of North Dakota for 1913, are hereby repealed.

SECTION 14. 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.

SECTION 15. SAVINGS CLAUSE.) If any part of this Act shall be declared invalid, such invalidity shall not be held or deemed to impair the operation of the remainder of this Act.

And renumber the lines.

And when so amended recommend the same do pass. REP. OHNSTAD, Chairman. Rep. Graham moved that the report be adopted, which motion prevailed and the report was adopted.

Rep. Bubel moved that the rules be suspended and Senate Bill No. 6 be placed on second reading and final passage at this time, which motion prevailed by the necessary two-thirds majority vote.

# SECOND READING OF SENATE BILL

Senate Bill No. 6. A Bill for an Act to Amend and Reenact Sections 992, 993 and 995 of the Compiled Laws of North Dakota for 1913 as Amended by Chapter 148 of the Session Laws of 1941 to Amend and Re-enact Sections 1002a3 and 1002a4 of the 1925 Supplement to the Compiled Laws of North Dakota for 1913, Repealing Sections 1002a1, 1002a2, 1002a5 of the 1925 Supplement to the Compiled Laws of North Dakota for 1913, Relating to Absent Voters, and Permitting Electors Engaged in the Defense of Their Country or Members of the American Red Cross, Merchant Marine or United Service Organizations Outside the Territorial Limits of the United States of America as a Result of Any War in Which the United States of America May Be Engaged and Until Six Months After the Termination Thereof, to Vote by Proxy During the Emergency of Any Such War, Defining the Duties of the County Auditor, Providing a Saving Clause, and Declaring an Emergency.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 91; nays, 8; absent and not voting, 13.

bone and not retriag,		
Those voting in the	affirmative were:	
Aker	Halvorson	Ohnstad
Allen, Pierce	Haugen	Ostgulen
Anderson	Heckman	Peterson, Bottin'au
Arndt '	Hildre	Peterson, Ransom
Bagge	Hofstrand	Pyle
Baumgartner	Holm	Rettke
Belzer	Hovey	Rohde
Benno	Iszler	Rohrer
Bergesen	Jennings	Runck
Bjella	Johnson, Richland	Sailer
Blair	Johnson, Rolette	Sandness
Bolmeier	Langley	Saumur
Braun	Larson, Ward	Schwartz
Bubel	Larson, Wells	Schmalenberger
Burau	Leet	Sellens
Bymers	Levin	Severson
Callahan	Lillehaugen	Shure
Carlson	Lunde	Stair
Crockett	McInnes	Starck
Dahlen	Marks	Sticka
Dalzell	Mittag	Stormon
Devlin	Moe	Tuff
Drovdal	Mollet	Wambheim
Falconer	Monson	Welk
Fleck	Morland	Westby
Fraser	Morrison	Williams, Richland
Fuglestad	Mortenson	Williams, Stutsm'n
Gackle	Nelson	Wolf, McIntosh

Graham	Nystrom	Wolf, Morton		
Haag	Olson, Barnes	Mr. Speaker		
Halcrow				
Those voting in the negative were:				
Allen, Grand Forks	Collette	Hogoboom		
Bauer	Fitch	Twichell		
Boulden	Haugland			
Absent and not vot				
Coghlan	Johnson, Cass	Schnell		
Ekren	Kolpin	Sharpe		
Forseth	Manstrom	Welder		
Gainor	Olson, Bowman	Willianıs, Sargent		
Hegge				

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

Rep. Leet 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.

Rep. Aker: "I came down here at the call of the Governor. I never believed myself that a special session should have been called and I am going to criticize the Governor for that. There has been some talk on the floor that we should not criticize the Governor but so far as I am concerned that is one of my legislative duties. I do not believe that the legislation here passed, insofar as the soldiers' vote is concerned, is of any great value or importance and that our men in the military service are much concerned. It is with a great deal of indifference that I vote 'aye'."

Rep. Bergesen: "I wish to explain my vote and have it recorded in the Journal. I think it was not only within the province of the Governor to call us here but in view of the situation over the country with reference to the soldiers' vote, I think it was his duty. With reference to the proxy method of voting, I have been consistently opposed but in order to break a deadlock between the two Houses and in order to pass on to the Governor a choice as to the two methods, I vote 'aye'."

Rep. Bymers: "I am going to vote 'aye' on this measure and wish to have my remarks in the Journal. You all understand my position here. I am opposed to the proxy but in order to effectuate this thing it seems to be the only alternative to get together so I vote 'aye'."

Rep. Graham: "I wish to explain my vote and have my remarks recorded in the Journal. As one of those who were called up here for consultation with the Governor—we, of course, had no authority to bind any other members of the Legislature, we only made recommendations. There was an understanding with the Governor that he would not recommend anything in his Message except such things as were talked over with that committee. However, when we arrived, the Governor again called us in on Sunday afternoon and he again brought up the question of bills to do away with the hail insurance lien law, to exempt Federal Land Bank agencies from its operation; to amend the anti-deficiency judgment act to exempt Federal Land Bank agencies from its operation, and to impose a capital gains tax upon all land sales during the war and for a considerable period thereafter, in an amount sufficient to discourage and effectively prevent unwarranted inflation of land values. I think every member of that committee took exception to bringing in those measures and I do criticize the Governor for bringing in measures of that kind instead of only those which had been talked of before. I vote 'aye'."

Rep. Hogoboom: "I have always voted on this bill and voted my belief. It seems now that there is a chance for a compromise with the Senate so we could get through and get home and it seems I should vote 'aye' but still when I think of the bill I can't do it, so I am going to vote 'no'."

Rep. Marks: "I am also going to vote 'aye' on this bill knowing that it will now pass, at least I am assured of it. In my heart I feel that the bill will never go any farther than the Governor's desk. Personally, I feel that when this bill reaches the Governor's desk it will be vetoed and I just feel somewhat guilty to think we have spent all of this time on this bill—all taxpayers' money—we have wasted several days here now, and it will all come to naught, because when the bill reaches the Governor's office it will be vetoed. I vote 'aye'."

Rep. Rettke: "I would like to explain my vote and have it recorded. It is well known that I am opposed to the proxy voting system. I am also opposed or rather think it is a very bad system to vote by absentee voters' ballot but I realize we are in an emergency where many of the voters in the State of North Dakota have left to fight across the seas to maintain our system of government and many of them were forced to go by a draft law and they are denied their vote and this probably will give them a chance to vote so I vote 'aye'."

Rep. Westby: "I would like to make a little explanation of my vote. I have consistently been against this proxy vote and down deep in my heart I have not changed my mind. I know I am voting against my own convictions but for the sake of harmony I will vote 'aye'."

Rep. Blair: "I wish my remarks recorded in the Journal. This bill is far from the fundamental teaching of my youth, that we uphold our American form of government and that our ballot shall be secret but in order to break this deadlock so we can go home in peace, I am going to vote 'aye'—it certainly is against my desire."

Rep. Moe: "I wish to explain my vote and have it in the Journal. We came down here for this purpose and this purpose only as I figured in the first place to give the soldiers a chance to vote and this is the best we can do under the circumstances after over a week's deliberation. Therefore, I vote 'aye'."

## MESSAGE FROM THE SENATE

Senate Chamber, Bismarck, March 28, 1944.

Mr. Speaker: I have the honor to return:

House Bill No. 3. A Bill for an Act to Amend and Reenact Sections 992, 993 and 995 of the Compiled Laws of North Dakota for 1913, as Amended by Chapter 148 of the Session Laws of 1941, Repealing Sections 1002a1, 1002a2, 1002a5 of the 1925 Supplement to the Compiled Laws of North Dakota for 1913; Declaring an Emergency. House Bill No. 9. A Bill for an Act to Amend and Reenact Sections 1002a3 and 1002a4 of the Supplement to the Compiled Laws of North Dakota for 1913, Relating to Absent Voters' Ballots for Voters Not in the County on Election Day and Serving in the Armed Forces of the United States, Declaring an Emergency.

Which the Senate has passed unchanged.

W. J. TROUT, Secretary.

# MESSAGE TO THE SENATE House of Representatives,

# Bismarck, March 28, 1944.

Mr. President: I have the honor to return:

Senate Bill No. 6. A Bill for an Act to Amend and Reenact Sections 992, 993 and 995 of the Compiled Laws of North Dakota for 1913 as Amended by Chapter 148 of the Session Laws of 1941 to Amend and Re-enact Sections 1002a3 and 1002a4 of the 1925 Supplement to the Compiled Laws of North Dakota for 1913, Repealing Sections 1002a1, 1002a2, 1002a5 of the 1925 Supplement to the Compiled Laws of North Dakota for 1913, Relating to Absent Voters, and Permitting Electors Engaged in the Defense of Their Country or Members of the American Red Cross, Merchant Marine or United Service Organizations Outside the Territorial Limits of the United States of America as a Result of Any War in Which the United States of America May Be Engaged and Until Six Months After the Termination Thereof, to Vote by Proxy During the Emergency of Any Such War, Defining the Duties of the County Auditor, Providing a Saving Clause, and Declaring an Emergency.

Which the House has amended.

# W. M. SMART, Chief Clerk.

#### MESSAGE FROM THE SENATE

## Senate Chamber,

Bismarck, March 28, 1944.

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 15. A Bill for an Act Making an Appropriation to Defray the Expenses of the Extraordinary Legislative Session of 1944, and the Expenses of the Governor's Advisory Committee, and Declaring an Emergency.

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

## W. J. TROUT, Secretary.

#### CONSIDERATION OF MESSAGES FROM THE SENATE

Senate Bill No. 15, as amended by the Senate, was referred to the Committee on Appropriations.

#### REPORT OF STANDING COMMITTEE

Mr. Speaker: Your Committee on Appropriations to whom was referred Senate Bill No. 15, have had the same under consideration and recommend that the same do pass as amended by the Senate.

REP. STORMON, Acting Chairman.

Rep. Severson moved that the report be adopted, which motion prevailed and the report was adopted.
Rep. Stormon moved that the rules be suspended and Senate Bill No. 15, as amended, be placed on second reading and final passage, which motion prevailed by the necessary two-thirds majority.

#### SECOND READING OF SENATE BILL

Senate Bill No. 15. A Bill for an Act Making an Appropriation to Defray the Expenses of the Extraordinary Legislative Session of 1944, and the Expenses of the Governor's Advisory Committee, and Declaring an Emergency.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 94; nays, 0; absent and not voting, 18.

Those voting in the affirmative were:		
Aker	Halcrow	Olson, Barnes
Allen, Pierce	Halvorson	Ohnstad
Anderson	Haugen	Ostgulen
Arndt	Haugland	Peterson, Bottin'au
Bagge	Heckman	Peterson, Ransom
Bauer	Hildre	Pyle
Baumgartner	Hogoboom	Rettke
Belzer	Holm	Rohde
Benno	Hovey	Runck
Bergesen	Iszler	Sailer
Bjella	Jennings	Sandness
Blair	Johnson, Richland	Saumur
Bolmeier	Johnson, Rolette	Schwartz
Boulden	Langley	Schmalenberger
Braun	Larson, Ward	Sellens
Bubel	Larson, Wells	Severson
Burau	Leet	Shure
Bymers	Levin	Stair
Callahan	Lillehaugen	Starck
Carlson	Lunde	Sticka
Coghlan	McInnes	Stormon
Collette	Marks	Twichell
Dahlen	Mittag	Tuff
Dalzell	Moe	Wambheim
Devlin	Mollet	Welk
Drovdal	Monson	Westby
Falconer	Morland	Williams, Richland
Fitch	Morrison	Williams, Stutsm'n
Fraser	Mortenson	Wolf, McIntosh
Fuglestad	Nelson	Wolf, Morton
Graham	Nystrom	Mr. Speaker
Haag		1
Absent and not voting:		
Allen, Grand Forks	Gainor	Olson, Bowman
Crockett	Hegge	Rohrer
Ekren	Hofstrand	Schnell
Fleck	Johnson, Cass	Sharpe
Forseth	Kolpin	Welder
Gackle	Manstrom	Williams, Sargent

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

#### TUESDAY, MARCH 28, 1944

#### MESSAGE TO THE SENATE

House of Representatives, Bismarck, March 28, 1944.

Mr. President: I have the honor to return:

Senate Bill No. 15. A Bill for an Act Making an Appropriation to Defray the Expenses of the Extraordinary Legislative Session of 1944, and the Expenses of the Governor's Advisory Committee, and Declaring an Emergency.

Which the House has passed unchanged.

W. M. SMART, Chief Clerk. HOUSE COMMITTEE ON ENROLLMENT AND

ENGROSSMENT

The Committee on Enrollment and Engrossment made the following report:

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

House Bill No. 3.

House Bill No. 9.

And find the same correctly enrolled.

ŘEP. MORLAND, Chairman.

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

#### SIGNING OF BILLS

The Chief Clerk announced that the Speaker was about to sign:

House Bill No. 3.

House Bill No. 9.

And the Speaker signed the same in the presence of the House.

#### MESSAGE TO THE SENATE House of Representatives, Bismarck, March 28, 1944.

Mr. President: I have the honor to return:

House Bill No. 3. A Bill for an Act to Amend and Reenact Sections 992, 993 and 995 of the Compiled Laws of North Dakota for 1913, as Amended by Chapter 148 of the Session Laws of 1941, Repealing Sections 1002a1, 1002a2, 1002a5 of the 1925 Supplement to the Compiled Laws of North Dakota for 1913; Declaring an Emergency.

House Bill No. 9. A Bill for an Act to Amend and Reenact Sections 1002a3 and 1002a4 of the Supplement to the Compiled Laws of North Dakota for 1913, Relating to Absent Voters' Ballots for Voters Not in the County on Election Day and Serving in the Armed Forces of the United States, Declaring an Emergency.

Which the Speaker has signed.

W. M. SMART, Chief Clerk.

#### MESSAGES FROM THE SENATE

Senate Chamber,

Bismarck, March 28, 1944.

Mr. Speaker: I have the honor to return:

House Bill No. 3. A Bill for an Act to Amend and Reenact Sections 992, 993 and 995 of the Compiled Laws of North Dakota for 1913, as Amended by Chapter 148 of the Session Laws of 1941, Repealing Sections 1002a1, 1002a2, 1002a5 of the 1925 Supplement to the Compiled Laws of North Dakota for 1913; Declaring an Emergency.

House Bill No. 9. A Bill for an Act to Amend and Reenact Sections 1002a3 and 1002a4 of the Supplement to the Compiled Laws of North Dakota for 1913, Relating to Absent Voters' Ballots for Voters Not in the County on Election Day and Serving in the Armed Forces of the United States, Declaring an Emergency.

Which the President has signed.

#### W. J. TROUT, Secretary.

#### Senate Chamber, Bismarck, March 28, 1944.

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 6. A Bill for an Act to Amend and Reenact Sections 992, 993 and 995 of the Compiled Laws of North Dakota for 1913 as Amended by Chapter 148 of the Session Laws of 1941 to Amend and Re-enact Sections 1002a3 and 1002a4 of the 1925 Supplement to the Compiled Laws of North Dakota for 1913, Repealing Sections 1002a1, 1002a2, 1002a5 of the 1925 Supplement to the Compiled Laws of North Dakota for 1913, Relating to Absent Voters, and Permitting Electors Engaged in the Defense of Their Country or Members of the American Red Cross, Merchant Marine or United Service Organizations Outside the Territorial Limits of the United States of America as a Result of Any War in Which the United States of America May Be Engaged and Until Six Months After the Termination Thereof, to Vote by Proxy During the Emergency of Any Such War, Defining the Duties of the County Auditor, Providing a Saving Clause, and Declaring an Emergency.

Senate Bill No. 15. A Bill for an Act Making an Appropriation to Defray the Expenses of the Extraordinary Legislative Session of 1944, and the Expenses of the Governor's Advisory Committee, and Declaring an Emergency.

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

#### W. J. TROUT, Secretary

#### SIGNING OF BILLS

The Chief Clerk announced that the Speaker was about to sign:

Senate Bill No. 6.

Senate Bill No. 15.

And the Speaker signed the same in the presence of the House.

#### MESSAGE TO THE SENATE

House of Representatives, Bismarck, March 28, 1944.

Mr. Speaker: I have the honor to return:

Senate Bill No. 15. A Bill for an Act Making an Appropriation to Defray the Expenses of the Extraordinary Legislative Session of 1944, and the Expenses of the Governor's Advisory Committee, and Declaring an Emergency. Senate Bill No. 6. A Bill for an Act to Amend and Reenact Sections 992, 993 and 995 of the Compiled Laws of North Dakota for 1913 as Amended by Chapter 148 of the Session Laws of 1941 to Amend and Re-enact Sections 1002a3 and 1002a4 of the 1925 Supplement to the Compiled Laws of North Dakota for 1913, Repealing Sections 1002a1, 1002a2, 1002a5 of the 1925 Supplement to the Compiled Laws of North Dakota for 1913, Relating to Absent Voters, and Permitting Electors Engaged in the Defense of Their Country or Members of the American Red Cross, Merchant Marine or United Service Organizations Outside the Territorial Limits of the United States of America as a Result of Any War in Which the United States of America May Be Engaged and Until Six Months After the Termination Thereof, to Vote by Proxy During the Emergency of Any Such War, Defining the Duties of the County Auditor, Providing a Saving Clause, and Declaring an Emergency.

Which the Speaker has signed.

#### W. M. SMART, Chief Clerk.

#### HOUSE COMMITTEE ON ENROLLMENT AND ENGROSSMENT

The Committee on Enrollment and Engrossment made the following report:

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

House Bill No. 3.

House Bill No. 9.

Were delivered to the Governor for his approval at the hour of 10:45 a. m., March 29, 1944.

#### REP. MORLAND, Chairman.

Rep. Morland moved that the committee appointed to confer with a like committee from the Senate with reference to the adjournment sine die or to a time certain and also appointed to confer with the Senate in regard to the soldiers' vote be discharged, which motion prevailed and the committee was discharged.

Rep. Fitch moved that a committee of three be appointed to notify the Senate that the House has completed its business and is about to adjourn sine die, which motion prevailed.

The Speaker appointed Reps. Twichell, Fitch and Bauer.

Rep. Aker moved that a committee of three be appointed to notify the Governor that the House has completed its business and is about to adjourn sine die, which motion prevailed.

The Speaker appointed Reps. Aker, Devlin and Saumur.

Rep. Twichell reported to the House that the committee appointed to notify the Senate that the House had completed its business and was about to adjourn sine die, had fulfilled its mission and desired to be discharged, which report was adopted and the committee discharged.

A committee from the Senate, consisting of Senators Bond, Solberg and Troxel, notified the House that the Senate had completed its business and was about to adjourn sine die.

Rep. Aker reported to the House that the committee appointed to notify the Governor that the House had completed

its business and was about to adjourn sine die, had fulfilled its mission and desired to be discharged, which report was adopted and the committee discharged.

Rep. Twichell: Is there any more business to come before this extraordinary legislative assembly?

Mr. Speaker: The business is completed. Rep. Twichell: I move that this Extraordinary Legislative Assembly of the House of Representatives do now adjourn sine die, which motion prevailed and the House stood adjourned.

#### W. M. SMART, Chief Clerk.

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#### House Bill No. 1—(Reps. Graham and Bergesen, by request) Referred to Committees on Elections and Judiciary.

House Bill No. 1. A Bill for an Act to Amend and Reenact Sections 924, 925, 926 and 927 of the Compiled Laws of North Dakota for 1913 Relating to Contents of Publicity Pamphlets Published by the Secretary of State the Right of Candidates for State and District Offices to Use the Same at Any Primary or General Election, Fixing Rates to Be Paid for Candidates, Providing for Notice to Parents and Guardians of Persons in the Armed Forces of the United States to file With County Auditors Addresses of Such Persons in the Armed Forces, Declaring an Emergency.

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House Bill No. 2—(Reps. Graham and Bergesen, by request) Referred to Committees on Elections and Judiciary.

House Bill No. 2. A Bill for an Act to Amend and Reenact Section 853 of the Compiled Laws of North Dakota for 1913, Relating to the Obtaining and Filing of Petitions of Candidates for United States Senate, Members of Congress, State Officers, Judges of the Supreme and District Courts, and Declaring an Emergency.

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House Bill No. 3—(Reps. Graham and Bergesen, by request) Referred to Committees on Elections and Judiciary.

House Bill No. 3. A Bill for an Act to Amend and Reenact Sections 992, 993 and 995 of the Compiled Laws of North Dakota for 1913, as Amended by Chapter 148 of the Session Laws of 1941, Repealing Sections 1002a1, 1002a2, 1002a5 of the 1925 Supplement to the Compiled Laws of North Dakota for 1913; Declaring an Emergency.

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House Bill No. 4—(Reps. Graham and Bergesen, by request) Referred to Committees on Elections and Judiciary.

House Bill No. 4. A Bill for an Act to Amend and Reenact Section 1003 of the 1925 Supplement to the Compiled Laws of North Dakota for 1913, Relating to the Duties of the Secretary of State, County Auditor or any Other Officer by Law Required to Prepare General or Primary Election Ballots; Fixing Time When Said Ballots Are to Be Prepared; Declaring an Emergency.

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House Bill No. 5—(Reps. Graham and Bergesen, by request) Referred to Committees on Elections and Judiciary.

House Bill No. 5. A Bill for an Act to Amend and Reenact Section 920 of the Compiled Laws of North Dakota for 1913, Relating to Certification by the Secretary of State to County Auditors of a Certified List of Names and Addresses of Candidates at the Primary Election, and Declaring an Emergency.

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#### House Bill No. 6—(Reps. Graham and Bergesen, by request) Referred to Committee on Appropriations.

House Bill No. 6. A Bill for an Act Amending and Reenacting the Initiated Act Approved by the Electors of the State of North Dakota on November 8, 1932, Which Act Amended and Re-enacted Section 719 of the 1925 Supplement to the Compiled Laws of the State of North Dakota for 1913, Relating to the Salaries of Judges of the Supreme INDEX

Court of the State of North Dakota, and Providing for an Increase of Salaries for Said Supreme Court Judges from Five Thousand Dollars (\$5,000.00) to Five Thousand, Five Hundred Dollars (\$5,500.00) a Year; and Declaring an Emergency.

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House Bill No. 7. A Bill for an Act to Amend and Reenact Chapter 138 of the Session Laws of 1939, Relating to Filing of Vacancies of Elective County Officers, Superintendent of Schools, and County Commissioners on the Noparty Ballot; Declaring an Emergency.

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House Bill No. 8-(Reps. Graham and Bergesen, by request) Referred to Committees on Elections and Judiciary.

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House Bill No. 9. A Bill for an Act to Amend and Reenact Sections 1002a3 and 1002a4 of the Supplement to the Compiled Laws of North Dakota for 1913, Relating to Absent Voters' Ballots for Voters Not in the County on Election Day and Serving in the Armed Forces of the United States, Declaring an Emergency.

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House Bill No. 10—(Reps. Graham and Bergesen, by request) Referred to Committees on Elections and Judiciary.

House Bill No. 10. A Bill for an Act to Amend and Reenact Sections 973 and 974 of the 1925 Supplement to the Compiled Laws of North Dakota for 1913, Relating to the Time of Certification of Nomination to Be Filed with the Secretary of State and Certificates of Nomination to Be Filed with the County Auditors; Certification by the Secretary of State to County Auditors, and Declaring an Emergency.

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House Bill No. 11—(Reps. Graham and Bergesen, by request) Referred to Committees on Elections and Judiciary.

House Bill No. 11. A Bill for an Act Amending and Reenacting Section 854 of the 1925 Supplement to the Compiled Laws of North Dakota for 1913, as Amended by Chapter 139 of the Session Laws of 1931, Relating to the Obtaining and Filing of Petitions for County Officers, County Commissioners and Legislative Candidates, Filing Fees Therefor and Declaring an Emergency.

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House Bill No. 12. A Bill for an Act to Amend and Reenact Sections 1 and 3 of Chapter 135 of the Session Laws of 1935, Fixing Time for the Primary Election, for the Election of Precinct Committeemen and Declaring an Emergency.

Introduction, first reading, 24. Reference, 24. Reported back, 59. Amended, 59. Engrossed, 68, 103. Second reading, 78. Passed, 78. Forwarded to Senate, 95, 172. Returned by Senate, 145, 174. Enrolled, 170. Signed by Speaker, 171. Forwarded to Governor, 180.

House Bill No. 13—(Reps. Graham and Bergesen, by request) Referred to Committees on Elections and Judiciary.

House Bill No. 13. A Bill for an Act to Amend and Reenact Section 976 of the Compiled Laws of North Dakota for 1913, Relating to Withdrawal of Nominees from Public Office as Candidates; Fixing Time Within Which Such Withdrawal May Be Made; Declaring an Emergency.

Introduction, first reading, 24. Reference, 24. Reported back, 59. Second reading, 85. Passed, 86. Forwarded to Senate, 93, 172. Returned by Senate, 145, 175. Enrolled, 170. Signed by Speaker, 171. Forwarded to Governor, 180.

House Bill No. 14—(Committee on Appropriations)

Referred to Committee on Appropriations.

House Bill No. 14. A Bill for an Act Making an Appropriation for Payment of the Increase in the Elevator Maintenance Contract for the State Capitol, and Declaring an Emergency.

Introduction, first reading, 25. Reference, 25. Reported back, 44. Second reading, 52. Passed, 53. Forwarded to Senate, 55, 160. Returned by Senate, 133, 162. Enrolled, 158. Signed by Speaker, 159. Forwarded to Governor, 180.

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Referred to Committee on Appropriations.

House Bill No. 15. A Bill for an Act Making an Appropriation for the Increase of Salaries of the Appointive Members of the Board of Administration, and Declaring an Emergency.

Introduction, first reading, 25. Reference, 25. Reported back, 44. Second reading, 53. Passed, 53. Forwarded to Senate, 55, 161. Returned by Senate, 133, 163. Enrolled, 160. Signed by Speaker, 160.

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#### House Bill No. 16-(Rep. Bauer)

Referred to Committees on Game and Fish, and Livestock, and Appropriations.

House Bill No. 16. A Bill for an Act to Amend and Reenact Chapter 142 of the 1943 Session Laws, Relating to Wolf, Coyote and Fox Bounty; Providing for Destruction of Carcasses; Making an Appropriation; and Declaring an Emergency.

Introduction, first reading, 26. Reference, 26. Reported back, 48.

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House Bill No. 17—(Reps. Fitch and Schnell)

Referred to Committee on Ways and Means.

House Bill No. 17. A Bill for an Act Fixing the Salary of the State Tax Commissioner at Four Thousand Dollars (\$4,000.00) Per Annum, and Repealing All Acts or Parts of Acts in Conflict Herewith.

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House Bill No. 19—(Reps. Graham, Olson of Barnes, Ohnstad and Sailer)

Referred to Committee on Federal Relations.

House Bill No. 19. A Bill for an Act to Provide for the Development of Aviation and Aeronautics in the State of North Dakota, Creating a State Aeronautics Committee Under the Jurisdiction of the Public Service Commission; Creating an Aeronautics Fund Authorizing the Transfer of Appropriated Funds; and Declaring an Emergency.

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#### House Bill No. 20—(Reps. Fitch and Crockett)

Referred to Committee on Ways and Means.

House Bill No. 20. A Bill for an Act to Amend and Reenact Section 11 and Section 13 of Chapter 269 of the Session Laws of 1943, Relating to Veterans Aid Commission, and Increasing the Amount Which May Be Expended by the Commission, and Providing for Compensation for the Members of the Commission and Providing for Compensation for the Executive Secretary of the Commission; and Declaring an Emergency.

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House Bill No. 21-(Rep. Marks, by request)

Referred to Committee on Insurance.

House Bill No. 21. A Bill for an Act to Repeal Chapter 152 of the Session Laws of 1943.

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Reference, 31.

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Indefinitely postponed, 90.

#### House Bill No. 22-(Rep. Marks, by request)

Referred to Committee on Insurance.

House Bill No. 22. A Bill for an Act Providing for Comprehensive Re-insurance of Public Buildings, Fixing Rates of Premiums to Be Charged, Providing for Payment of Premiums, Classification of Risks, Administration of Fund, Repealing Acts in Conflict, and Declaring an Emergency.

Introduction, first reading, 31.

Reference, 31.

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#### House Bill No. 23—(Rep. Marks, by request)

Referred to Committee on Insurance.

House Bill No. 23. A Bill for an Act Providing for an Actuarial Audit of State Hail Insurance Rates, Report to Insurance Commissioner and Twenty-ninth Legislative Assembly, Appropriation, and Declaring an Emergency.

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#### House Bill No. 24—(Reps. Fitch and Crockett)

Referred to Committee on Ways and Means.

House Bill No. 24. A Bill for an Act Authorizing the Board of County Commissioners to Appoint, Employ, and Pay a County Veterans' Service Officer to Assist Returning Members of the Armed Forces in the Solution of Their Problems.

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Referred to Committee on Insurance.

House Bill No. 25. A Bill for an Act to Amend and Reenact Subdivision (4) of Section (1) of Chapter 159 of the 1943 Session Laws of the Regular Session of the State of North Dakota, to Further Define the Term "Permanent Contents"; and Further Providing for an Additional Section Numbered 23 to Said Chapter, Such Section Providing for the Risks to Be Covered and Be Classified, the Limitation of Risks, and Further Requiring and Providing for the Effecting of Additional Insurance on Public Properties, to Regulate the Type and Extent of Such Additional Insurance, to Provide for the Risks to Be Covered, the Method of Valuing the Same, the Types of Insurance Coverage, to Further Define and Regulate the Dutis of the Commissioner of Insurance, and Boards, Commissions or Officers Having the Legal Supervision and Control of the Property to Be So Insured, and Providing and Declaring an Emergency.

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House Bill No. 26---(Reps. McInnes, Levin, Ohnstad, Johnson of Richland and Carlson)

Referred to Committee on Drainage and Irrigation.

House Bill No. 26. A Bill for an Act to Amend and Reenact Section 2486 of the 1925 Supplement to the 1913 Compiled Laws, as Amended by Chapter 118 of the 1943 Session Laws, Relating to Repairs of Existing Drains, and Declaring an Emergency.

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Referred to Committee on Drainage and Irrigation.

House Bill No. 27. A Bill for an Act to Amend and Reenact Section 2472 of the Compiled Laws Relating to Letting of Contracts by Board of Drain Commissioners, and Declaring an Emergency.

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House Bill No. 29. A Bill for an Act Making an Appropriation from the General Fund of the State to the Veterans Post War Rehabilitation Reserve Fund to Carry Out the Provisions of Chapter 180 of the Session Laws of 1943, Such Appropriation to Be in Addition Thereto; and Declaring an Emergency.

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House Bill No. 30—(Rep. Marks, by request)

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House Bill No. 30. A Bill for an Act Amending and Reenacting Sections 1, 2, 4, 14 and 21 of Chapter 159, Session Laws of 1943; Providing for the Administration of the State Fire and Tornado Fund, Property to Be Insured Thereunder, Replacement of Policies, New Construction Insurance Rate; Repealing All Laws and Parts of Laws in Conflict; Declaring an Emergency.

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Reference, 38.

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House Concurrent Resolution No. 4—(Rep. Johnson of Cass) Introduction, first reading, 38. Indefinitely postponed, 39.

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# House Concurrent Resolution No. 6-(Reps. Graham and Starck)

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House Concurrent Resolution No. 6. A Concurrent Resolution Memorializing Congress and the President to Take Immediate Steps for Securing Necessary Tires for the Use of Farmers.

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Adopted, 36. Enrolled, 51. Signed by Speaker, 55. Forwarded to Secretary of State, 139.

House Resolution No. 3—(Reps. Heckman and McInnes) Introduction, first reading, 99. Adopted, 99. Enrolled, 170. Signed by Speaker, 171. Forwarded to Secretary of State, 180.

House Resolution No. 5—(Reps. Fleck, Falconer and Sellens) Introduction, first reading, 155. Adopted, 156. Enrolled, 170. Signed by Speaker, 171. Forwarded to Secretary of State, 180.

# JOINT MEMORIAL RESOLUTIONS

Joint Memorial Resolution "A"—(Senators Day and Bridston and Reps. Saumur and Allen of Grand Forks)

Introduction, first reading, 19. Adopted, 20. Forwarded to Senate, 71, 159. Returned by Senate, 110. Enrolled, 51. Signed by Speaker, 55.

#### Joint Memorial Resolution "B"—(Senator Stucke)

Introduction, first reading, 20. Adopted, 20. Forwarded to Senate, 71, 159. Returned by Senate, 110. Enrolled, 51. Signed by Speaker, 55. Forwarded to Secretary of State, 139.

Joint Memorial Resolution "C"-(Rep. Larson of Wells)

Introduction, first reading, 20. Engrossed, 51. Adopted, 21. Forwarded to Senate, 71. Returned by Senate, 110. Enrolled, 61. Signed by Speaker, 55. Forwarded to Secretary of State, 139.

## RECORD OF SENATE BILLS IN THE HOUSE

Senate Bill No. 1

Senate Bill No. 1. A Bill for an Act to Appropriate Fifteen Thousand (\$15,000.00) Dollars for the Biennium Beginning July 1, 1943, and Ending June 30, 1945, 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 Note to Exceed Twenty Thousand (\$20,000.00) Dollars, and to Provide for Funds to Enable the Department of Agriculture and Labor of the State of North Dakota to Carry Out the Provisions of this Act; Providing for a Transfer to the State Emergency Fund of \$5,000.00 from the Appropriation Herein Made to Reimburse Said Fund for Monies Transferred Therefrom in Anticipation of Said Appropriation; Declaring an Emergency and Repealing all Acts or Parts of Acts in Conflict Herewith.

Received from Senate, 54, 161, 166. First reading, reference, 54. Reported back, 89. Amended, 114, 116. Second reading, 114, 115. Passed, 116. Returned to Senate, 129. Signed by Speaker, 167. To Senate, 167.

#### Senate Bill No. 2

Senate Bill No. 2. A Bill for an Act to Amend and Reenact Section 9498 of the 1913 Compiled Laws Prohibiting the Setting of Spring—or Other Gun or Trap or Device, Operated by Firing or Exploding of Gunpowder or Other Explosive; Providing Certain Exceptions, and Declaring an Emergency.

Received from Senate, 74, 156. First reading, reference, 74. Reported back, 97. Second reading, 116, 117. Passed, 117. Returned to Senate, 130, 159. Signed by Speaker, 159. To Senate, 159.

#### Senate Bill No. 3

Senate Bill No. 3. A Bill for an Act Suspending Sales of Farm and Grazing Lands Owned by the State of North Dakota, Its Agencies and Subdivisions, Subject to Specified Exceptions, and Declaring an Emergency.

Received from Senate, 98, 134, 161, 166. First reading, reference, 98. Reported back, 105. Amended, 144, 145. Second reading, 146. Passed, 146, 147, 148. Returned to Senate, 134, 154. Signed by Speaker, 167. To Senate, 167.

#### Senate Bill No. 4

Senate Bill No. 4. A Bill for an Act to Amend Chapter 178 of the Laws of 1943, Providing for the Recording of the Discharge Papers from the National Guard, the Army, Navy, Marine Corps, and all Other Branches of the Military Forces of the United States, Without Fee; Declaring an Emergency; and Repealing All Acts and Parts of Acts in Conflict Herewith.

Received from Senate, 98, 161, 166. First reading, reference, 98. Reported back, 105. Amended, 128. Second reading, 128, 129. Passed, 129. Returned to Senate, 130. Signed by Speaker, 167. To Senate, 167.

#### Senate Bill No. 5

Senate Bill No. 5. A Bill for an Act Authorizing and Directing the State Health Department to Secure and Process Blood; to Store and Distribute Blood Plasma Free of Charge to the People of the State of North Dakota; Providing an Appropriation of \$10,000.00 Therefor; and Declaring an Emergency.

Received from Senate, 74, 157. First reading, reference, 74. Reported back, 98. Second reading, 124, 125. Passed, 125. Returned to Senate, 131, 159. Signed by Speaker, 159. To Senate, 159.

#### Senate Bill No. 6

Senate Bill No. 6. A Bill for an Act Permitting Electors Engaged in the Defense of Their Country or Members of the American Red Cross, Merchant Marine, or the United Service Organizations Outside the Territorial Limits of the United States, as a Result of Any War in Which the United States of America May Be Engaged, and Until Six Months After the Termination Thereof, to Vote by Proxy During the Emergency of Any Such War, Defining the Duty of the County Auditor, and Declaring an Emergency.

Received from Senate, 104, 105, 208. First reading, reference, 105, 197. Reconsidered, 196. Reported back, 133, 197. Amended, 197, 201. Second reading, 202.

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Indefinitely postponed, 135, 136. Passed, 203. Returned to Senate, 205. Signed by Speaker, 208. To Senate, 209.

#### Senate Bill No. 7

Senate Bill No. 7. A Bill for an Act to Amend and Reenact Section 2125 of the Compiled Laws of North Dakota for 1913 as Amended by Section 1 of Chapter 248 of the Session Laws of 1929, Providing for the Election, Qualifications and Compensation of Officers in Townships and in Unorganized Districts; Declaring an Emergency.

Received from Senate, 96, 171. First reading, reference, 98. Reported back, 149. Second reading, 149. Passed, 150. Returned to Senate, 154, 173. Signed by Speaker, 171. To Senate, 173.

#### Senate Bill No. 8

Senate Bill No. 8. A Bill for an Act Reappropriating Monies Heretofore Appropriated for Improvements and Repairs of the North Dakota Soldiers' Home at Lisbon, North Dakota, and Declaring an Emergency.

Received from Senate, 97, 157. First reading, reference, 99. Reported back, 110. Second reading, 126. Passed, 127. Returned to Senate, 131, 160. Signed by Speaker, 159. To Senate, 160.

#### Senate Bill No. 9

Senate Bill No. 9. A Bill for an Act to Include in the Printed Volumes of the North Dakota Revised Code of 1943, All of the Laws Enacted at the Extraordinary Session of the North Dakota 28th Legislative Assembly, Commencing March 20, 1944, and Declaring an Emergency.

Received from Senate, 99, 171. First reading, reference, 99. Reported back, 132. Second reading, 149. Passed, 149. Returned to Senate, 154, 173. Signed by Speaker, 171. To Senate, 173.

#### Senate Bill No. 10

Senate Bill No. 10. A Bill for an Act Making an Appropriation to Pay the Per Diem of Examiners as Provided for in Chapter 155 of the Session Laws of 1943 and Declaring an Emergency. INDEX

Received from Senate, 69, 161, 166. First reading, reference, 74. Reported back, 97. Amended, 121. Second reading, 120, 121, 122. Passed, 122. Returned to Senate, 130. Signed by Speaker, 167. To Senate, 167.

#### Senate Bill No. 11

Senate Bill No. 11. A Bill for an Act Making an Appropriation for the Payment of Premiums on Insurance Provided for in Chapter 152 of the Session Laws of 1943, and Declaring an Emergency.

Received from Senate, 74, 157. First reading, reference, 74. Reported back, 97. Amended, 118. Second reading, 119. Passed, 119. Returned to Senate, 131, 159. Signed by Speaker, 159. To Senate, 159.

#### Senate Bill No. 12

Senate Bill No. 12. A Bill for an Act Making an Appropriation for the Return of Assessments to State Institutions, State Departments, State Industries and Political Subdivisions for Assessments Paid by Them to the State Fire and Tornado Fund Contrary to the Provisions of Chapter 159 of the Session Laws of 1943.

Received from Senate, 70, 157. First reading, reference, 75. Reported back, 97. Second reading, 117, 118. Passed, 118. Returned to Senate, 130, 159. Signed by Speaker, 159. To Senate, 159.

#### Senate Bill No. 13

Senate Bill No. 13. A Bill for an Act to Amend and Reenact Section 1, 13 and 19 of Chapter 159 of the Laws of 1943 (being Sections 26-2401, 26-2413 and 26-2419 of the Revised Code for 1943), defining the words "Commissioner", "Fund", "Political Subdivision", and "Permanent Contents" as Used in the State Fire and Tornado Fund Law; Providing for the Assessments to Be Made for Such Fund; and Providing the Method of Repair or Replacement of Destroyed Buildings, and Declaring an Emergency.

Received from Senate, 70, 161, 166. First reading, reference, 75. Reported back, 96. Amended, 117, 123. Second reading, 123, 124. Passed, 124. Returned to Senate, 130. Signed by Speaker, 167. To Senate, 167.

#### Senate Bill No. 14

Senate Bill No. 14. A Bill for an Act to Amend and Reenact Subsection (1) of Section 287 of the Supplement to the Compiled Laws of North Dakota, as Amended by Chapter 215 of the Session Laws for 1929, Relating to the Investment of University and School Land Funds; and Providing that Monies So Invested Shall Bear Interest at the Rate of Three and One-half Percent Per Annum; and Declaring an Emergency.

Received from Senate, 70, 166. First reading, reference, 75. Reported back, 98. Amended, 98. Second reading, 125, 126. Passed, 126. Returned to Senate, 130. Signed by Speaker, 167. To Senate, 167.

#### Senate Bill No. 15

Senate Bill No. 15. A Bill for an Act Making an Appropriation to Defray the Expenses of the Extraordinary Legislative Session of 1944, and the Expenses of the Governor's Advisory Committee, and Declaring an Emergency.

Received from Senate, 97, 135, 205, 208. First reading, reference, 99, 205. Reported back, 110, 205. Amended, 205. Second reading, 113, 206. Passed, 114, 206. Returned to Senate, 132, 141. Signed by Speaker, 138, 208. To Senate, 208.

#### Senate Bill No. 16

Senate Bill No. 16. A Bill for an Act to Establish an Interim Legislative Committee to Investigate Charges Made Against the Department of Insurance, to Fix the Duties of Such Committee and Provide the Procedure for Such Committee, to Compel the Attendance of Witnesses and the Production of Records Before the Committee and/or Its Representatives, and Fix Penalties for Refusal, and Making an Appropriation for the Use of Sajd Committee, and Declaring an Emergency.

Received from Senate, 112, 181. First reading, reference, 112. Reported back, 132. Amended, 152. Second reading, 153. Passed, 154. Returned to Senate, 170. Signed by Speaker, 182. To Senate, 182.

# SENATE CONCURRENT RESOLUTIONS

#### Senate Concurrent Resolution "A"

Senate Concurrent Resolution "A." Reference to Publishing a Popular and Authenticated Edition of the Session Laws of the Special Session of the Twenty-eighth Legislative Assembly.

Received from Senate, 96, 157. First reading, reference, 98. Reported back, 111. Adopted, 128. Returned to Senate, 131. Signed by Speaker, 159. To Senate, 160.

#### Senate Concurrent Resolution "B"

Senate Concurrent Resolution "B." To Establish an Interim Legislative Committee to Investigate Charges Made Against the Department of Insurance, to Fix the Duties of Such Committee and Provide Its Procedure and to Compel the Attendance of Witnesses and the Production of Records Before the Committee and/or Its Representatives, and Fix Penalties for Refusal.

Received from Senate, 112, 170. First reading, reference, 112. Reported back, 132. Amended, 151. Second reading, 151. Passed, 151, 152. Returned to Senate, 154, 161. Signed by Speaker, 171. To Senate, 181.

#### Senate Concurrent Resolution "C"

Received from Senate, 96, 157. First reading, reference, 98. Reported back, 110. Adopted, 126. Returned to Senate, 131. Signed by Speaker, 159. To Senate, 160.

#### Senate Concurrent Resolution "E"

-Received from Senate, 96, 157. First reading, reference, 98. Reported back, 110. Second reading, 127. Adopted, 128. Returned to Senate, 131. Signed by Speaker, 159. To Senate, 160.

#### Senate Concurrent Resolution "F" Received from Senate, 164, 171. First reading, reference, 164.

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Adopted, 165. Returned to Senate, 165. Signed by Speaker, 171. To Senate, 181.

#### Senate Concurrent Resolution "G"

Senate Concurrent Resolution "G." Be It Resolved, That the 28th Legislative Assembly of the State of North Dakota, in Extraordinary Session Assembled, Extend Its Sincere Thanks to the President, the Officers, Directors and Members of the Greater North Dakota Association, as Well as to the Hundreds of Farmers and Town People, Who Have Completed Individual Township Surveys, and Who Will Complete the Surveys of the Rest of North Dakota's Townships, Without Charge and Without Cost, for Their Splendid and Patriotic Service, Which We Are Confident Will Be Most Helpful to Our Successor, the 29th Legislative Assembly.

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Received from Senate, 194, 196.

First reading, reference, 194, 195.

Adopted, 195. Returned to Senate, 195. Signed by Speaker, 197. To Senate, 197.